Code Enforcement Board
Meeting Minutes
March 17, 2022

A meeting of the Code Enforcement Board of the City of Cocoa was held on Thursday, March 17, 2022 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
Lloyd Roberts	Board Member
Sharri Scott	Board Member

MEMBERS ABSENT:

Kimberly Curtis	Board Member
David Lightholder	Board Member
Jocelyn Scott	1rst Alternate

OTHERS PRESENT:

Dennis Bunt	Code Enforcement Manager
Anthony Marchica	Police Lieutenant
Augusto Gonzalez-Ruiz	Code Enforcement Officer
Debra Babb-Nutcher	Board Attorney
Darla Crowl	Recording Secretary
Rip Dyal	Councilman/Liaison
Lorraine Koss	Council Member

The Board Secretary swore in all Staff members giving testimony.

Moment of Silence – Steven J. Murdick MK1 (Ret.) 08/13/1970 - 01/29/2022.
Swearing in Officers

APPROVAL OF AGENDA AND MINUTES:

1. Approval of Agenda: March 17, 2022

Chairman Jim Gifford noted changes to the agenda (Items complied, tabled and withdrawn)

Motion by Mr. Roberts, seconded by Mr. Green, to approve to the agenda of March 17, 2022. Vote on the motion carried unanimously.

2. Approval of Meeting Minutes: January 20, 2022.

Motion by Mr. Brown, seconded by Mr. Roberts, to approve to the minutes of January 17, 2022. Vote on the motion carried unanimously.

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

NEW BUSINESS:

Mr. Brown wanted to say a few words about Code Enforcement Officer Steve Murdick. Mr. Brown wanted everyone to know that he thought Officer Murdick was a great Code Enforcement Officer, Military man and wised he had gotten to know him better. Rest In Peace.

CASES:

1. CE-21-0478 – 1045 W Hillcrest Dr.

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 ***XXII.Permit Required App A Art. XV Sec 2 (a***) and Fail to Secure Struct Ch 6 Sec. 6-900 (b)(7) of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (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. Green, seconded by Mr. Roberts, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

2. CE-21-489 – 1103 W Hillcrest Dr.

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 ***Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Junk or Autos, Ch 6 Sec. 6-902 (b)(1)(2) and*** *Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (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. Roberts, seconded by Ms. Scott, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

3. CE-21-0581 – 1046 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), Boarded Up Buildings Ch. 6 Sec. 6-900 (b)(5), 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 April 16, 2022 (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: Claribel Harring, 1046 Myrtle Ln.

Chairman Gifford asked Ms. Harring if she understands the violations and stated she does. Discussion amongst the Board members and staff.

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

4. CE-21-0596 – 1101 Azalea 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 ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Protective Treatment, Ch 6 Sec. 6-1003 (b), Storing Outdoors, Ch 6 Sec. 6-900 (b)(11) and Unsafe Buildings Ch 6 Secc. 6-600 (a)(6)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (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. Green, seconded by Mr. Roberts, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

5. CE-21-0615 – 807 N Fiske Blvd

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), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d and Weeds, Ch 6 Sec. 6-1001(d)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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

6. CE-21-0621 – 1032 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 ***Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Protective Treatment, Ch 6 Sec. 6-1003 (b) and*** *Weeds, Ch 6 Sec. 6-1001(d)* of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (30 days) to come into compliance or impose a fine of fifty dollars ($50.00) per day until found in compliance.

Property owner was sworn in: Wesley Willingham, 1238 TIPPERARY DR, Melbourne

Mr. Willingham stated that he just purchased the property and would like more time to correct the violations. Discussion amongst the Board members and staff.

Motion by Mr. Brown, seconded by Ms. Scott, to amend Staff's recommendation and give the property owner until June 16, 2022 (90 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

7. CE-21-0631 – 1204 Montclair Rd

This case has complied.

8. CE-21-0632 – 1101 Greenwood Way

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 ***I.Accessory Structures Ch 6 Sec. 6-1001 (g), Permit Required App A Art. XV Sec 2 (a) and Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until February 20, 2022 (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: Dianne Bender, 1101 Greenwood Way

Ms. Bender stated that are having the shed removed and other violations corrected. Manager Bunt stated that she will need a permit to move the shed. Mr. Roberts had questions about violations. Discussion amongst the Board members and staff.

Motion by Mr. Roberts, seconded by Mr. Green, to amend Staff's recommendation and give the property owner until May 16, 2022 (60 days) and find the Property Owner in violation. Vote on the motion carried unanimously.

9. CE-21-0674 – 1206 N Cocoa Blvd

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), Protective Treatment, Ch 6 Sec. 6-1003 (b) and Weeds, Ch 6 Sec. 6-1001(d)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (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. Roberts, seconded by Mr. Green, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

10. CE-21-0675 – 1202 N Cocoa Blvd

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), Accum. Of Trash and Litter Ch 6 Sec. 6-900 (b)(1)a-d, Protective Treatment, Ch 6 Sec. 6-1003 (b) and Weeds, Ch 6 Sec. 6-1001(d)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (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. Green, seconded by Mr. Roberts, to approve Staff's recommendation and find the Property Owner in violation. Vote on the motion carried unanimously.

11. CE-21-0676 – 919 Grove Ave

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 ***Business Tax Receipt Ch 12 Sec. 12-1 (a)(b), Parking in Yard Ch 6 Sec. 6-900 (b)(9),*** *Storing Outdoors, Ch 6 Sec. 6-900 (b)(11)* ***and Parking Large Trucks in Residential Areas Sec. 20-58 (a)*** of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (30 days) to come into compliance or impose a fine of seventy-five dollars ($75.00) per day until found in compliance.

Discussion amongst the Board members and staff.

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.

