Code Enforcement Board
Meeting Minutes
May 20, 2021

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, May 20, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Edward Green	Vice-Chairman
George Brown Jr.	Board Member
Kimberly Curtis	Board Member
David Lightholder	Board Member
Demetrius Thomas	1st Alternate

MEMBERS ABSENT:

Lloyd Roberts	Board Member - Excused
Jim Gifford	Chairman - Excused
Sharri Scott	Board Member - Excused

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Anthony Marchica	Police Lieutenant
Steve Murdick	Code Enforcement Officer
Gerald Pettengill	Code Enforcement Officer
Rip Dyal	Councilman/Liaison
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: May 20, 2021

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

2. Approval of Meeting Minutes: April 15, 2021.

Motion by Mr. Brown, seconded by Ms. Curtis, to approve to the minutes of April 15, 2021. Vote on the motion carried unanimously.

3. Submit to the record of all documents & notices for all cases on the Agenda. Manager Bunt read into the record.

NEW BUSINESS:

None

CASES:

1. CE-19-785 – 704 Ixora Avenue

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 was in violation of ***I.Accessory Structures Ch 6 Sec. 6-1001 (g), XXXIII.Storing Outdoors, 6 Sec. 6-900 (b)(11)***, *XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and* ***II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until June 20, 2021 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Property owner's son was sworn in: Jerome Bell,

Discussion amongst the Board members and staff. Staff revisited this case as the property owner's son was late to the meeting and wanted to speak. Mr. Bell had questions about the structure which he called a shed. Manager Bunt stated that he needs to talk to the Building Department. Officer Murdick gave him an overview of what still needs to be corrected.

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.

2. CE-20-1183 – 309 Churchill Drive

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 was in violation of *XX.Parking in Yard Ch 6 Sec. 6-900 (b)(9),* ***XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), I.Accessory Structures Ch 6 Sec. 6-1001 (g) and XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until June 20, 2021 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Property owner was sworn in: Cheryl Ann Ramsey, 309 Churchill Dr.

Ms. Ramsey wanted to ask the City to find her a piece of land. Vice Chairman Green explained that the Code Enforcement Board only decides if she is in compliance or not in compliance. She would need to get in touch with Community Services Department and they might be able to help her. Discussion amongst the Board members and staff.

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

3. CE-20-1207 – 401 Churchill Drive

This case complied.

4. **CE-20-1389 – 114 Harrison 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 was in violation of ***XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until June 20, 2021 (30 days) to come into compliance or impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

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

5. CE-20-1336 – 1043 Olive Street

Code Enforcement Officer Gerald Pettengill provided an overview of the Case history and presented exhibits for the Board's review. Officer Pettengill testified this was (Kadi Carver case) and that the Property Owner was in violation of ***XI.Fail to Secure Struct Ch 6 Sec. 6-900 (b)(7), IX.Exterior General Condition Ch 6 Sec. 6-1003 (a), IV.Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) and XVI.Maint. of Fences App A Art XIII Sec. 5 (g)1-6*** of the City Code.

Officer Pettengill requested that the Board find the Property Owner in violation and been given until June 20, 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 Ms. Curtis, seconded by Mr. Lightholder, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-20-1319 – 11 N Fiske Blvd

This case complied.

7. CE-20-1399 – 1105 Clearlake Road

Code Enforcement Officer Gerald Pettengill provided an overview of the Case history and presented exhibits for the Board's review. Officer Pettengill testified this was (Kadi Carver case) and that the Property Owner was in violation of ***XIV.Landscape Requirements App A Art. XIII Sec 22 (a-i), XXXVI.Weeds, Ch 6 Sec. 6-1001(d), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b), Site Plan Required Ch.12 Sec. 12-17 and XXII.Permit Required App A Art. XV Sec 2*** of the City Code.

Officer Pettengill requested that the Board find the Property Owner in violation and been given until June 20, 2021 (30 days) to come into compliance or impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property Manager was sworn in: Ms. McDermit, 1105 Clearlake Rd.

Ms. McDermit explained that she would be happy to correct any violations on the property. Officer Pettengill explained that per the site plan that shrubs had to be around the property for a barrier. Discussion amongst the Board members and staff.

