

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
2240 Minton Road
West Melbourne, FL 32904
Phone: (321) 837-7776
Fax: (321) 952-9542
www.westmelbourne.org

CODE ENFORCEMENT BOARD

AGENDA

Thursday, October 18, 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 September 20, 2018 hearing.

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

- A. Case No. 2018-21 (196 Hollywood Blvd.)
DEBORAH RASKETT, et al.
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.equip.
Order imposing lien
- B. Case No. 2017-113 (134 Bossieux Blvd.)
NGA TO PHAM, et al.
Violation of Section 26-102 Removal of certain growth of grass & weeds
Violation of Section 26-241 Maintenance requirements
Order directing for City mow & clean-up

- C. Case No. 2018-63 (215 Ladybug Ct.)
DENNIS WOODWARD, et al.
Violation of Section 26-102 Removal of certain growth of grass & weeds
Order imposing lien

7. NEW BUSINESS

- D. Case No. 2018-69 (5281 Martin Lane)
KEVIN L. BROWN, et al.
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 27-7 Requirements for collection set out
Order finding violations and time to cure
- E. Case No. 2018-72 (3322 Alice Street)
DEBRA A. GRISHAM, et al.
Violation of Section 26-102 Removal of certain growth of grass & weeds
Order finding violations and time to cure
- F. Case No. 2018-82 (107 Stephenson Dr.)
GAYLE N. HONIKER, et al.
Violation of Section 26-166 Certain locations and vehicles prohibited
Violation of Section 26-241 Maintenance requirements
Order finding violations and time to cure
- G. Case No. 2018-84 (120 Stephenson Dr.)
JTK INVESTMENTS, INC., et al.
Violation of Section 26-204 Restriction on number of vehicles under repair
Violation of Section 26-241 Maintenance requirements
Order finding violations and time to cure
- H. Case No. 2018-85 (246 Stephenson Dr.)
ROBERT L. LOVERIDGE, et al.
Violation of Section 26-166 Certain locations and vehicles prohibited
Violation of Section 26-241 Maintenance requirements
Order finding violations and time to cure

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

SEPTEMBER 20, 2018

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Chris Gibbs called the meeting to order at 5:30 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, Board Member Andrew Jones, Code Enforcement Secretary Doreen A. Morales and Building Official Thomas Forbes.

Board Member Weaver moved to excuse Vice Chair Sandra Michelson, Board Member Andrew Jones, Code Enforcement Secretary Doreen A. Morales, Building Official Thomas Forbes and. Seconded by Board Member Shipton, motion carried 5-0.

Also present: Council Member Barbara Smith, Code Enforcement Inspectors Trude Hull and Roy Black, City Attorney Morris Richardson and other members of the public.

3. ADOPTION OF MINUTES

Board Member Shipton moved to approve the minutes from the July 19, 2018 hearing. Seconded by Board Member Weaver motion carried 5-0.

****City Attorney Richardson presented Mr. Arvind Maddikonda, the new Code Board Second Alternate Member, he was appointed by the City Council at the September 4, 2018 City Council meeting. ****

4. SWEARING IN OF THOSE PRESENTING TESTIMONY

Trude Hull swore in those presenting testimony.

5. NEW BUSINESS

Case No. 2018-62

Violation of Section 26-206. Vehicles in inoperable conditions

Code Enforcement Inspector Trude Hull presented Case No. 2018-62 for property located at 1380 W. New Haven Ave-A and owned by Alfreda M. Kawohl, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black.

Inspector Black was sworn in and testified:

- On 8/17/18 - He responded to 1380 W. New Haven Ave-A, in reference to multiple disabled vehicles. He spoke with two different tenants. The tenant in the front area appeared to be running an automotive repair business, but claimed to be operating a recording studio and stated it's his "personal business". The tenant in the rear business, "Rotomotive Auto Tech", has an expired Business Tax Receipt (BTR) and claimed he would get the renewal by the 20th. Both tenants claim the other tenant is responsible for the 25-30 vehicles and would only claim a few vehicles each.
- 8/23/18 – To date no BTR's have been acquired by either tenant or the property owner. Approximately 25 disabled or unregistered vehicles remain. Due to non-compliance a Notice of Violation has been sent to the property owner.
- Property owner has acquired a BTR for the rental property.
- Rear business ("Rotomotive Auto Tech"), has vacated but the front business still does not have a BTR for automotive work or a sound recording studio, he claims is only for "personal business".
- Some vehicles have been lined up in an orderly fashion at the front of the business but others remain with no tags, expired tags, and/or disabled.
- On 9/20/18 – Property was rechecked at 16:45 pm and only two to three unregistered or disabled vehicles remain.

Inspector Black recommends the Board find the violations.

