

MAYOR
Hal J. Rose

DEPUTY MAYOR
Stephen Phrampus

COUNCIL MEMBERS
Diana Adams
Pat Bentley
John Dittmore
Daniel McDow
Andrea Young



Code Enforcement
Police Department
2290 Minton Road
West Melbourne, FL 32904
Phone: (321) 837-7793
Fax: (321) 952-2857
www.westmelbourne.gov

CODE ENFORCEMENT BOARD

AGENDA

Thursday, October 19, 2023
5:30 pm
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 August 17, 2023 hearing.

- 5. SWEARING IN OF THOSE PRESENTING TESTIMONY**
- 6. OLD BUSINESS:**

A. Case No. 22-0044 & 22-0218 (748 John Carroll Lane)
JOSEPHINE SANTANGELO ESTATE, et al.
Violations of Section IPCM Section 302.1 – Sanitation (DEAD TREES)
Order imposing penalties and liens

- 7. NEW BUSINESS:**

B. Case No. 23-0135 (1573 S. Wickham Road)
WICKHAM LLC., et al.
Violation of Section 98-835. – Building articulation.
Order finding violations and penalties

C. Case No. 23-0189 (116 Hollywood Blvd)
RAY WRIGHT, et al.
Violation of Section 26-102.- Removal of certain growth of grass and weeds.
Violation of Section 26-206.- Vehicles in inoperable condition.
Violation of Section 26-297.- Storing, depositing or keeping abandon
property in enclosed building.
Violation of Section 26-100. Prohibited accumulations of garbage and trash.
Violation of Section 18-421. Conditions
Order finding violations and penalties

- D. Case No. 23-0190 (5361 Frederick Ave)
JOHN & EFFA BRAZ, et al.
Violations of Section 26-206 Vehicles in inoperable condition.
Order finding violations and penalties

8. 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.

MAYOR
Hal J. Rose

DEPUTY MAYOR
Stephen Phrampus

COUNCIL MEMBERS
Diana Adams
Pat Bentley
John Dittmore
Daniel McDow
Andrea Young



Code Enforcement
Police Department
2290 Minton Road
West Melbourne, FL 32904
Phone: (321) 837-7793
Fax: (321) 952-2857
www.westmelbourne.gov

CODE ENFORCEMENT BOARD

MINUTES

August 17, 2023

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Chris Gibbs called the meeting to order at 5:32pm and led the Pledge of Allegiance.

2. ROLL CALL

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

Absent: Vice Chair Sandra Michelson, Board Members Linda Palardy and Kimberly McGibany, Andrew Jones.

Board Member Robert Luber moved to excuse Vice Chair Sandra Michelson, Board Members Linda Palardy, Kimberly McGibany and Andrew Jones. Seconded by Board Member James Shipton motion carried 4-0.

Also present: Council Member Andrea Young, Commander Michelle Page, Code Enforcement Inspector Roy Black, City Attorney John Cary, Code Enforcement Board Coordinators Monica Diaz and Nicole Tarry and other members of the public.

3. ADOPTION OF THE MINUTES

Board Member James Shipton moved to approve the minutes from July 20, 2023. Seconded by Board Member Robert Luber motion carried 4-0.

4. SWEARING IN OF THOSE PRESENTING TESTIMONY

Monica Diaz swore in those presenting testimony.

5. OLD BUSINESS

Case No. 22-0044 & 22-0218

Violation of Section Violation of Section IPMC Section 302.1. – Sanitation (Dead Trees)

Commander Michelle Page announced to the Board Members Case No. 22-0044 & 22-0218 for property located at 748 John Carroll Lane owned by Josephine Santangelo Estate, et al. was not ready to be presented at this meeting due to the Summons not being served in a timely manner.

Board Member Robert Luber motioned to have these cases tabled with a date certain for the next meeting of September 21, 2023. Motion seconded by George Bosch motion carried 4-0.

6. NEW BUSINESS

Case No. 23-0076

Violation of Section - Sec. 26-100. - Prohibited accumulations of garbage and trash.

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

Violation of Section - Sec. 26-206. - Vehicles in inoperable condition.

Violation of Section - Sec. 98-1122. - Maintenance of walls and fences.

Code Enforcement Inspector Roy Black presented Case No. 23-0076 for property located at 5380 Frederick Avenue which is owned by Harold & Christine Schipf, et al.

Inspector Black having been sworn in testified:

- On March 22, 2023 he observed the fence down in multiple areas which was mostly rotted wood, dead trees in the front yard, an inoperable red Dodge Ram pickup truck in the rear yard and overgrowth in the rear yard surrounding a boat on a trailer and the red Dodge Ram pickup truck.
- On April 5, 2023 Property Owner called in regarding tires and other items from the front of the property which have been taken care of. The fence is still a work in progress as he has some panels up and waiting on the other panels. He hopes to be finished by this weekend. The Property Owner asked to have the Inspector come by to review and emailed Inspector Black with this information.
- On May 25, 2023 the violations remained and he requested a Summons for the August Code Board.
- On August 4, 2023 a Summons was mailed regular and certified mail.
- On August 15, 2023 he spoke to Mr. Schipf regarding the new Summons. Inspector Black advised Mr. Schipf we did send another Summons and on August 12, 2023 he observed the fence had been repaired but there was still overgrowth in the rear and east side yard and also the inoperable vehicle (red Dodge Ram pickup truck) was still in the rear yard surrounded by overgrowth. Schipf stated “Yes, it is in the back yard and it is nobody’s business but his”. Inspector Black told him maybe, if it had not started in the front yard and observable from the

roadway with the fence panels down. He claimed the old fence panels at the roadside were not able to be removed since they were covered by limbs and yard waste that he also claims is his neighbor's yard waste. Inspector Black explained he has pictures of the panels to the side of the limbs and it was his responsibility for his property and to contact Waste Management for both yard trash and the panels. He said he would contact Waste Management.

Mr. Schipf having been sworn in testified:

- Every time he receives a letter he fixes the items requested. He has installed 2 new panels, the car is waiting for an engine to be installed and he will start to shut the gate and the toys were the neighbors.
- Mr. Schipf explained his landscaper is handicap and will not fire him but will make sure he weed eats the yard.

Inspector Black recommends finding the violations.

Board Member Robert Luber moved to find the violations. Board Member James Shipton seconded, motion carried 4-0.

Inspector Black recommends granting 10 days to come into compliance then \$50.00 a day thereafter if not in compliance to rectify the car, garbage and overgrowth.

Board Member Robert Luber motioned 14 days to come into violation however Board Member James Shipton recommended 30 days to come into compliance.

The Board rescinded the initial motion and Board Member Robert Luber moved to grant 30 days to come into compliance then \$50.00 a day thereafter if not in compliance. Board Member George Bosch seconded, motion carried 4-0.

7. ADJOURNMENT

There being no further business, hearing was adjourned at 5:49pm.

Chair Chris Gibbs or Designee

Monica M. Diaz
Code Enforcement Board Coordinator

Nicole Tarry
Code Enforcement Board Coordinator