Code Enforcement Board
Meeting Minutes
January 18, 2024

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, January 18, 2024 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Vice Chairman Brown called the meeting to order at 6:00 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

George Brown Jr.	Vice-Chairman
Michael Simpson	Board Member
Chris Davis	Board Member
Sharri Scott	Board Member
Josue Otero	Board Member
Melissa Acosta	1rst Alternate

MEMBERS ABSENT:

Lloyd Roberts	Chairman
Dik Muller	2nd Alternate - excused

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Chris Moderson	Sergeant
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Micheal Mack	Code Enforcement Officer
Michael Folger	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Darla Crowl	Recording Secretary

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: January 18, 2024

Chris Davis noted changes to the agenda (Items complied, tabled and withdrawn)

Motion by Mr. Davis, seconded by Ms. Scott, to approve to the agenda of January 18, 2024. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: November 16, 2023.

Motion by Mr. Davis, seconded by Mr. Simpson, to approve to the minutes of November 16, 2023. Vote on the motion carried unanimously.

3. Submit to the record of all documents & notices for all cases on the Agenda.

NEW BUSINESS:

1. Election of Code Enforcement Board Chairman

Motion by Ms. Scott, seconded by Mr. Davis to nominate Mr. Roberts for Chairman. Vote on the motion carried unanimously.

2. Election of Code Enforcement Vice Chairman

Motion by Ms. Scott, seconded by Mr. Davis to nominate Mr. Brown for Vice Chair. Vote on the motion carried unanimously.

CASES:

1. CE-23-788 – 409 Delannoy Ave

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Exterior General Condition Ch 6 Sec. 6-1003 (a), Maint. Of Struct/Grounds, Ch. 6 Sec. 6-900 (b) (4), Permit Required App A Art. XV Sec 2 (a), Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), Electrical Facilities, Ch. 6 Sec. 6-1301 (d) and Illicit/Illegal Discharge, Ch. 22 Sec. 22-58*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine **twenty-five dollars ($25.00)** ***Exterior General Condition Ch 6 Sec. 6-1003 (a),*** **fifty dollars ($50.00)** ***Maint. Of Struct/Grounds, Ch. 6 Sec. 6-900 (b) (4),*** **twenty-five dollars ($25.00)** ***Permit Required App A Art. XV Sec 2 (a),*** **twenty-five dollars ($25.00)** ***Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11),*** **twenty-five dollars ($25.00)** ***Electrical Facilities, Ch. 6 Sec. 6-1301 (d) and*** **one hundred dollars ($100.00)** ***Illicit/Illegal Discharge, Ch. 22 Sec. 22-58*** per day until found in compliance.

Property owner was sworn in: Troy Stephan, 409 Delannoy Ave.

Mr. Stephan was confused as to which property was being discussed. Mr. Stephan said he was in compliance with the drainage issue. He put in a 12-inch pipe with three 6-inch pipes to help with the drainage. The electrical panel was there when the kiosk was built. Mr. Stephan wanted to go over each violation. Manager Bunt wanted to let the Board Members know there are several cases with different addresses on the agenda. This case was for the Bier Garten and the Kiosk. Mr. Brown requested Manager Bunt to explain the violations to Mr. Stephan. Manager Bunt replied that he has spoken to Mr. Stephan with the Building Official, himself and Officer Gonzalez and pointed everything out. Manager Bunt went through the PowerPoint pictures and explained these were pictures from the Bier Garten property. Manager Bunt asked if there was any flooding still at the location. Manager Bunt explained that Code Enforcement cited her for cutting the pipe to get run off from the roof. The pipe was fixed back to the way it was. Mr. Davis had questions for Officer Gonzalez. Mrs. Acosta asked Mr. Stephan if he had proof of the approval. Manager Bunt responded that initial site plan was approved but its not working. Manager Bunt explained as a certified storm water inspector from the state he is giving testimony that it is does not work properly. Mr. Simpson's question, was this has been a problem for years correct? Since it has been a problem why haven't' you fixed the problem before now? Ms. Scott asked about the report and numbers he has from the state. Mr. Davis wanted to go through the pictures for the other violations with dates from today. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Ms. Scott, to approve Staff's recommendation and give the property owner until February 17, 2024 (30 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-23-789 – 114 Harrison St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Illicit/Illegal Discharges, Ch. 22 Sec. 22-58, Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and Grease Interceptor Regulations, Ch. 22 Sec. 22-16 (a-f)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of **one hundred dollars ($100.00)** ***Illicit/Illegal Discharges, Ch. 22 Sec. 22-58, twenty-five dollars ($25.00) Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and fifty dollars ($50.00) Grease Interceptor Regulations, Ch. 22 Sec. 22-16 (a-f)*** per day until found in compliance.

