Code Enforcement Board
Meeting Minutes
April 15, 2021

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, April 15, 2021 in the Council Chambers at 65 Stone Street, Cocoa, as publicly noticed.

OPENING MATTERS:

Chairman Jim 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
Sharri Scott	Board Member
Kimberly Curtis	Board Member
Demetrius Thomas	1rst Alternate

MEMBERS ABSENT:

Lloyd Roberts	Board Member - Excused
David Lightholder	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: April 15, 2021

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

2. Approval of Meeting Minutes: March 18, 2021.

Motion by Mr. Green, seconded by Ms. Curtis, to approve the minutes of March 18, 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-20-997 – 601 Lucas Lane

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 ***XXII.Permit Required App A Art. XV Sec 2 (a), XXIII.Permit Required (fences) App A Art. XIII Sec 5 (c), 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, XXXII.Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and XXXV.Trailers In Yard, Ch 6 Sec. 6-900 (b)(15)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of one hundred fifty dollars ($150.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

2. CE-20-1027 – 301 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 was in violation of ***IX.Exterior General Condition Ch 6 Sec. 6-1003 (a), XV.Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c and XXII.Permit Required App A Art. XV Sec 2 (a)*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Manager Bunt stated he spoke with the property owner/representative and said they were going through a demolition process and they selected a demo contractor. They are requesting (90 days) to get through the process and take it down. Staff would me comfortable with (60 days). Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Green, to amend Staff's recommendation give the property owner until June 15, 2021 (60 days) and a fine of one hundred fifty dollars ($150.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-20-1200 – 418 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),*** ***XXXI.Storing Vehicles, Ch 6 Sec. 6-900 (b)(8) and*** *XXXV.Trailers In Yard, Ch 6 Sec. 6-900 (b)(15)* of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of fifty dollars ($50.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Ms. Curtis, seconded by Mr. Brown, to approve Staff's recommendation and find the Property Owner in violation. 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 was in violation of ***ARTICLE II. - SIGN REGULATIONS, Sec. 3-21. - Prohibited signs and features*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of twenty-five dollars ($25.00) per day until found in compliance.

Property owner Attorney: Willie Bryce

Attorney Bryce requested that the property owner be given an extension of (90 days) to come into compliance. The Attorney gave an overview of why she would need the extension. Manager Bunt explained that they have a Business Tax Receipt for office use only with the work hours Monday through Friday. They would have to go through Planning and Zoning to discuss the new business license. Once the truck is removed the property owner would be found in compliance. More discussion amongst the Board members and staff.

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

5. CE-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 was 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.*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of one hundred twenty-five dollars ($125.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

6. CE-20-1374 – 200 N 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 was in violation of ***XV.Maint of Struct/Grounds Ch 6 Sec. 6-900 (b)(4) a-c and Storm drainage, Ch 6, Art. III, Sec. 6-1206*** of the City Code.

Officer Murdick requested that the Board find the Property Owner in violation and been given until May 15, 2021 (30 days) to come into compliance or impose a fine of fifty dollars ($50.00) per day until found in compliance.

Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Ms. Curtis, to amend Staff's recommendation and a fine of one hundred fifty dollars ($150.00) per day and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-21-0018 – 409 Delannoy Avenue

This case has come into compliance.

8. CE-21-0019 – 101 Harrison Street

This case has come into compliance.

9. CE-21-0024 – 513 Washington Street

This case has come into compliance

10. CE-19-785 – 704 Ixora Avenue

This case was tabled. (computer problems)

11. Repeat CE-21-66 – 1238 Amherst Ct.

This case was tabled. (computer problems)

NON-COMPLIANCE:

1. CE-20-1055 – 1104 Montclair Road

This case complied.

2. CE-20-1061 – 1307 Dixon Blvd

This case complied.

3. CE-20-1325 – 1124 & 1126 Lake Drive

This case complied.

4. CE-20-1157 – 1221 Cypress Lane

This case was tabled. (computer problems)

LIEN REDUCTION:

1. CE-12-734 – 1268 Amherst Ct.

Code Enforcement Officer Gerald Pettengill provided an overview of the Case history and presented exhibits for the Board's review. The Code Enforcement Board held a public hearing on **9/20/2012**, at which time the Board found the owner, **Parish, Joseph W** in violation of the following: Sec. 6-1001(g) Fencing & Exterior Structure. The Code Enforcement Board provided the owner time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a lien was started against the property effective **10/19/2012.** The lien ran at **$25.00** per day from **10/19/2012** until compliance was achieved on **12/12/2013**. The total fine is **$10,725.00** Code records show onsite inspections were conducted and contact was made. The current owner **Kimberly Minot**, is requesting that the lien be reduced to **0**.

The current market value of the subject property; the current market value is **$82,090.00** according the Brevard County Property Appraiser. Total Amount of Liens: **$10,725.00**

Staff submits their cost sheet for Case **# 12-734** in the amount of **$1,280.65**

Staff's recommendation is based on the gravity of the violations, the amount of time it took the property to come into compliance, and the total amount of the fines. **Reduction to the total amount of $1,280.65 (staff costs)**

The property owner was sworn in: Kimberly Minot, 2170 Friday Rd, Cocoa

Chairman Gifford explained the lien reduction process to Ms. Minot. Ms. Minot gave an overview of what she had done with the property and how quick she corrected the violations. There were other items on the property that had to be fixed for the property to be in full compliance before she could ask for the lien reduction. Manager Bunt explained that the property had to be in full compliance before she could come to the Board for a lien reduction that is why the other items needed to be corrected. More discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Mr. Green, to amend staff's recommendation to City Council the lien reduction be in the amount of One thousand three hundred dollars ($1,300.00). Vote on the motion carried unanimously.

Manager Announcements:

Manager Bunt introduced the new Code Enforcement Officer Gerald Pettengill and that he has been with the City since July 1, 2020 and Kadi Carver has left the City for another job.

NEXT MEETING:

The Board members established that the next meeting would be held on May 20, 2021.

ADJOURNMENT:

There being no further business the meeting adjourned at 6:54 PM.

Approved on this 20 day of May, 2021.

Ed Green, Vice Chairman

Darla Crowl, Recording Secretary

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