
CODE ENFORCEMENT BOARD
MEETING NOTICE AND AGENDA

Thursday, January 12, 2012 - 4:30 p.m.

Rockledge City Hall, 1600 Huntington Lane, Rockledge Florida 32955

**EVERY PERSON ADDRESSING THE CODE ENFORCEMENT BOARD
MUST COMPLETE A SPEAKER'S CARD**

The cards are located near the door of the Council Chamber.

Completed cards are to be given to the Recording Secretary
before the meeting convenes or prior to the introduction of a particular agenda item.

1. CALL TO ORDER
2. APPROVAL OF MINUTES & ATTENDANCE RECORD
3. UNFINISHED BUSINESS
 - A. 11-013 – Patricia Wilson – 961 Bartlett Lane – Enclosing a carport without a permit and without providing covered parking.
 - B. 11-016 – Premier Investments – 810 Barnes Blvd – Property not being maintained and trash being allowed to accumulate, stormwater management culvert collapsed with no attempts to repair or secure.
4. NEW BUSINESS
 - A. Election of Chairperson and Vice Chairperson
 - B. 11-014 – Steven Dean Austin, Trust – 405 Hawk St –Accumulation of trash and debris.
5. ADJOURN



**ANY PERSON WHO DESIRES TO APPEAL ANY DECISION MADE BY THE
ROCKLEDGE CODE ENFORCEMENT BOARD WILL NEED TO ENSURE
THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE,
WHICH RECORD INCLUDES TESTIMONY AND EVIDENCE
UPON WHICH THE APPEAL IS TO BE BASED.**

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**ROCKLEDGE CODE ENFORCEMENT BOARD
MEETING MINUTES**

Thursday, December 8, 2011 - 4:30 p.m.

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1. CALL TO ORDER

The Rockledge Code Enforcement Board met on Thursday, December 9, 2011 at 4:30 p.m. in the City Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

MEMBERS PRESENT: Mike Cirimotich, Chairman
Karen Kuta, Vice Chairman
E. Marilyn Bauer
Dale Brown
Joe Hershey Sr.

MEMBERS ABSENT: Lilya McAtee, Excused

STAFF PRESENT: Joseph Miniclier, City Attorney
Mitch Goldman, Code Board Attorney
Maddie Curtis, Code Enforcement Officer
Deanna Pomichter, Recording Secretary
Dennis Clements, Building Official

With a quorum present, Chairman Mike Cirimotich called the meeting to order.

2. APPROVAL OF MINUTES

Regular Meeting held November 10, 2011

Motion by Dale Brown to approve the Minutes and Attendance Record of the meeting on November 10, 2011. Seconded by Karen Kuta. All in favor. Motion carries.

3. UNFINISHED BUSINESS

None

4. NEW BUSINESS

- A. 11-015 – Russell Sage, Jr. – 1718 Palmer Street – **Airboat parked on grass, debris stored in the yard.**

Code Enforcement Officer Curtis stated that the property is now in compliance.

- B. 11-016 – Premier Investments – 810 Barnes Boulevard – **property not being maintained and trash being allowed to accumulate, stormwater management culvert collapsed with no attempts to repair or secure.**

Code Enforcement Office Curtis explained the history of the property and stated that after visiting the property on the morning of the meeting, found the building had been vandalized. The property itself is now a safety hazard and the owners need to be made aware of the status of the building. C.E.O. Curtis is requesting that this matter be tabled until January's meeting in order to notify the owners of the new violations.

City Attorney Miniclier gave an update on the foreclosure recommendation on this property and stated that it is not in the City's best interest to foreclose on the property at this time.

Discussion followed.

Motion by Karen Kuta to table 11-016, 810 Barnes Boulevard until January's meeting. Seconded by Dale Brown. All in favor. Motion carries.

5. ADJOURN

There being no further business the meeting was adjourned at 4:54 pm.

Submitted by:

Recording Secretary

Approved by:

Chairman

**CODE ENFORCEMENT BOARD OF THE
CITY OF ROCKLEDGE**

COMPLAINT #11-014

**CITY OF ROCKLEDGE,
Petitioner,**

vs.

**Steven Dean Austin, Trust
Respondent(s)**


**STATEMENT OF VIOLATION
AND
REQUEST FOR HEARING**

Pursuant to Subsection 162.06(2), Florida Statutes and Section 24.00 of the Land Development Regulations of the City of Rockledge, Rockledge, Florida, the undersigned Code Inspector hereby gives notice to the Rockledge Code Enforcement Board of an uncorrected violation of the Rockledge Code of Ordinances/Land Development Regulations of the City of Rockledge, Rockledge, Florida, being as particularly described herein, and hereby requests a hearing before said Code Enforcement Board.

1. Identify Sections of the Rockledge Land Development Regulation which is in Violation:
Section: 57.43
Section 61.142
2. Location/address where Violation exists:
405 Hawk Street, Rockledge, FL 32955
3. Name and address of owner/person in charge of location where Violation exists:
Steve Dean Austin, Trust, 409 Pelican Key, Melbourne Beach, FL 32951
4. Description of Violation:
Accumulation of (trash and debris) broken household furniture, broken/rusted tools, clothing and other household items stored outside for resale, recycling or disposal along the east side of the property. Outside storage of these items and more in the M-1 Zoning.
5. Date Violation first observed:
July 29, 2011
6. Date owner / person in charge given Notice of Violation:
October 14, 2011
7. Date Violation to be corrected:
January 4, 2012
8. Date reinspection was performed:
January 5, 2012
9. Results of reinspection:
The aforementioned conditions in item #4 continue to exist therefore the violations continue to exist.

