Code Enforcement Board
Meeting Minutes
August 18, 2022

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, August 18, 2022 in Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

ROLL CALL:

Edward Green	Vice Chairperson
George Brown Jr.	Board Member
David Lightholder	Board Member
Lloyd Roberts	Board Member
Sharri Scott	Board Member
Michael Simpson	Board Member
Verna Hughes	Alternate Member

MEMBERS PRESENT:

Edward Green	Vice Chairperson
George Brown Jr.	Board Member
David Lightholder	Board Member
Lloyd Roberts	Board Member
Sharri Scott	Board Member
Michael Simpson	Board Member
Verna Hughes	Alternate Member

MEMBERS ABSENT:

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Vince Buonocore	Code Enforcement Officer
Jennifer Nix	Board Attorney
Susan Lambert	Recording Secretary

The Recording Secretary swore in all Staff members giving testimony.
The Board Attorney swore in Board Member Simpson.
Honor was given to Mr. Gifford previous board Chair.

ELECTION OF CHAIRPERSON

1.

Motion by Mr. Lightholder to nominate Mr. Roberts as Chair; Seconded by Mr. Simpson. Vote on the motion carried unanimously.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: August 18, 2022

Chairman Roberts noted changes to the agenda (Items complied.)

Motion by Mr. Lightholder; Seconded by Mr. Green to approve the agenda of August 18, 2022 with case number three, six and seven complied and noncompliance case number one complied. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: May 19, 2022 & July 21, 2022

Motion by Mr. Green; Seconded by Ms. Scott to approve the Minutes of the May 19, 2022 meeting as written. Vote on the motion carried unanimously.

Motion by Mr. Green; Seconded by Ms. Scott to approve the Minutes of the July 21, 2022 meeting as written. Vote on the motion carried unanimously.

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

NEW BUSINESS (CASES):

1. **CE-21-0587 – Tax ID # 2425074**

Code Enforcement Officer 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 the following per the City's Code:

- Permit Required, App. A, Art. XV Sec 2(a)
- Weeds, Ch. 6, Sec. 6-1001(d)
- Accumulation of Trash and Litter, Ch. 6, Sec. 6-900(b)(1)a-d

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Brown; Seconded by Mr. Green to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

2. **CE-21-0747 – 802 Paw Paw St.**

Code Enforcement Officer 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 the following per the City's Code:

- Parking in Yard, Ch. 6, Sec. 6-900(b)(9)
- Storing Junk or Autos, Ch. 6, Sec. 6-902(b)(1)(2)
- Accumulation of Trash and Litter, Ch. 6, Sec. 6-900(b)(1)a-d

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022, thirty (30 days) to come into compliance or impose a fine of seventy-five ($75.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Green; Seconded by Ms. Scott, to accept Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

3. **CE-21-0832 – 804 Paw Paw St.**

This case has complied.

4. **CE-21-0874 – 1049 Park Dr.**

Code Enforcement Officer 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 the following per the City's Code:

- Permit Required, App. A, Art. XV, Sec. 2(a)

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022, (30 days) to come into compliance or impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Brown, Seconded by Mr. Lightholder, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

5. **CE-22-0021 – 409 Churchill Dr.**

Code Enforcement Officer 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 the following per the City's Code:

- Accessory Structures, Ch. 6, Sec. 6-1001(g)
- Exterior General Condition, Ch. 6, Sec. 6-1003(a)

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022 (30 days) to come into compliance or impose an amended fine of twenty-five dollars ($25.00) per day until found in compliance.

Property Manager Vicki Yates was sworn in. Ms. Yates stated that the owner's residence is in California but he is out of the Country (Italy) for work most of the time. Flat roof has been an issue. Their company provides two to three estimates, and they only have two at this time. She also stated that she does not have the funds from the owner to make the necessary repairs. She requested a six month extension. Discussion amongst Board members

Motion by Mr. Lightholder, seconded by Mr. Brown, to amend Staff's recommendation and give the property owner one hundred and twenty (120 days) with thirty (30 day) updates and find the Property Owner in Violation. Vote on the motion carried unanimously.