Property owner was sworn in: Troy Stephan, 409 Delannoy Ave

Mr. Stephan gave testimony about the tenant that had a restaurant which has since been evicted. Mr. Brown stated all of the pictures were taken from today. More discussion amongst the Board members, Mr. Stephan and staff.

Motion by Mr. Davis, seconded by Mr. Simpson, to approve Staff's recommendation and give the property owner until February 17, 2024 (30 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-23-851 – 101 Harrison St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Illicit/Illegal Discharges, Ch. 22 Sec. 22-58, Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and Exterior General Condition, Ch. 6 Sec. 6-1003 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a **fine of one hundred dollars ($100.00)** ***Illicit/Illegal Discharges, twenty-five dollars ($25.00) Ch. 22 Sec. 22-58, Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and fifty dollars ($50.00) Exterior General Condition, Ch. 6 Sec. 6-1003 (a)*** per day until found in compliance.

Property owner was sworn in: Troy Stephan, 411 Magnolia Ave and (Tenant) Patrick Evangelista, 401 Delannoy Ave

Manger Bunt wanted to let the Board know that some progress has been made by the tenant. Mr. Evangelista gave pictures to the Board to look at compared to the PowerPoint. Mr. Evangelista has a sump pump for the restaurant to keep the water out of the building. Manager Bunt wanted the Board to know the tenant has not been cited by Code Enforcement Mr. Stephan the property owner was cited. The sump pump was not cited for outside storage. Mr. Stephan stated that the owner of Green Apples was the cause of the flooding. Manager Bunt stated that the owner of Green Apples has fixed the pipe in the alley way. Manager Bunt asked the tenant why he was having to take his grease down the street. Manager Bunt stated again that Mr. Stephan the property owner is responsible for these items. Officer Gonzalez stated the study from the state shows that 1.8 is the acceptable levels. The levels on the report were 210. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Otero, to amend Staff's recommendation and give the property owner until March 18, 2024 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

4. CE-23-1180 – 502 Brevard Ave.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Illicit/Illegal Discharges, Ch. 22 Sec. 22-58*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 18, 2023 (30 days) to come into compliance or impose a fine of **one hundred dollars ($100.00)** ***Illicit/Illegal Discharges, Ch. 22 Sec. 22-58*** per day until found in compliance.

Property owner was sworn in: Troy Stephan, 409 Delannoy Ave.

Officer Gonzalez explained that this is the location the grease is being delivered from 101 Harrison St. Mr. Davis said it looks like the grease is spilling over or not making it into the container. Officer Gonzalez agreed. Manager Bunt stated that the grease is on the ground and on the fence. Mr. Stephan tried to explain what happened at the location. Mr. Davis asked Mr. Stephan how long the cleanup would take and talk to the tenants. More discussion amongst the Board members and staff.

