

**ROCKLEDGE CODE ENFORCEMENT BOARD  
MEETING MINUTES**

**Thursday, January 14, 2021 - 4:30 p.m.**

1. CALL TO ORDER

The Rockledge Code Enforcement Board met on January 14, 2021, at 4:30 p.m. in the City Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Karen Kuta, Chairman  
Kevin Jarvis, Vice Chairman  
Jeffrey Fee  
Mark O'Donnell  
Martha Rich, arrived 4:33  
Matthew Whalen, arrived 4:44

MEMBERS ABSENT: None

STAFF PRESENT: Jay Thakkar, Code Enforcement Officer's Attorney  
Joseph Miniclier, Code Board Attorney  
City Manager, Dr. Brenda Fettrow  
John Cooper, Planning Director  
Maddie McDonald, Code Enforcement Officer  
Deanna Pomichter, Recording Secretary

With a quorum present, the meeting was called to order by Chairman Kuta.

2. APPROVAL OF MINUTES

Meeting of November 12, 2020

**Motion by Kevin Jarvis to approve the meeting Minutes and Attendance Record from November 12, 2020. Seconded by Jeffrey Fee. All in favor. Motion carried.**

3. UNFINISHED BUSINESS

- A. ECE20-0661 – Dameon Kaschafsky – 1187 Buddy Court – Shed installed without a Rockledge Building Permit or Inspections and there are windows that are boarded on occupied residence.

**Motion by Kevin Jarvis to remove from the table ECE20-0661. Seconded by Jeffrey Fee. All in favor. Motion carried.**

Code Enforcement Officer McDonald stated this property is in compliance.

- B. ECE20-0798 – Cassondra Shiree Miller – 955 Lexington Road – Cargo Trailer stored in front setbacks on the grass, inoperable vehicle (no tag), household items and more stored in the open carport/porch area, and overgrowth including not edging sidewalk/curb area.

1. Finding of Fact, Conclusion of Law and Order
2. Request to file Administrative Order/Lien

Code Enforcement Officer McDonald reviewed the history of the property. She added that all violations were resolved with the exception of the inoperable vehicle in the carport. She stated that there had been no further contact from the property owner to resolve this violation.

Staff is requesting to file the Administrative Order/Lien.

Discussion followed.

**Motion by Kevin Jarvis to approve filing the Administrative Order/Lien. Seconded by Mark O'Donnell. All in favor. Motion carried.**

- C. ECE20-0175 – Maggie L. Brown Taylor – 828 Kentucky Avenue – Multiple inoperable vehicles.

1. Finding of Fact, Conclusion of Law and Order
2. Request to file Administrative Order/Lien

Code Enforcement Officer McDonald reviewed the history of the property and stated of the four inoperable vehicles, one remained and currently has a flat tire.

Code Enforcement Officer McDonald added she recently spoke with the property owner's youngest son who indicated that his older brother has been staying at the residence and owns the inoperable vehicles.

Hiawatha Brown, 1063 Marlin Drive, Rockledge, Florida, son of the property owner stated he was just informed about the vehicles and would speak with his brother to get the vehicles removed and requesting two weeks to bring the property into compliance.

Discussion followed.

**Motion by Kevin Jarvis to extend the Finding of Fact for 30 day or until the next meeting. Seconded by Martha Rich. All in favor. Motion carried.**

#### 4. NEW BUSINESS

##### A. Election of Chairman and Vice Chairman

Kevin Jarvis nominated Karen Kuta for Chairman.

**No other nominations were heard. By acclamation Karen Kuta was elected as Chairman.**

Karen Kuta nominated Kevin Jarvis for Vice Chairman.

**No other nominations were heard. By acclamation, Kevin Jarvis was elected as Vice Chairman.**

City Attorney Miniclier asked the Board members if they had any Ex-Parte communications and/or investigations regarding the agenda items. No members of the Board had any communications or site visits regarding any of the cases coming in front of the Board.