Motion by Ms. Curtis, seconded by Mr. Thomas, to amend Staff's recommendation and give until July 20, 2021 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

8. CE-21-0056 – 2205 Westminster Dr.

This case was tabled.

9. Repeat CE-21-0066 – 1238 Amherst Ct.

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 was in violation of ***XXXII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner as a repeat violation and been given until March 1, 2021 to come into compliance or impose a fine of five hundred dollars ($500.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Thomas, to approve Staff's recommendation and find the Property Owner as a repeat violation. Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. **CE-20-1157 – 1221 Cypress Lane**

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 ***IX.Exterior General Condition Ch 6 Sec. 6-1003 (a), XVII.Maint. of Interior Struct Ch 6 Sec. 6-1004 (a), XXIV.Pools and Spas Ch 6 Sec. 6-1002 (a), I.Accessory Structures Ch 6 Sec. 6-1001 (g), XXXVI.Weeds, Ch 6 Sec. 6-1001(d), XI.Fail to Secure Struct Ch 6 Sec. 6-900 (b)(7), II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXVI.Premises Identification Ch 6 Sec. 6-1003 (c) and Wrongful Disposal of Excrement etc on property or into natural inlet Art.I Sec 22-4*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on May 3, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

2. **CE-20-1243 – 502 Brevard Avenue**

This case was tabled.

3. **CE-20-1350 – 514 N Carolina Avenue**

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 *Sec. 6-900 (b) 230.28 Masts as Supports (A-B)*, ***XXII.Permit Required App A Art. XV Sec 2 (a), IV.Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) and XXVIII.Rental Business Tax, Ch 6 Sec. 6-2003*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on May 3, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

4. CE-20-908 – 614 Stone 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 ***II.Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, XXXVI.Weeds, Ch 6 Sec. 6-1001(d) and APP. A, ART. XI, Sec. 4. - District and intent—Principle uses and structures*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on May 3, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

5. 21-0013 – 139 Circle Drive

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 ***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 May 3, 2021 and the property owner was in violation for 29 days but is now incompliance.

Property owners were sworn in: Mr. & Mrs. Cann, 139 Circle Dr.

Mr. Cann explained they purchased the property and took care of the violation once the contractor was able to come out. Manager Bunt explained that the property was owned by Autobahn Investments LLC which were the cause of the violations. Discussion amongst the Board members and staff. Attorney Victor Watson wanted to let the Board know that they were looking for property in other areas and he found this house in the City of Cocoa for them to purchase.

Motion by Mr. Lightholder seconded by Mr. Brown, to amend Staff's recommendation and find the Owner to have been in Non-Compliance for 29 days and no fines be imposed. Vote on the motion carried unanimously.

6. 20-1164 – 1221 Holmes Street

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 *XXVIII.Rental Business Tax, Ch 6 Sec. 6-2003,* ***Ch 6 Sec. 6-2003, XXIX.Roofs & Drainage, Ch 6 Sec. 6-1003 (g) and XXVII.Protective Treatment, Ch 6 Sec. 6-1003 (b)*** of the City of Cocoa Code. Officer Murdick stated a Notice of Hearing was sent on May 3, 2021 and property owner remains in violation.

Property owner was sworn in: Mr. Dewey White, Jr. 1221 Holmes Street

Officer Murdick explained to Mr. White what the violations on the property were. More discussion amongst the Board members and staff.

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

7. 20-1287 – 806 Warren Avenue

Code Enforcement Officer Gerald Pettengill provided an overview of the Case history and presented exhibits for the Board's review. Officer Pettengill testified this was (Kadi Carver case) and that the Property Owner is in violation of ***XXXIII.Storing Outdoors, Ch 6 Sec. 6-900 (b)(11), V.Business Tax Receipt Ch 12 Sec. 12-1 (a)(b)*** *and XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2)* of the City of Cocoa Code. Officer Pettengill stated a Notice of Hearing was sent on May 3, 2021 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

LIEN REDUCTION:

None

Manager Announcements:

None

NEXT MEETING:

The Board members established that the next meeting would be held on June 17, 2021. Motion by Mr. Lightholder seconded by Mr. Brown. Vote on the motion carried unanimously.

ADJOURNMENT:

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

Approved on this 17 day of June, 2021.

Jim Gifford, Chairman

Darla Crowl, Recording Secretary

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