Motion by Mr. Otero, seconded by Ms. Acosta, to amend Staff's recommendation and give the property owner until March 18, 2024 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

5. CE-23-654 – 908 Carson St.

Code Enforcement Officer Michael Folger provided an overview of the Case history and presented exhibits for the Board's review. Officer Folger testified that the Property Owner was in violation of ***Accessory Structures, Ch. 6 Sec. 6-1001 (g), Parking In Yard, Ch. 6 Sec. 6-900 (b) (9), Storing Vehicles, Ch. 6 Sec. 6-900 (b) (8), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), District and Intent – RU-1-7 Single-Family Residential District, App. A, Art. XI, Sec. 3 (A)-(F), Premises Identification Ch 6 Sec. 6-1003 (c), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Business Tax Receipt Ch 12 Sec. 12-1 (a)(b)*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **twenty-five dollars ($25.00)** ***Accessory Structures, Ch. 6 Sec. 6-1001 (g), twenty-five dollars ($25.00)Parking In Yard, Ch. 6 Sec. 6-900 (b) (9), twenty-five dollars ($25.00) Storing Vehicles, Ch. 6 Sec. 6-900 (b) (8), twenty-five dollars ($25.00) Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), fifty dollars ($50.00) District and Intent – RU-1-7 Single-Family Residential District, App. A, Art. XI, Sec. 3 (A)-(F), twenty-five dollars***

($25.00) Premises Identification Ch 6 Sec. 6-1003 (c), twenty-five dollars ($25.00) Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) per day ***and two hundred fifty dollars ($250.00) Business Tax Receipt Ch 12 Sec. 12-1 (a)(b) a one time fee*** until found in compliance.

Manager Bunt told the Board that he met with the Mayor and the property owner to talk about the violations. More discussion amongst the Board members and staff.

Motion by Mr. Otero, seconded by Mr. Davis, to approve Staff's recommendation and give the property owner until February 17, 2024 (30 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-23-660 – Parcel ID # 24-36-20-00-754

Code Enforcement Officer Michael Folger provided an overview of the Case history and presented exhibits for the Board's review. Officer Folger testified that the Property Owner was in violation of ***District and Intent – RU-1-7 Single-Family Residential District, App. A, Art. XI, Sec. 3 (A)-(F), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and Business Tax Receipt Ch 12 Sec. 12-1 (a)(b)*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **fifty dollars ($50.00)** ***District and Intent – RU-1-7 Single-Family Residential District, App. A, Art. XI, Sec. 3 (A)-(F), fifty dollars ($50.00) Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), twenty-five ($25.00) Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)*** per day ***and two hundred fifty dollars ($250.00) Business Tax Receipt Ch 12 Sec. 12-1 (a)(b) a one-time fee*** **until** found in compliance.

Manager Bunt explained this property is behind the property 908 Carson St. and owned by the same property owner. Mr. Davis had questions about the vehicles and the other items on the property. More discussion amongst the Board members and staff.

Motion by Mr. Simpson, seconded by Ms. Acosta, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-23-764 – 1317 N Cocoa Blvd

Code Enforcement Officer Michael Folger provided an overview of the Case history and presented exhibits for the Board's review. Officer Folger testified that the Property Owner was in violation of ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a)*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **fifty dollars ($50.00)** ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a),*** per day until found in compliance.

Property owner was sworn in: Victor Silva, 1345 Belford Ct, Merritt Island, representative (contractor) Valerie Forsyth, 984 Samar Rd, Cocoa Beach

Ms. Forsyth said that she will be getting Protek Roofing and Real Tree to do the demolition. Ms. Forsyth said she would like have 60 days because they will need to get engineering for the property and pull the permits. Mr. Otero asked if he knew he had a contractor. Manager Bunt said that 90 days would probably more appropriate. More discussion amongst the Board members and staff.

Motion by Mr. Otero, seconded by Ms. Acosta, to amend Staff's recommendation and give the property owner until April 18, 2024 (90 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