6. **CE-22-0023 – 415 Churchill Dr.**

This case has complied.

7. **CE-22-0140 – 410 Edinburgh Dr.**

This case has complied.

8. **CE-22-0180 – 811 Eden St.**

Code Enforcement Officer 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 the following per the City's Code:

- Accumulation of Trash and Litter, Ch. 6, Sec. 6-900(b)(1)a-d
- Exterior General Condition, Ch. 6, Sec. 6-1003(a)
- Storing Outdoors, Ch. 6, Sec. 6-900(b)(11)
- Roofs and Drainage, Ch. 6, Sec. 6-1003(g)

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022, thirty (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property owner sworn in: Walter Morales. Mr. Morales who stated that he needs thirty days to evict the tenant. Discussion amongst the Board members, staff, and property owner.

Motion by Mr. Green, seconded by Mr. Lightholder, to amend Staff's recommendation and give the property owner ninety (90 days) with thirty (30 day) updates and a fine of one hundred dollars ($100.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously.

9. **CE-22-00238 – Tax ID # 2456317**

Code Enforcement Officer 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 the following per the City's Code:

- Permit Required, App. A, Art. XV, Sec. 2 (a)
- Site Plan Approval/Required, App. A, Art. XIII, 1(b)

Staff recommends that the Board find the property owner in violation and be given until September 17, 2022, thirty (30 days) to come into compliance or impose a fine of fifty ($50.00) per day until found in compliance.

Property owner sworn in: Gerard Aubuchon. The Property Owner stated that he was going to Planning and Zoning and that no permit was pulled or site plans turned in.

Discussion amongst the Board and staff.

Civil Engineer John Herbert was sworn in. Mr. Herbert was instructed by the board the process of how to correct the violations.

Motion by Mr. Lightholder; Seconded by Ms. Scott, to amend Staff's recommendation and give the property owner a hundred and twenty days (120 days) with thirty (30 day) updates and a fine of fifty dollars ($50.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously.

NON-COMPLIANCE CASES:

1. **CE-21-0457 – 1055 Park Dr.**

This case was removed.

2. **CE-21-0249 – 711 S. Carolina Ave.**

Code Enforcement Officer 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 the following per the City's Code:

- Protective Treatment, Ch. 6, Sec. 6-1003(b)
- Storing Outdoors, Sec. 6-900(b)(11)

Officer Gonzalez stated that a Notice of Hearing was sent on July 28, 2022 and the property owner remains in violation.

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

3. **CE-21-0875 – 1040 Myrtle Ln.**

Code Enforcement Officer 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 the following per the City's Code:

- Exterior Structure, Sec. 6-1003(a)
- Interior Structure, Sec. 6-1004(a)(c)
- Extermination, Sec. 6-1007 (a)(b)(e)
- Electrical Facilities, Sec. 6-1303(a)(b)(c)
- Roofs & Drainage, Ch. 6, Sec. 6-1003(g)
- Protective Treatment, Ch. 6, Sec. 6-1003(b)
- Fire Protection Systems, Ch. 6, Sec. 6-1403(b)

Officer Gonzalez stated that a Notice of Hearing was sent on July 28, 2022, and the property owner remains in violation.

Property Owner sworn in Roger Vaugh.

Property owner states that the house has been repainted and that it has had work done. He has paid to have the work done. He further stated that he has an engineer lined up to do the work. The property is currently occupied by a tenant, however, it is supposed to be vacated. Cannot complete some of the work until it is vacated. Would like an additional six months to be able to complete the work.

Staff advised that this is a non-compliance hearing. He has already been given time to complete the work and that he can always come back before the Board for a lien reduction hearing.

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

OLD BUSINESS:

None

LIEN REDUCTIONS:

None

MANAGER ANNOUNCEMENTS:

None

OTHER BUSINESS:

None

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on September 15, 2022.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:22 P.M.

Approved on this 31 day of August, 2022.

Lloyd Roberts, Chairperson

Susan L. Lambert, Recording Secretary

TATIANNA T. WHITE
Commission # GG 950742
Expires January 23, 2024
Bonded Thru Budget Notary Services