12. CE-21-0824 – 2514 N Indian River Dr.

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),***

XXIII.Permit Required (fences) App A Art. XIII Sec 5 (c) and Site Plan Approval Required. App.A, Art.XIII, Sec.1(B) of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (30 days) to come into compliance or impose a fine of two hundred fifty dollars ($250.00) per day until found in compliance.

Property representative was sworn in: Helen Yarbourgh, 134 Orange Ave. Rockledge

Chairman Gifford asked what the board was looking at in the pictures. Manager Bunt explained there was a house on the property which was taken down. A contractor came out and did improvements to the property without zoning approval or site plan. Representative brought a letter for all of the Board members. Manager Bunt stated that Officer Gonzalez could read the letter into the record which Attorney Babb-Nutcher stated the letter didn't need to be read because the letter had been put into the record by the representative. Mrs. Yarbourgh stated all work has stopped until permit is pulled. Vice Chairman Green had other questions about the posting and notice to the property. More discussion amongst the Board members and staff.

Motion by Mr. Green, seconded by Mr. Roberts, to amend Staff's recommendation and give the property owner until September 16, 2022 (180 days) with (30 day) updates for site plan approval to the Board Members, give until April 26, 2022 (10 days) to get permits and find the Property Owner in violation. Vote on the motion carried unanimously.

13. CE-21-0875 – 1040 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 ***Exterior Structure Sec 6-1003 (a), Extermination Sec 6-1007 (a) (b) (e), Roofs & Drainage, Ch 6 Sec. 6-1003 (g), Fire Protection Systems Ch.6 Sec 6-1403 (b), Interior Structure Sec 6-1004 (a) (c), Electrical Facilities Sec 6-1303 (a) (b) (c) and Protective Treatment, Ch 6 Sec. 6-1003 (b)***of the City Code.

Officer Gonzalez requested that the Board find the Property Owner in violation and be given until April 16, 2022 (30 days) to come into compliance or impose a fine of one hundred seventy-five dollars ($175.00) per day until found in compliance.

Property Manager was sworn in: Donna Lawson, 1118 Santa Rosa Dr, Rockledge

Attorney Babb-Nutcher wanted a better understanding of some of the violations. Manager Bunt gave an overview to help the Board members and the Attorney better

understand. Code Enforcement Gonzalez stated he was inside the house where he saw rat feces, heard rats in the ceiling and a video by the renter of a dead rat. Manager Bunt asked if Officer Gonzalez seen any fire alarms in the house and stated no. Ms. Lawson stated Mr. Vaughn was out of the country and she read a letter from property owner to ask for more time. Ms. Lawson has been working on getting the violations corrected by a contractor. Vice Chairman Green had questions about when Mr. Vaughn had received the violation notice. More discussion amongst the Board members and staff.

Motion by Mr. Green, seconded by Ms. Scott, to amend Staff's recommendation and give the property owner until May 16, 2022 (60 days) with (30 day) updates on the progress, give until April 26, 2022 (10 days) to get permits and find the Property Owner in violation. Vote on the motion carried unanimously.

NON-COMPLIANCE:

1. CE-21-0370 – 312 N Fiske Blvd

Code Enforcement Officer Augusto Gonzalez 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 ***Accessory Structures Ch 6 Sec. 6-1001 (g) and Protective Treatment, Ch 6 Sec. 6-1003 (b)*** of the City of Cocoa Code. Officer Gonzalez stated a Notice of Hearing was sent on March 4, 2022 and property owner remains in violation.

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

LIEN REDUCTIONS

1. CE-18-196 – 506 Abbey Lane

The Code Enforcement Board held a public hearing on **5/16/2019**, at which time the Board found the owner, **Housing for Homeless INC** in violation of the following: **1. *Roofs & Drainage, Ch 6 Sec. 6-1003 (g)* 2. *Maint. of Interior Struct Ch 6 Sec. 6-1004 (a)* 3. *Insect Screens Ch 6 Sec. 6-1003 (n).*** The Code Enforcement Board provided the owner sufficient time to correct said violation. Therefore, consistent with the Code Enforcement Board's Order a lien was recorded against the property effective 7/17/2019 The lien ran at $25.00 per day from 7/17/2019 until compliance was achieved on 7/11/2019. Code records show onsite inspections were conducted by Officer Murdick. The case was closed on 7/20/2020 leaving a fine of $9260.00 The current owner, Housing for Homeless INC, is requesting that the lien be reduced to $600 + City Costs of Service.

Property Manager was sworn in: Miriam Moore, 1910 Furman Ct.

Ms. Moore wanted to thank Code Enforcement for acting so quickly to put them on this Agenda. Paperwork by the engineering for the roof to the Building Department it was held up the final on the roof. Chairman Gifford had a question about Officer Gonzalez stating that reduction request was $600.00 plus City Cost of Service. Manager Bunt stated that on the application the applicant requested $600.00 plus expenses. The Cities cost sheet is just the Staff's Cost.

Motion by Mr. Brown, seconded by Ms. Scott, to approve staff's recommendation to City Council the lien reduction be in the amount of nine hundred sixty-nine dollars and seventy-seven cents ($969.77). Vote on the motion carried unanimously.

Manager Announcements:

Manager Bunt let the Code Board members know that the 2 Code Enforcement Officer positions have been filled. Rauni Smith who used to be a beach ranger for the City of Cocoa Beach and Michael Potts who worked for DCF and Cocoa was his area. They will be starting on Monday, March 21, 2022. They should be at the next Code Board Meeting in April.

NEXT MEETING:

The next regular meeting of the Code Enforcement Board will be held on April 21, 2022.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:40 PM.

Approved on this 21 day of April, 2022.

Jim G. Gifford

Jim Gifford, Chairman

Darla D. Crowl

Darla Crowl, Recording Secretary

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