8. CE-23-1232 – 211 Coquina Dr.

Code Enforcement Officer Michael Folger provided an overview of the Case history and presented exhibits for the Board's review. Officer Folger testified that the Property Owner was in violation of ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Maint. of Fences App A Art XIII Sec. 5 (g)1-6, Parking in Yard Ch 6 Sec 6-900 (b)(9), Permit Required App A Art. XV Sec 2 (a), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), Weeds, Ch 6 Sec. 6-1001(d), District and Intent – RU – 1-7, Single- Family Residence App. A Art. XI, Sec. 3 and Exterior Property Areas, Ch. 6 Sec. 6-1001 (c)*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **twenty-five dollars ($25.00)** ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d,*** **twenty-five dollars ($25.00)** ***Maint. of Fences App A Art XIII Sec. 5 (g)1-6,*** **twenty-five dollars ($25.00)** ***Parking in Yard Ch 6 Sec 6-900 (b)(9),*** **twenty-five dollars ($25.00)** ***Permit Required App A Art. XV Sec 2 (a),*** **twenty-five dollars ($25.00)** ***Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2),*** **twenty-five dollars ($25.00)** ***Weeds, Ch 6 Sec. 6-1001(d),*** **twenty-five dollars ($25.00)** ***District and Intent – RU – 1-7, Single- Family Residence App. A Art. XI, Sec. 3 and*** **twenty-five dollars ($25.00)** ***Exterior Property Areas, Ch. 6 Sec. 6-1001 (c)*** per day until found in compliance.

Neighbor of the above property was sworn in: Adriana Duquette, 3068 Sunset Ct

Manager Bunt let the Board Members know that under the permit violation that the enclosure of the carport would also be included. Ms. Duquette wanted to discuss the fireworks being set off in the neighborhood. Attorney Babb-Nutcher stated the Board could not discuss something that is not on the Agenda. Manager Bunt explained that the Police Department is aware of the fireworks issue. Discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Ms. Acosta, to amend Staff's recommendation and find the Property Owner in violation of **fifty dollars ($50.00)** ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d,*** **fifty dollars ($50.00)** ***Maint. of Fences App A Art XIII Sec. 5 (g)1-6,*** **fifty dollars ($50.00)** ***Parking in Yard Ch 6 Sec 6-900 (b)(9),*** **fifty dollars ($50.00)** ***Permit Required App A Art. XV Sec 2 (a),*** **fifty dollars ($50.00)** ***Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2),*** **fifty dollars ($50.00)** ***Weeds, Ch 6 Sec. 6-1001(d),*** **fifty dollars ($50.00)** ***District and Intent – RU – 1-7, Single- Family Residence App. A Art. XI, Sec. 3 and*** **fifty dollars ($50.00)** ***Exterior Property Areas, Ch. 6 Sec. 6-1001 (c)***. Vote on the motion carried unanimously.

9. CE-23-156 – 1106 Mitchell St.

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner was in violation of ***Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*** of the City Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of *Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11) and* ***fifty dollars ($50.00) Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*** per day until found in compliance.

Property owner was sworn in: Jesus Velasquez, 4214 SW Second Terrace, Miami, FL

Mr. Velasquez asked if there was a code ordinance that requires a time of when the last permit was pulled. Manager Bunt explained that the violation was for roofs and drainage. You must maintain its drainage purposes bases on the code. More discussion amongst the Board members and staff.

Motion by Mr. Simpson, seconded by Mr. Davis, to amend Staff's recommendation and give the property owner until March 3, 2024 (45 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

10. CE-23-533 – 1221 Holmes St.

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner was in violation of ***Accessory Structures, Ch. 6 Sec. 6-1001 (g), Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), Permit Required App A Art. XV Sec. 2 (a) and Protective Treatment Ch 6 Sec.6-1003 (b)*** of the City Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **twenty-five dollars ($25.00)** ***Accessory Structures, Ch. 6 Sec. 6-1001 (g), twenty-five ($25.00) Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), twenty-five dollars ($25.00) Permit Required App A Art. XV Sec. 2 (a) and*** *twenty-five dollars ($25.00) Protective Treatment Ch 6 Sec.6-1003 (b)* per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Ms. Scott, seconded by Mr. Otero, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

11. CE-23-649 – 535 S Kentucky Ave

Code Enforcement Officer Micheal Mack provided an overview of the Case history and presented exhibits for the Board's review. Officer Mack testified that the Property Owner was in violation of ***Accum. Of Trash & Litter Ch 6 Sec 6-900 (b)(1)a-d, Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), Permit Required, App. A Art. XV Sec. 2 (a) and Exterior General Condition Ch 6 Sec. 6-1003 (a)-(p)*** of the City Code.

