Code Enforcement Board
Meeting Minutes
June 17, 2021

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, June 17, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Jim Gifford	Chairman
Edward Green	Vice-Chairman
George Brown Jr.	Board Member
Kimberly Curtis	Board Member
David Lightholder	Board Member
Lloyd Roberts	Board Member
Sharri Scott	Board Member

MEMBERS ABSENT:

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Eric Myny	Police Officer
Steve Murdick	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: June 17, 2021

Motion by Mr. Brown, seconded by Mr. Roberts, to approve to the agenda of June 17, 2021. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: May 20, 2021.

Motion by Mr. Lightholder, seconded by Mr. Green, to approve to the minutes of May 20, 2021. Vote on the motion carried unanimously.

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

NEW BUSINESS:

None

CASES:

1. CE-20-1301 – 424 Prospect Ave.

This case complied.

2. CE-21-1366 – 528 S Fiske Blvd.

This case complied.

3. CE-21-0016 – 704 Rosa L Jones Dr.

This case complied.

***4.* CE-21-0017 – 702 Rosa L Jones Dr.**

This case complied.

5. CE-21-0044 – 228 Beverly Rd.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was and that the Property Owner was in violation of ***XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXII.Permit Required App A Art. XV Sec 2 (a) and Tents as accessory structures is prohibited APP. A,ART.XIII, Sec.6*** **of** the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until July 17, 2021 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) 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.

6. CE-21-0101 – 487-497 PEACHTREE ST

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was and that the Property Owner was in violation of *V.Business Tax Receipt Ch 12 Sec. 12-1 (a)(b),* ***XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)****, and XXXVI.Weeds, Ch 6 Sec. 6-1001(d)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until July 17, 2021 (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. Roberts, seconded by Ms. Curtis, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-21-0127 – 618 S Varr Ave.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was and that the Property Owner was in violation of ***XXII.Permit Required App A Art. XV Sec 2 (a), XX.Parking in Yard Ch 6 Sec. 6-900 (b)(9), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until July 17, 2021 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Mr. Green stated that he thought the fine needed to be increased to two hundred dollars ($200.00) a day since he has been to the board before and he has not cleaned up the property. Discussion amongst the Board members and staff.

Motion by Mr. Green, seconded by Mr. Brown, to amend Staff's recommendation and impose a fine of two hundred dollars ($200.00) a day and find the Property Owner in violation. Vote on the motion carried unanimously.

This case was reheard since the property representative showed up 45 minutes late for the meeting and requested to be heard.

Chairman Gifford asked for a motion to reopen. Motion by Mr. Brown, seconded by Mr. Roberts to reopen. Vote on the motion carried unanimously.

Property representative was sworn in: Mr. Derick Collins Sr., 618 S Varr Ave.

Officer Murdick reread into the record the case and violations. Mr. Collins wanted to discuss the violations in the pictures. There was discussion back and forth between Mr. Collins, Manager Bunt and the Code Board Members. Discussion amongst the Board members and staff.

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

8. CE-21-198 – 704 Ixora Ave.

This case complied.

NON-COMPLIANCE:

1. CE-20-997 – 601 Lucas Lane

This case was tabled.

2. CE-20-1186 – 1110 W Hillcrest Drive

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was (Kadi Carver case) that the Property Owner is in violation of ***XXXIV.Temp Storage, App A Art. XIII Sec 30 (a)(3) and XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Property owner was sworn in: Stan Preskett, 1110 W Hillcrest Drive

Mr. Preskett discussed his property with the board members. Mr. Gifford asked the property owner how long would it take for him to take care of the violations. Mr. Gifford explained to Mr. Preskett if putting up a fence he would need to get a fence permit. Manager Bunt reminded the board that this was a noncompliance case and the property owner was given an extended amount of time to clean up the property. Manager Bunt stated to find him in noncompliance and for the property owner to clean up the violations. Once he has done this he could come back before the board for a lien reduction. More discussion amongst the Board members and staff.

