Code Enforcement Board
Meeting Minutes
May 18, 2023

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, May 18, 2023 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Roberts called the meeting to order at 6:01 P.M. The Board Secretary called the roll.

MEMBERS PRESENT:

Lloyd Roberts	Chairman
George Brown Jr.	Vice-Chairman
Chris Davis	Board Member – 6:04
Michael Simpson	Board Member
Sharri Scott	Board Member

MEMBERS ABSENT:

David Lightholder	Board Member - excused
Verna Hughes	Board Member - excused
Aurora Ramirez	1rst Alternate - excused
Josue Otero	2nd Alternate - excused

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Vince Buonocore	Code Enforcement Officer
Michael Folger	Code Enforcement Officer
Kristin Eick	City Attorney
Darla Crowl	Recording Secretary
Officer Aviles	Police Officer
Rip Dyal	Councilman

The Board Secretary swore in all Staff members giving testimony.

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: May 18, 2023

Chairman Lloyd Roberts noted changes to the agenda (Items complied, tabled and withdrawn)

Motion by Mr. Brown, seconded by Mr. Simpson, to approve to the agenda of May 18, 2023. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: April 20, 2023.

Motion by Mr. Brown, seconded by Mr. Simpson, to approve to the minutes of April 20, 2023. Vote on the motion carried unanimously.

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

CASES:

1. CE-22-0873 – 1801 Calvados 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 ***Permit Required (fences) App A Art. XIII Sec 5 (c),*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance or impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

Property owner was sworn in: Jean Zabin, 35 Florida Blvd, Merritt Island

Ms. Zabin applied for a permit and was denied in April. Ms. Zabin has applied for a variance with the Board of Adjustments. Chairman Roberts suggested that the Board table until the July Code Board Meeting. Attorney Eick suggested that since the Board of Adjustments meets on July 19th they table until the August 17, 2023 meeting. More discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Davis, to amend Staff's recommendation and table until August 17, 2023 and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-23-0094 – 1206 Yale Ln

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Permit Required App A Art. XV Sec 2(a),*** *General requirment and set back Sec 12.5(a)-(g) Shed* ***and Protective Treatment Ch 6 Sec. 6-1003(b)*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Property owner was sworn in: Risa Fuller, 4345 James Rd., Cocoa

Manager Bunt stated that the violation for permit required is for the slab with the pavilion over it. It was not permitted. The shed does not meet the setbacks for the property and was not permitted. Attorney Eick asked Manager Bunt where *Sec 12.5 was found in the code. The attorney stated this code is not related to setbacks. Ms. Fuller wanted to give an overview of the property.* Mr. Davis asked Ms. Fuller questions about the property and if she needed more time to fix violations. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Simpson, to amend Staff's recommendation and give until July 17, 2023 (60 days), a fine of ($50.00) fifty dollars and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-23-0097 – 1705 Cambridge Dr.

This case complied.

4. CE-23-0133 – 1211 Cypress Ln.

This case complied.

5. CE-23-0014 – 801 Dixon Blvd

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner was in violation of ***Exterior General Condition Ch 6 Sec. 6-1003, Roofs & Drainage Ch 6 Sec. 6-1003 (g), Accum. Of Trash and litter Ch 6 Sec. 6-900 (b)(1)a-d and Exterior General Condition Ch 6 Sec. 6-1001*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property representative: Cindy Kilgallon, 3329 Primrose Willow Dr, Harmony, FL 34773 & Patrick Facey, 5769 South West 20th St, West Park, FL 33023

Manager Bunt let the Board Members know that a meeting prior to this Code Board meeting was held with the property manager, maintenance man, Police Chief, City Manager, Councilman Hearn and himself. They walked the property and went over the

violations on the property. Mr. Davis asked the results of the meeting. Ms. Kilgallon discussed each violation and she can comply each violation. Manager Bunt went over how to comply some of the violations. Manager Bunt said a timeline needed to be set for each violation and ask the Board Members for more time. More discussion amongst the Board members and staff.

Motion by Ms. Scott, seconded by Mr. Davis, to amend Staff's recommendation and table until July 20, 2023 with an action plan for the Board Members and find the Property Owner in violation. Vote on the motion carried unanimously.

6. CE-22-0828 – 1050 W King 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 ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Exterior General Condition Ch 6 Sec. 6-1003 (a), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5) and Roofs & Drainage, Ch 6 Sec. 6-1003 (g)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and a fine be imposed of one hundred dollars ($100.00) per day until found in compliance.

Property owner was sworn in: Joseph Friancheno, 4022 Canaveral Groves Blvd.

