Code Enforcement Board
Meeting Minutes
April 20, 2023

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, April 20, 2023 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

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

MEMBERS PRESENT:

Lloyd Roberts	Chairman
George Brown Jr.	Vice-Chairman
Chris Davis	Board Member
Verna Hughes	Board Member
Sharri Scott	Board Member
Aurora Ramirez	1rst Alternate
Josue Otero	2nd Alternate

MEMBERS ABSENT:

David Lightholder	Board Member - unexcused
Michael Simpson	Board Member - unexcused

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Vince Buonocore	Code Enforcement Officer
Michael Folger	Code Enforcement Officer
Debra Babb-Nutcher	Board 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: April 20, 2023

Chairman Lloyd Roberts noted changes to the agenda (Items complied, tabled and withdrawn)

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

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

Motion by Mr. Davis, seconded by Ms. Hughes, to approve to the minutes of March 16, 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-23-0032 – 1205 Westview Dr.

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),*** of the City Code.

Officer Buonocore requested that the Board find the Property Owner in violation and be given until May 20, 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: Dominick Giordano, 3220 N Cocoa Blvd.
Attorney, Joseph DeLeo

Attorney DeLeo discussed the permit dates and had handouts for the Board Members to look at. Manager Bunt stated that they do not have a permit for the roof and are working outside the scoop of work for one of the permits. Manager Bunt wanted to submit the inspection comments from the Building Inspector. Under #2 the roof was installed without a permit. They are working outside the scope of work without product approval for the renovation permit. Manager Bunt explained to the Attorney and Mr. Giordano the contractor needs to contact the Building Department and turn in revisions for the renovation permit and pull a roof permit. More discussion amongst the Board members and staff.

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

2. CE-22-0884 – 3645 Longbow Rd.

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 ***Unsafe structures Ch 6 Sec 6-805 (a-e) and Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d*** of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until May 20, 2023 (30 days) to come into compliance and impose a fine of two hundred fifty dollars ($250.00) per day until found in compliance.

Property owner was sworn in: Victoria Tucker, 3645 Longbow Rd.
Representative: Brooke Pierce, 6931 Aster Dr., PSJ

Chairman Roberts asked if the fine was correct. Manager Bunt stated that due to the severity and the gravity of the violation and the health and safety of the neighborhood the fine is correct. Mr. Davis asked if occupied? Manager Bunt explained it should not be occupied do to the severity of the damage. Ms. Pierce stated the property is vacant and property has been cleaned up. Manager Bunt explained that Code Officer Folger has been in contact with Ms. Tucker several times. More discussion amongst the Board members, staff and Ms. Pierce.

Motion by Ms. Scott, seconded by Mr. Davis, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion (6-1 Nay Mr. Brown)

3. CE-22-0874 – 2716 Cherbourg Rd.

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 May 20, 2023 (30 days) to come into compliance and impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

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

4. CE-22-0872 – 3228 Forrest Hill Dr.

This case was tabled.

5. CE-22-0327 – 2111 Otterbein Ave

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 ***Protective Treatment Ch 6 Sec. 6-1003 (b)(g), Storing***

Outdoors Ch 6 Sec. 6-900 (b) (11) and Unsafe or Dangerous Building Ch 6 Sec. 6-600 (a) (10) of the City Code.

Officer Folger requested that the Board find the Property Owner in violation and be given until May 20, 2023 (30 days) to come into compliance and impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Mr. Davis asked Officer Folger based on the seriousness of the offense why he felt seventy-five dollars ($75.00) was appropriate? Manager Bunt explained the roofing issues which is reason for Unsafe or Dangerous Building violation. Discussion amongst the Board members and staff.

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

6. CE-22-0473 – 13 N Fiske Blvd

This case complied.

7. CE-22-0475 – 213 Factory 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 ***Site Plan Approval Required, App. A, Art. XIII, Sec. 1 (B)*** *and Storage of Rec. Vehicles, App A Art. XIII Sec. 14 (a-d)* of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until May 20, 2023 (30 days) to come into compliance and impose an amended fine of twenty-five dollars ($25.00) per day until found in compliance.