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

3. CE-20-1252 – 1203 Alamanda Ln

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was (Kadi Carver case) that the Property Owner is in violation of ***XXII.Permit Required App A Art. XV Sec 2 (a),*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Property Manager was sworn in: Domenic Giordano, 1490 Ashboro Cir SE, Palm Bay

Chairman Gifford asked about all of the stickers on the windows. Manager Bunt stated that Officer Carver had put a sticker on the window and they kept being removed so she posted 3 windows. Mr. Giordano stated that the contractor pulled a permit but for the wrong address. Mr. Roberts asked if the City or the contractor's fault. More discussion amongst the Board members and staff.

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

4. CE-20-1254 – 616 S Cocoa Blvd

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of ***ARTICLE II. - SIGN REGULATIONS, Sec. 3-21. - Prohibited signs and features* of** the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

5. 20-1322 – 1203 Peachtree St

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was (Kadi Carver case) that the Property Owner is in violation of ***I.Accessory Structures Ch 6 Sec. 6-1001 (g), XXXVI.Weeds, Ch 6 Sec. 6-1001(d) and XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

6. 20-1347 – 1301 Jackson St.

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified this was (Kadi Carver case) that the Property Owner is in violation of ***XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g), XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b), XXXVI.Weeds, Ch 6 Sec. 6-1001(d), I.Accessory Structures Ch 6 Sec. 6-*** **Owner** ***1001 (g), IV.Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XIV.Landscape Requirements App A Art. XIII Sec 22 (a-i), IX.Exterior General Condition Ch 6 Sec. 6-1003 (a), XX.Parking in Yard Ch 6 Sec. 6-900 (b)(9), XXIII.Permit Required (fences) App A Art. XIII Sec 5 (c), XV.Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c and Site Plan Required Ch.12 Sec.12-17*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Property manager was sworn in: Catherine Crittenden 1394 Pineapple Ave, Melbourne

Ms. Crittenden explained she had spoken with Officer Carver before she left about getting a certification for the roofing so that it would give her more time. Ms. Crittenden said she was told that the certification would not work and she needed to get a contractor. The contractor has applied for the permits and just waiting on the materials and the permits to start the work. Discussion amongst the Board members and staff.

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

7. 20-1371 – 722 Johnson Street

Code Enforcement Officer Steve Murdick provided an overview of the Case history and presented exhibits for the Board's review. Officer Murdick testified that the Property Owner is in violation of ***I.Accessory Structures Ch 6 Sec. 6-1001 (g), XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and APP. A, ART. XI, Sec. 3. - District and intent—RU-1-7, Single-Family Residential District.*** the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on June 1, 2021 and property owner remains in violation.

Property resident sworn in: Mr. Wilkerson, 722 Johnson St.,
Eugene Williams, 1110 Alamanda Ln, Cocoa

Officer Murdick gave the Board an overview of what was going on at this property. Manager Bunt explained to the Board this is a dead-end street which is not accessible because of all the cars. They also discussed the fence which needs to be taken down or pull a permit to fix it. Mr. Williams explained that the building department would not allow them to pull a permit. Manager Bunt stated that they were not told they had to get a permit and he could not say what the building department did or did not say without representation from their department. They were asked to call Officer Murdick to have him meet them at the property to go over the violations so they understood what still needed to be corrected. More discussion amongst the Board members and staff.

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.

8. 20-1374 – 200 N Cocoa Blvd.

This case complied.

LIEN REDUCTION:

None

Manager Announcements:

None

NEXT MEETING:

The Board members established that the next meeting would be held on July 15, 2021.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:00 PM.

Approved on this 19 day of August, 2021.

Jim Gifford, Chairman

Darla Crowl, Recording Secretary

Notary Public State of Florida
Darla D Crowl
My Commission GG 266694
Expires 11/11/2022