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

Inspector Black further recommends the Board grant ten days for the removal of remaining vehicles. If not in compliance by October 1, 2018, a fine of \$50/a day until compliance is reached.

Board Member Weaver moved to grant ten days to remove the vehicles. If not complied by October 1, 2018, a fine of \$250/a day until compliance is reached. Seconded by Board Member Palardy, motion carried 4-0 with one opposed.

Case No. 2018-55

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

Violation of Section 26-166. Certain locations & vehicles prohibited

Code Enforcement Inspector Trude Hull presented Case No. 2018-55 for property located at 219 Monaco Road and owned by Juan & Kathleen Barroso, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black.

Inspector Black testified:

- He spoke with a resident at 219 Monaco Road, in person, about a disabled vehicle and a utility trailer on the right of way. Upon re-inspection the disabled vehicle had been moved. The utility trailer remained. He left a thank you card for complying on the disabled vehicle but the utility trailer still needed to be moved.
- Since initial contact, he has been assured on multiple occasions the utility trailer would be moved. The last excuse given was the husband was a truck driver and would move it upon his return. Two weeks had gone by and the utility trailer remained.
- 8/8/2018 – multiple truck tires were observed. Discarded behind the trailer. A Notice of Violation will be sent.
- Utility trailer has been moved from the right of way to the front of the house, still in violation. Tires remain.
- 9/19/18 – Inspector Black spoke with the property owner's daughter who had questions about what was needed for compliance. She stated the trailer would be moved behind the residence and tires removed when her father returned. He is a truck driver by trade. I told her the case still would proceed to Code Board but they would generally have 10 days to comply before fines begin.

Inspector Black recommends the Board find the violations.

Board Member Shipton moved to find the violations. Seconded by Board Member Palardy motion carried 5-0.

Inspector Black further recommends the Board grant ten days for the removal of utility trailer and tires. If not in compliance by October 1, 2018, a fine of \$50/a day until compliance is reached.

Board Member Luber moved to grant ten days to remove the trailer and tires. If not complied by October 1, 2018, a fine of \$50/a day until compliance is reached. Seconded by Board Member Bosch, motion carried 5-0.

Case No. 2018-63

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

Code Enforcement Inspector Trude Hull presented Case No. 2018-63 for property located at 215 Ladybug Court and owned by Dennis Woodward, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black.

Inspector Black testified:

- On 8/29/18 – He responded to a complaint of extreme overgrowth. He observed the violation and left a door hanger with the ordinance and business card.
- 8/30/18 – Inspector Black returned and observed the paperwork still attached to the front door. The overgrowth is severe and the complainant stated the resident had told her that he does not have to and will not mow his lawn. The mow cannot wait until the next Code Board hence the swift request for Notice of Violation.
- 9/3/18 - An email was sent to the property owner at denwood10@aol.com with no response.
- 9/12/18 – A Notice of Violation and Summons was posted on the property for the September 20, 2018 hearing.
- A neighbor called asking about the posting and advised of the passing of the property owner. The HOA was attempting to contact next of kin but had not heard back from anyone since the funeral.

Inspector Black recommends the Board find the violations.

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

Inspector Black further recommends the Board grant an order directing for an immediate City mow.

Board Member Luber moved for an immediate City mow. Seconded by Board Member Palardy motion carried 5-0.

Case No. 2018-66

Violation of Section 26-64. Property maintenance

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

Code Enforcement Inspector Trude Hull presented Case No. 2018-66 for property located at 3302 Alice Street and owned by Richard & Marjorie Tresher, et al. Inspector Hull turned the case over to Code Enforcement Inspector Roy Black.

Inspector Black testified:

- On 9/5/18 – Inspector Black received a phone complaint reference extreme overgrowth. He stated there have been two prior overgrowth cases on this property with compliance. The grass/weeds are at knee level in the front yard. Portions of the rear yard, which are visible from the road, are several feet in places. This is believed to be "Johnson Grasses" and needs to be mowed along with the entire lawn. I also observed several pieces of trash in the driveway and front sidewalk which need to be cleaned up.
- This is the third case this year on the property. Inspector Hull also has another overgrowth case from 2015.
- A Notice of Violation was sent.
- Property was again inspected and the front lawn was mowed but rear yard was still extremely overgrown.

Inspector Black recommends the Board find the violations.

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

Inspector Black further recommends the Board grant 10 days to come into compliance and \$50/a day until compliance is reached.

Board Member Luber moved to grant ten days to come into compliance. If not complied by October 1, 2018, a fine of \$100/a day until compliance is reached. Seconded by Board Member Shipton motion carried 5-0.

6. ADJOURNMENT

There being no further business, Chair Chris Gibbs adjourned the hearing.

Chair Chris Gibbs, or designee

Doreen A. Morales
Recording Secretary