Property owner was sworn in: Timothy Levensaler, 2260 Sykes Creek Dr.

Manager Bunt wanted Board Members to know a meeting between himself, Officer Gonzalez and Bryant Smith, Public Works Director/Interim Planning Director. Discussion with the property owner about why it's a violation with materials that were used and made sure he understood. The property is in the Federal Consent Decree zoning which is zoned for residential. Mr. Levensaler asking for time to fix the property. More discussion amongst the Board members and staff.

Motion by Mr. Davis, seconded by Mr. Brown, to amend Staff's recommendation and give July 20, 2023 (90 days) to remove the millings or a fine of twenty-five dollars ($25.00) a day and October 20, 2023 (180 days) for the site plan approval or a fine of fifty dollars ($50.00) a day and find the Property Owner in violation. Vote on the motion carried unanimously.

8. CE-22-0516 – 122 Polaris 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 ***Storing Outdoors Ch 6 Sec. 6-900 (b) (11) and Storing Junk or Autos, ch 6 Sec. 6-902 (b) (1) (2)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until May 20, 2023 (30 days) to come into compliance and a fine be imposed of fifty dollars ($50.00) per day until found in compliance.

Property owner was sworn in: Jolan Sparo and Jaquan Harvey, 122 Polaris St

Ms. Sparo had questions about the junk car and other items in the yard. Manager Bunt stated just need to have the car registered/tagged and items removed in the front yard. Discussion amongst the Board members and staff.

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

9. CE-22-0584 – 132 Aurora 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 ***Exterior General Condition, Ch. 6 Sec. 6-1003 (a) 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 May 20, 2023 (30 days) to come into compliance and impose a fine of fifty dollars ($50.00) per day until found in compliance.

Property owner was sworn in: Jeffrey Meilandt, 7 Clifford PL APT 2 Brooklyn, NY 11222

Mr. Meilandt stated his property manager is now in Florida to take care of the property. Manager Bunt said that hiring a roofing contractor to pull a permit will take care of the violation. More discussion amongst the Board members and staff.

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

10. **CE-22-0695 – 49 Parkway St.**

This case was tabled.

11. **CE-23-0051 – 108 St Charles 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 and District and Intent – RU 2-10, Low Density Single- Family and Multiple-Family District, App. A Art. XI, Sec. 4A*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until May 20, 2023 (30 days) to come into compliance and impose a fine of fifty dollars ($50.00) per day until found in compliance.

Officer Gonzalez explained to the Board that this property was in the Federal Consent Decree zoning. Manager Bunt stated that the trees did not come from the property. Discussion amongst the Board members and staff.

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

REPEAT VIOLATION CASES:

None

NON-COMPLIANCE:

1. CE-22-0426 – 1047 W Hillcrest Dr.

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 ***Exterior General Condition, Ch 6 Sec. 6-1003 (a), Storing Outdoors Ch 6 Sec. 6-900(b)(11), Accum. Of Trash and Litter Ch 6 Sec. 6-900(b)(1)a-d and Protective Treatment Ch 6 Sec. 6-1003(b)*** of the City of Cocoa Code. Officer Buonocore stated a Notice of Hearing was sent on March 24, 2023 and property owner remains in violation.

Discussion amongst the Board members and staff.

Motion by Ms. Ramirez 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

LIEN REDUCTIONS

1. CE-19-0396 – 1215 Vassar Ln

The property owner failed their inspection.

Manager Announcements:

Manager Bunt wanted to let the Board Members know that City Council has made several comments to staff during the lien reduction process. Code Enforcement will be working on the new lien reduction process for commercial and residential properties. Attorney Babb-Nutcher asked Manager Bunt to speak with Attorney Garganese about the lien reduction process for commercial/residential. More discussion amongst the Board members, staff and Councilman Dyal.

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on May 18, 2023.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:43 P.M.

Approved on this 18 day of May, 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