

MAYOR  
Hal J. Rose

DEPUTY MAYOR  
Pat Bentley

COUNCIL MEMBERS  
John Dittmore  
Adam Gaffney  
Bill Mettrick  
Barbara A. Smith  
Andrea Young



Building Department  
Tom Forbes, Building Official  
City Hall  
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West Melbourne, FL 32904  
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## CODE ENFORCEMENT BOARD

### AGENDA

Thursday, August 16, 2018  
5:30 p.m.  
City Council Chambers

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF MINUTES

The Board is asked to approve the minutes of the July 19, 2018 hearing.

5. SWEARING IN OF THOSE PRESENTING TESTIMONY
6. NEW BUSINESS

- A. Case No. 2018-49 (574 Lake Ashley Cir.)  
MICHAEL ORENSTEIN, et al.  
Violation of Section 26-206 Vehicles in inoperable conditions  
Order finding violations and time to cure
- B. Case No. 2018-48 (171 Haven Drive)  
DUSTIN SWEET & DONNA SWEET, et al.  
Violation of Section 26-166 Certain locations and vehicles prohibited  
Violation of Section 26-206 Vehicles in inoperable conditions  
Order finding violations and time to cure
- C. Case No. 2018-43 (201 Naylor Drive)  
STEVEN SPENCER, et al.  
Violation of Section 26-166 Certain locations and vehicles prohibited  
Order finding violations and time to cure

- D. Case No. 2018-52 (341 Parkhill Blvd.)  
MGTS, LLC., et al.  
Violation of Section 26-64 Property maintenance  
Violation of Section 26-241 Maintenance requirements  
Violation of Section 26-100 Prohibited accum. of garbage & trash  
Violation of Section 26-207 Storing, depositing or keeping abandoned property in an enclosed building  
Order finding violations and time to cure
- E. Case No. 2018-12 (1175 W. New Haven Ave - 101)  
BITS TECHNICAL CORP, et al.  
Violation of Section 26-64 Property maintenance  
Violation of Section 26-100 Prohibited accum. of garbage & trash  
Violation of Section 26-102 Removal of certain growth of grass & weeds  
Violation of Section 26-241 Maintenance requirements  
Order finding violations and time to cure

## 7. ADJOURNMENT

All persons wishing to be heard should appear in person at these hearings or send written comments to the City Clerk. All persons and parties are hereby advised that if they should decide to appeal any decision made by the City with respect to any matter considered at the public meeting or hearing described in this notice, they will need a record of the proceedings, and for such purpose, said person or party may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Chapter 286, Florida Statutes). In compliance with American with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the City's ADA coordinator at 321-837-7774 at least 48 hours before the hearing.

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## CODE ENFORCEMENT BOARD

### MINUTES

JULY 19, 2018

#### 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Chris Gibbs called the meeting to order at 5:31 pm and led the Pledge of Allegiance.

#### 2. ROLL CALL

Present: Chair Chris Gibbs, Board Members James Shipton, Linda Palardy, Carl Weaver, Robert Luber and George Bosch.

Absent: Vice Chair Sandra Michelson and Board Member Andrew Jones.

Board Member Shipton moved to excuse Vice Chair Sandra Michelson and Board Member Andrew Jones. Seconded by Board Member Palardy, motion carried 5-0.

Also present: Council Members Barbara Smith and Andrea Young, Building Official Thomas Forbes, Code Enforcement Inspectors Trude Hull and Roy Black, Code Enforcement Secretary Doreen A. Morales and City Attorney Morris Richardson and other members of the public.

**\*\*Board Member Edward Ehrmann contacted City Clerk Cynthia Hanscom. Mr. Ehrmann has decided to resign from the Code Enforcement Board. The first alternate Board Member Robert Luber has replaced Mr. Ehrmann.**

**The City Council will decide if an alternate is needed to replace Board Member Luber.**

### 3. ADOPTION OF MINUTES

Board Member Shipton moved to approve the minutes from the June 21, 2018 hearing. Seconded by Board Member Bosch motion carried 5-0.

### 4. SWEARING IN OF THOSE PRESENTING TESTIMONY

Doreen A. Morales swore in those presenting testimony.

### 5. OLD BUSINESS

#### Case No. 2018-23

Violation of Section 26-100. Prohibited accumulations of garbage

Violation of Section 26-207. Storing, depositing or keeping abandoned property in an enclosed building

Violation of Section 26-241. Maintenance requirements

Code Enforcement Inspector Trude Hull presented Case No. 2018-23 for property located at 340 Park Hill Blvd. and owned by Virginia Elizabeth Hughes Revocable Trust, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black who testified the property continues to run fines at \$250/a day.

#### Case No. 2018-13

Violation of Section 2-93. Repeat violations

Violation of Section 26-100. Prohibited accumulations of garbage & trash

Violation of Section 26-102. Removal of certain growth of grass & weeds

Violation of Section 26-241. Maintenance requirements

Code Enforcement Inspector Trude Hull presented Case No. 2018-13 for property located at 5700 Margo Court and owned by William & Deborah Logsdon, et al. Inspector Hull testified the property is a repeat violator and has partially complied.