Officer Mack requested that the Board find the Property Owner in violation and be given until February 17, 2024 (30 days) to come into compliance or impose a fine of **twenty-five dollars ($25.00)** ***Accum. Of Trash & Litter Ch 6 Sec 6-900 (b)(1)a-d, twenty-five dollars ($25.00) Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), fifty dollars ($50.00) Permit Required, App. A Art. XV Sec. 2 (a) and twenty-five dollars ($25.00) Exterior General Condition Ch 6 Sec. 6-1003 (a)-(p)*** per day until found in compliance.

Property owner was sworn in: Wesley Willingham, 2810 Shepard Dr, Rockledge

Manager Bunt stated that the property owner pulled a permit for the siding on the house, but needs a fence permit as shown in the pictures. Concerns of the new wood on the porch which will also need a permit. Mr. Willingham tried to get work done on the property through a contractor. Mr. Willingham is working on getting the violations corrected in the time allotted. More information on the other violations. More discussion amongst the Board members and staff.

Motion by Ms. Acosta, seconded by Mr. Davis, to approve Staff's recommendation find the Property Owner in violation. Vote on the motion carried unanimously.

REPEAT VIOLATION CASES:

1. CE-23-1229 – 503 N Georgia Ave.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in repeat violation of ***Parking in Yard, Ch. 6 Sec. 6-900 (b) (9), Junk or Autos, Ch. 6 Sec. 6-902 (b) (1) (2) and Storing Outdoors, Ch. 6 Sec .6-900 (b) (11)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner for a repeat violation and start the fine on November 8, 2023 until brought into compliance a fine of two hundred fifty dollars ($250.00) per day until found in compliance.

Property manager was sworn in: Anna Garcia, 1365 N Courtenay Pkwy, Merritt Island

Mr. Davis asked how many days it was out of compliance. Officer Gonzalez stated fifty-seven days (57 days). Ms. Garcia let the board members know that she is the new property manager. The tenant was not paying rent and was responsible for the violations. The property manager stated that they tenant was evicted. Attorney Babb-Nutcher had questions about the previous violations and the cost. Chairman Brown thought the fine was too high. More discussion amongst the board members, property manager and staff.

Motion by Mr. Davis seconded by Mr. Otero, to amend Staff's recommendation and a fine of two hundred dollars ($200.00) per day and find the Property Owner in repeat violation. Vote on the motion (4-Yes, 2 Nay) .

NON-COMPLIANCE:

1. CE-22-262 – 307 N Georgia Ave.

Complied.

2. CE-23-64 – 309 N Georgia Ave

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***XXII.Permit Required App A Art. XV Sec 2 (a), Roofs & Drainage, Ch. 6 Sec. 6-1003 (g) and Premises Identification, Ch. 6 Sec. 6-1003 (c)***

of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 4, 2024 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Mr. Davis seconded by Mr. Simpson, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

3. CE-22-629 – 412 Prospect Ave

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a) and Permit Required, App. A Art. XV Sec. 2 (a)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 4, 2024 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Mr. Otero seconded by Mr. Simpson, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

4. CE-22-687 – 144 Ruth St

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Storing Outdoors, Ch. 6 Sec. 6-900 (b) (11), Storing Junk or Autos, Ch. 6 Sec. 6-902 (b) (1) (2) and Weeds, Ch. 6 Sec. 6-1001 (d)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 4, 2024 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Ms. Acosta seconded by Mr. Davis, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

5. CE-22-691 – 1310 Jackson St.

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner is in violation of ***Temp Storage, App. A Art. XIII Sec. 30 (a) (3) and Storage of Rec. Vehicles, App. A Art. XIII Sec. 13 (a-d)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on January 4, 2024 and property owner remains in violation.

Motion by Ms. Scott seconded by Ms. Acosta, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

6. CE-23-1203 – 2825 Kenyon Ave.

Complied.