Mr. Friancheno wanted more time to fix the property. Mr. Friancheno has been getting quotes from roofing contractors. He stated that he will continue to clean and paint the property. Chairman Roberts asked what did he think he could get done in 180 days that he hasn't gotten done in 188 days. Mr. Davis asked if there was a trespass order and Manager Bunt stated there was one for the property. Ms. Scott asked about the boarded-up windows and how long can they be boarded up. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Ms. Scott, to amend Staff's recommendation and be given July 17, 2023 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-22-0695 – 49 Parkway 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 ***Permit Required, App A. Art. XV Sec. 2 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and 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. Davis, seconded by Mr. Simpson, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

8. CE-23-0220 – Parcel ID: 24-36-17-53-13-12

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 ***Tree Protection and Preservation, App A. Art. XIII, Sec. 22 (E) (1-4)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and a fine be imposed of two hundred and fifty dollars ($250.00) per day until found in compliance.

Property owner was sworn in: Keith Bennett, 2555 Elm Hurst St, Merritt Island & Brandon Grenet, 336 Carleton Dr, Cocoa

Mr. Bennett stated that when he cleared the property that it was peppertrees and potato vines. He stated that he didn't have any contact with anyone. Manager Bunt gave the Board an overview of what had been going on with the property. He was asked to move the vehicles off of the property and he put down rock which was not an approved substance for a driveway. Mr. Bennett was sited to get a site plan as he was beginning to develop the lot for a roofing company. Mr. Bennett decided he wasn't going to get a site plan. Mr. Davis asked what the zoning was for the property. Tree mitigation fees set by Planning and Zoning were explained by Attorney Eick. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Simpson, to approve Staff's recommendation with the added wording to work with Planning and Zoning on the mitigation and find the Property Owner in violation. Vote on the motion carried unanimously.

9. CE-22-0317 – 1212 Myrtle Ln

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 *Accessory Structures Ch 6 Sec. 6-1001 (g), Exterior General Condition, Ch. 6 Sec. 6-1003 (a),* ***Interior Structure Ch 6 Sec. 6-1004 (a-f) and Permit Required App A Art. XV Sec 2 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and impose a fine of one hundred dollars ($100.00) per day until found in compliance.

Property owner was sworn in: Keo Ly, 4675 Leone St, Louisville, OH 44641

Ms. Ly didn't understand what was needed. Mr. Davis asked Ms. Ly if she understood the violations. Mr. Davis also asked how long would it take her to fix the violations. Manager Bunt stated that there was an extension for the property before and nothing was done. More discussion amongst the Board members and staff.

Motion by Ms. Scott, seconded by Mr. Davis, to amend Staff's recommendation give until August 17, 2023 (90 days) with a fine of fifty dollars ($50.00) and find the Property Owner in violation. Vote on the motion carried unanimously.

10. **CE-22-0673 – 150 Peachtree 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 ***Permit Required App A Art. XV Sec 2 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until June 17, 2023 (30 days) to come into compliance and impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

Property owner was sworn in: Jhetti Zulueta, 11015 Tanya St, Miami, FL 33156

Manager Bunt asked if the A/c units and windows (west side of building) shown in the pictures are why a permit is needed. Officer Gonzalez stated that Manager Bunt was correct about the items needing a permit. Ms. Zulueta discussed the trash which was not a violation. Chairman Roberts explained the only violation on the property at this time is permit required. Ms. Zulueta explained that she has been in contract with a contractor. Discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Ms. Scott, to amend Staff's recommendation give until July 17, 2023 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

REPEAT VIOLATION CASES:

None

NON-COMPLIANCE:

1. CE-20-0584 – 1841 Baylor Ct.

This case complied.

2. CE-22-0701 – 1353 Stetson Dr. South

Code Enforcement Officer Vince Buonocore provided an overview of the Case history and presented exhibits for the Board's review. Officer Buonocore testified that the Property Owner is in violation of ***Permit Required App A Art. XV Sec 2(a), Accum. Of Trash and Litter Ch 6 Sec 6-900(b)(1)a-d, Premises Identification Ch 6 Sec 6-1003(b) and Storing Outdoors Ch 6 Sec 6-900(b)(11)*** of the City of Cocoa Code. Officer Buonocore stated a Notice of Hearing was sent on April 18, 2023 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

3. CE-22-0587 – 1231 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 ***Accum. Of Trash and Litter Ch 6 Sec. 6-900(b)(1)a-d*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on April 27, 2023 and property owner remains in violation.

Discussion amongst the Board members and staff.

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

NEW BUSINESS

None

LIEN REDUCTIONS

None

Manager Announcements:

None

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on July 20, 2023.

ADJOURNMENT:

There being no further business the meeting adjourned at 8:30 P.M.

Approved on this 20 day of July, 2023.

Lloyd Roberts, Chairman

Darla D. Crowl

Darla Crowl, Recording Secretary

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