Based upon the foregoing, the undersigned Code Inspector hereby certifies the above described Violation continues to exist, that attempts to secure compliance with the Rockledge Code of Ordinances/Land Development Regulations of the City of Rockledge have failed as aforesaid, and that the Violation should be referred to the Rockledge Code Enforcement Board for a public hearing.

DATED, this 5 day of January, 2012.

CITY OF ROCKLEDGE

Maddie Curtis
Code Enforcement Officer

405 Hawk Street

Date	Action
7/14/11	Drive by inspection, vehicles were lined up on the west side of the building so that no other vehicles to go around the building. All vehicles parked there were in different levels of repair. On east side of building, all sorts of miscellaneous broken, in disrepair household items.
7/14/11	Called Steve Austin @ 794-8111 – left message regarding the issues
7/29/11	Visited location spoke with tenant (Rudolph Caesar – A & R Auto) regarding the issues. Left card @ location on east side where there appears to be a "junk man"
8/4/11	Visited location @ 7:30 am – no change
8/4/11	Rudolph called and the codes were explained, once again, and that the property was in violation. Will re-inspect on Monday for progress
8/8/11	Rudolph called left a voice mail
8/9/11	<p>Rudolph called stating that he has been very sick (diabetic) and was unable to start any clean up. Reiterated the codes and that he needs to get the property cleaned up and keep it within the codes.</p> <p>Talked with an elderly gentleman who had all the junk, he didn't give me his name (JM) and explained the codes and that all work must be done inside the bays. Permanent outside storage is not allowed.</p>
8/19/11 – 8/31/11	Visited property on two occasions and several of the cars were gone; progress made towards compliance on the west side, on the east side, there was little to no progress. Rudolph stated that he has not seen JM recently.
September 2011	Dennis and Steve W. met with Rudolph because Rudolph felt as if the City was 'picking on him' because we were always out there telling him he was in violation and it wasn't just his stuff that was in violation. Both Dennis and Steve explained the rules to Rudolph and that the property was in violation and it had to be cleaned up.
9/30/11	Doug Bress came into the office regarding the parking issues. It seems that Rudolph's business is taking up all the parking spaces inside the enclosure and is spilling out into the road way. He has called RPD on multiple occasions. Cars, both inoperable (no tags or mechanically inoperable) and operable, are being parked on the south and north sides of the street so that no one else can park there and making it a one vehicle wide street. Also, the swale is being damaged and water is ponding and flooding the parking lot of the properties on the North side.

9/30/11	<p>Visited property and explained to Rudolph about the codes and Rudolph states he has been in and out of the hospital and his son, who works for him, is the one who is not following the rules and make it harder on him.</p> <p>JM side there was little to no change, and no one was there to talk too.</p>
10/5/11	Sent Notice of Violation to Steve Austin, property owner regarding storage of junk, and work being done outside the bays and inoperable vehicles stored on site w/15 days to comply from receipt of letter
10/14/11	Steve Austin signed return receipt
10/14/11	Voice Mail from Mr. Austin regarding violation.
10/17/11	Spoke with Mr. Austin at length regarding the nature of the violation and how it had to be cleaned up and kept cleaned up. Reiterating the same things that we have been telling Rudolph. Mr. Austin stated he has been in touch JM.
10/25/11	<p>Met w/Rudolph, on site to go through, in detail, what needed to be done. Explained again, the rules/regulations of the zoning, that all work is to be done inside the bays, no work outside the bays, no storage of parts, tools outside the bays. Rudolph stated that all parts/tools are brought inside at night when they are closed. Counted 13 inop vehicles on site.</p> <p>Spoke w/another gentleman re: JM's side (east side), all items that were in the middle of the parking area were gone and there were items stacked by fence that were to be removed. However, truck that was hauling the trailer cracked its block and JM was looking for a new truck to pull a trailer so that the items stacked along the fence could be removed. There were a several things outside the bays, and there was a popup tent to afford more shade.</p>
	Revisit 1 week for progress check.
11/2/11	<p>Rudolph was hospitalized due to his diabetes and was released from the hospital that morning. PM inspection showed same 13 inop vehicles onsite, it was not worse.</p> <p>Rudolph stated that he would need to the end of the year as he was not taking on any more cars/clients and wants to stop working so hard. I said I could not do that and gave him 2 weeks, tops.</p> <p>JM had just came back with the truck however, he too was hospitalized due to serious back issues. He had difficulty walking and was short of breath when we talked. He stated he would have his stuff cleaned up by Nov 15th.</p>
	Informed both gentleman that not much has changed and that although it is much better than when I originally came out, it is not in compliance and stated that 2 weeks was all the time we could give them before we took more action.

11/2/11	Called and spoke with Mr. Austin regarding my visits. He understood that he is responsible for anything that goes on at his buildings and he is going to make sure they clean it up and apologized for not being on top of this as he had another venture that had his energy.
11/16/11	City Manager visited location and spoke with Mr. Towers and Mr. Caesar and they understand that they must be in compliance by the end of year, if not Mr. Austin will be sent to code board.
1/4 and 1/5/12	After visiting the location, it was determined that the portion of the tenant on the west side was in compliance and the tenant on the east side was not.