##### B. ECE20-0805 – Eddie James Brown – 819 Avondale Road – Vacant unsecured fire damaged property

Code Enforcement Officer McDonald explained the vacant property suffered severe fire damage in September 2020. There is no water or power to the property and the property was occupied at the time of the fire. The owner of the property is deceased and a relative was living there. There is a mortgage on the property but the mortgagee is an individual who is not willing to foreclose on the property due to the current state.

Code Enforcement Officer McDonald requested to bring the property violation before the Nuisance Abatement Board for determination with the possibility of the City boarding up the unsecured windows and door to make it safe until such time as the relatives can be located and take possession.

Discussion followed with regard to whether or not the property was in probate, who would be responsible for the lien and if the property was homesteaded.

Code Enforcement Officer Attorney Jay Thakkar stated the lien would be placed on the property for the cost of securing it, which would make the new owner responsible.

Code Board Attorney Joe Miniclier stated by filing a lien it could trigger the relatives to start the probate process. Also, stating what is the fastest way to have the property boarded so the City was not liable if anyone was hurt.

**Motion by Kevin Jarvis to recommend it go before the Nuisance Abatement Board and be tabled for 30 day until the next meeting. Seconded by Martha Rich. All in favor. Motion carried.**

C. ECE20-0831 – Ryan Michael Felice – 1115 Woodsmere Parkway – Boat and trailer over 24 feet in total length in driveway/front setbacks

Code Enforcement Officer McDonald explained she conducted a follow up visit to the property to verify the boat was moved from the roadway and found it placed in the driveway. She added that placing it in the driveway did not comply with the Rockledge Land Development Regulations (LDR) section 55.15.

Code Enforcement Officer McDonald stated due to the pandemic restrictions and the size of the boat, the property owner was given 30 days to bring the property in compliance. After that deadline the property was still in violation with no communication from the property owner. After the Notice of Violation was sent and a phone call was received from the property owner stating the Courtesy Notices were dismissed after speaking with a police officer that everything would be okay once the boat was moved off the roadway. The property owner also stated that the boat is an investment and that he and his brother are fixing it up to sell. A thirty (30) day extension was requested with the knowledge that after that deadline, if the violation remains, the matter would go before the Code Enforcement Board.

Ryan Felice, 1115 Woodsmere Parkway, Rockledge, Florida property owner stated he was unhappy and stated he needed Florida Power and Light to raise the power line to move the boat to the back of the house.

Discussion followed.

**Motion by Kevin Jarvis that a boat and trailer over 24 feet in length is in the front setbacks located at 1115 Woodsmere Parkway which is a violation of the Rockledge Land Development Regulations when the Notice of Violation was sent. Seconded by Mark O'Donnell. All in favor. Motion carried.**

**Motion by Kevin Jarvis that the property, at 1115 Woodsmere Parkway, is in violation of Section 55.15 of the Rockledge Land Development Regulations. Seconded by Martha Rich. All in favor. Motion carried.**

**Motion by Kevin Jarvis that the property located at 1115 Woodsmere Parkway must be in compliance with Section 55.15 of the Rockledge Land Development Regulations by having the boat and trailer removed or moved to the side and/or rear of the property within fifteen (15) days or a fine of \$250.00 a day will be imposed retroactive to the date the order was signed. Seconded by Jeffrey Fee. All in favor. Motion carried.**

- D. ECE20-0917 – Michele B Gibson – 1218 – Tree limbs and palm fronds obstructing the sidewalk area and not giving a clear height of 15 feet above the sidewalk and inoperable vehicles on the property (no tags/expired tags)

Code Enforcement Officer McDonald stated she received a complaint that a tree is over the sidewalk area by the community mailbox. While leaving the Courtesy Notice she noticed a vehicle in the driveway, which was backed in, had no license plate or tag and added it to the Courtesy Notice. There has been no communication with the property owner. On a re-inspection of the property she noted the tree was in compliance and, with no reasonable cause to enter the property, could not verify the vehicle was in compliance. Therefore, dismissing the vehicle portion of the violation due to the inability to verify.

5. ADJOURN - There being no further business, the meeting was adjourned at 5:14 p.m.

Submitted by:

Deanna Pomichter  
Recording Secretary

Approved by:

Karen Kuta  
Chairman