Inspector Hull recommends the Board find the repeat violations.

Board Member Luber moved to find the repeat violations. Seconded by Board Member Weaver motion carried 5-0.

Inspector Hull further recommends the Board grant no time to cure and a \$50/a day fine from the date the violations resurfaced which was May 29, 2018 and up until compliance is reached.

Board Member Luber moved to grant no time to cure and a fine of \$50/a day from the date the violations resurfaced which was May 29, 2018 and up until compliance is reached. Seconded by Board Member Shipton motion carried 5-0.

**Case No. 2017-113**

**Violation of Section 26-102. Removal of growth of grass and weeds**

**Violation of Section 26-241. Maintenance requirements**

Code Enforcement Inspector Trude Hull presented Case No. 2017-113 for property located at 134 Bossieux Blvd and owned by Nga To Pham, et al. Inspector Hull stated this property is need of a City mow as soon as possible.

Inspector Hull recommends the Board direct the City to mow property with fees being assessed against the property.

Board Member Luber moved to have the City do a forced mow with fees being assessed against the property. Seconded by Board Member Palardy motion carried 5-0.

## **6. NEW BUSINESS**

**Case No. 2018-21**

**Violation of Section 26-166. Certain locations and vehicles prohibited**

**Violation of Section 26-207. Storing, depositing or keeping abandoned property in an enclosed building**

**Violation of Section 98-1008. Parking, storage or use of major rec. equipment**

Code Enforcement Inspector Trude Hull presented Case No. 2018-21 for property located at 196 Hollywood Blvd., and owned by Deborah A. Raskett, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black.

Inspector Black was sworn in and testified:

- 5/2/18 - He responded to 196 Hollywood referencing a complaint. Spoke with a female tenant who advised she would pass the warning onto her boyfriend, also a tenant. There was a disabled Mercedes in the front yard. The tenant stated it belonged to the landlord, who refuses to move it. A red warning sticker was placed on the car and the car was removed shortly thereafter.
- 5/9/18 - Contact was attempted with no answer and no compliance.
- 5/12/18 - Spoke with male tenant who advised he had to fly to Arizona, hence the non-compliance.

- 5/19/18 - No compliance. Male Tenant was removing items from the enclosed trailer as I approached him. He stated he was gathering tools he needed but the trailers and boat would be removed by the end of the weekend.
- 5/23/18 - No compliance. A Notice of Violation was mailed to owner and tenants. Inspector Black stated he has driven by the property on multiple occasions since the initial contact, the trailers, boat and household trash remain at property.
- 6/19/18 - Pictures taken; only compliance is the trash and abandoned property (Appliances) were removed from side of house.
- 6/21/18 - Tabled due to substantial compliance.
- 6/22/18 - Re-inspected and in partial compliance.
- 7/5/18 - Violations persist and a trailer has returned, while the boat remains in the driveway or the right of way.

Inspector Black recommends the Board find the violations.

Board Member Weaver moved to find the violations. Seconded by Board Member Luber motion carried 5-0.

Inspector Black further recommends the Board grant ten days for the Respondents to clean, mow, remove trailers and boat. If not in compliance by July 31, 2018, a fine of \$75/a day and for each day thereafter until compliance is reached.

Board Member Luber moved to grant ten days to clean, mow and remove the trailers and boat. If not complied by July 31, 2018, a fine of \$75/a day until compliance is reached. Seconded by Board Member Bosch motion carried 5-0.

**Case No. 2018-32**

**Violation of Section 26-102. Removal of growth of grass and weeds**

Code Enforcement Inspector Trude Hull presented Case No. 2018-32 for property located at 642 Lemon Grove Avenue and owned by Deborah Ann Raskett, et al. Inspector Hull stated this case has complied.

**Case No. 2018-33**

**Violation of Section 26-102. Removal of growth of grass and weeds**

**Violation of Section 18-475. Posting, dimensions and coloration of numerals**

**Violation of Section 98-1008. Parking, storage or use of major rec. equip.**

Code Enforcement Inspector Trude Hull presented Case No. 2018-33 for property located at 658 Lemon Grove Avenue and owned by Deborah Ann Raskett, et al. Inspector Hull stated this case has complied.

**Case No. 2018-29**

**Violation of Section 18-13. Property maintenance**

**Violation of Section 26-64. Property maintenance**

**Violation of Section 26-166. Certain locations and vehicles prohibited**

**Violation of Section 26-206. Vehicles in inoperable conditions**

**Violation of Section 26-207. Storing, depositing or keeping abandoned property in enclosed building**

**Violation of Section 26-241. Maintenance requirements**

Code Enforcement Inspector Trude Hull presented Case No. 2018-29 for property located at 86 NW Carolina Street and owned by Manuel & Anna Sepulveda, et al.

Inspector Hull stated this case has been tabled as permits have been pulled.

**7. ADJOURNMENT**

There being no further business, Chair Chris Gibbs adjourned the hearing at 5:49 pm.

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Chair Chris Gibbs, or designee

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Doreen A. Morales  
Recording Secretary