7. CE-23-566 – 2522 Stanford Dr.

Code Enforcement Officer Michael Folger provided an overview of the Case history and presented exhibits for the Board's review. Officer Folger testified that the Property Owner is in violation of *Weeds, Ch 6 Sec. 6-1001(d),* ***Maint. of Fences App A Art XIII Sec. 5(g)1-6, Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5)*** of the City of Cocoa Code. Officer Folger stated a Notice of Hearing was sent on December 21, 2023 and property owner remains in violation.

Motion by Ms. Acosta seconded by Mr. Otero, to approve Staff's recommendation and find the Owner in Non-Compliance. Vote on the motion carried unanimously.

NEW BUSINESS

None

ABATEMENT APPEALS:

1. CE-23-1210 – 627 S Kentucky Ave

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Accumulation of tall weeds, grass and overgrowth in excess of 12= in height, Ch. 6. Sec and 6-900 and Accumulation of junk, trash, and debris, Ch. 6 Sec. 6-902*** of the City Code. *Officer Gonzalez stated a Notice of Abatement was sent certified and posted on October 30, 2023 and was abated on November 13, 2023 fourteen days after the posting.*

Property owner was sworn in: Ivan Hernandez, 4555 Hebron Dr. Merritt Island

Attorney Babb-Nutcher asked if the cost of the abatement or the abatement was being appealed. Manager Bunt responded that he is appealing the cost of the abatement. The cost of the abatement is $300.00 per property. Mr. Hernandez handed out packets for the Board Members. Mr. Hernandez went through the items in the packet about the posting and his address through Brevard County property appraisers was not changed by

him. Manager Bunt gave an overview of how the abatement process works. Mr. Brown asked how long it took the contractor to get out to the property. Manager Bunt stated 14 days was given. More discussion amongst the Board members and staff.

Motion by Mr. Davis seconded by Ms. Acosta, to approve the abatement cost and the property owner will pay the three hundred dollars ($300.00). Vote on the motion carried unanimously.

2. CE-23-1211 – 619 S Kentucky Ave

Code Enforcement Officer Augusto Gonzalez provided an overview of the Case history and presented exhibits for the Board's review. Officer Gonzalez testified that the Property Owner was in violation of ***Accumulation of tall weeds, grass and overgrowth in excess of 12= in height, Ch. 6. Sec and 6-900 and Accumulation of junk, trash, and debris, Ch. 6 Sec. 6-902*** of the City Code. *Officer Gonzalez stated a Notice of Abatement was sent certified and posted on October 30, 2023 and was abated on November 13, 2023 fourteen days after the posting.*

Property owner was sworn in: Ivan Hernandez, 4555 Hebron Dr. Merritt Island

Attorney Babb-Nutcher asked if the cost of the abatement or the abatement was being appealed. Manager Bunt responded that he is appealing the cost of the abatement. The cost of the abatement is $300.00 per property. Mr. Hernandez handed out packets for the Board Members. Mr. Hernandez went through the items in the packet about the posting and his address through Brevard County property appraisers was not changed by him. Manager Bunt gave an overview of how the abatement process works. Mr. Brown asked how long it took the contractor to get out to the property. Manager Bunt stated 14 days was given. More discussion amongst the Board members and staff.

Motion by Ms. Scott seconded by Mr. Otero, to approve the abatement cost and the property owner will pay the three hundred dollars ($300.00). Vote on the motion carried unanimously.

LIEN REDUCTIONS

1. CE-20-1362 – 1206 Yale Ln.

Information to be reheard at the February 15, 2024 Code Enforcement Board Meeting.

Manager Announcements:

Staff Update

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on February 15, 2024.

ADJOURNMENT:

There being no further business the meeting adjourned at 9:30 PM.

Approved on this 15 day of February, 2024.

Lloyd Roberts, Chairman

Darla Crowl, Recording Secretary

Notary Public State of Florida
Darla D Crowl
My Commission HH 327608
Expires 11/11/2026