

**ROCKLEDGE CODE ENFORCEMENT BOARD
MEETING MINUTES**

Thursday, February 13, 2020 - 4:30 p.m.

1. CALL TO ORDER

The Rockledge Code Enforcement Board met on February 13, 2020, 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
Mike Pryor
Martha Rich

MEMBERS ABSENT: None

STAFF PRESENT: Joseph Miniclier, City Attorney
Jay Thakkar, Board Attorney
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 14, 2019

Motion by Kevin Jarvis to approve the meeting Minutes and Attendance Record from November 14, 2019. Seconded by Mike Pryor. All in favor. Motion carries.

3. UNFINISHED BUSINESS

- A. ECE19-0747 – Robert Wayne Carroll – 1024 Medallion Dr. – There is a vehicle in the open carport that is (inoperable) missing a side window, has flat tires, expired tag/plate and the yard is overgrown. (Tabled October 10, 2019)

Motion by Kevin Jarvis to remove from the table ECE19-074. Seconded by Martha Rich. All in favor. Motion carries.

Code Enforcement Officer McDonald stated that the yard has been maintained and the debris removed; however the vehicle remains in the same condition.

Discussion followed with regards to the fact that the property owner is deceased and no probate has been filed.

Virginia Ouelette, 1024 Medallion Drive, Rockledge, FL 32955, stated that the taxes on the property have been paid and are up to date. In addition, she will research having the vehicle towed to junk yard or to have a scraper remove the vehicle. She was not aware that this was possible without the title on the vehicle.

**Motion by Kevin Jarvis to table ECE19-0747 until the March meeting.
Seconded by Mike Pryor. All in favor. Motion carries.**

- B. ECE19-0951 – Ryan Michael Felice – 1115 Woodsmere Parkway – Inoperable vehicle (flat tires) (repeat violation – 17-030)
1. Finding of Fact, Conclusion of Law and Order (November 15, 2019)
- Code Enforcement Officer McDonald stated this property has been brought into compliance.
- C. ECE19-0635 – Maurtio, LLC, - 1006 Woodlawn Road – Work without permit – windows replaced interior renovations (Tabled on November 14, 2019).

**Motion by Kevin Jarvis to remove from the table ECE19-0635.
Seconded by Martha Rich. All in favor. Motion carries.**

Code Enforcement Officer McDonald stated this property has been brought into compliance.

- D. ECE19-0390 James Black, Beth Rene Black, Catherine Ann Cate – 1920 Murrell Road – Commercial property with porch addition with electrical without permit.

**Motion by Kevin Jarvis to remove from the table ECE19-0390.
Seconded by Mike Pryor. All in favor. Motion carries.**

Code Enforcement Officer McDonald explained that a permit is still under review and responses to comments were turned into the City on February 12, 2020.

Permit Technician Deanna Pomichter explained to the Board the permit process.

**Motion by Kevin Jarvis to table ECE19-0390 until the March meeting.
Seconded by Martha Rich. All in favor. Motion carries.**

4. NEW BUSINESS

- A. Elections of Chairman and Vice Chairman.

Karen Kuta nominated Kevin Jarvis for Vice Chairman.

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

Kevin Jarvis nominated Karen Kuta for Chairman.

No other nominations were heard. By acclamation Karen Kuta was elected as 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. ECE19-1093 – Alan J. Jackson – 975 Pinson Boulevard – Inoperable vehicles (2) in the front yard with flat tire(s).

Code Enforcement Officer McDonald stated that at this property there are two vehicles which appear to have flat tires. There has been some contact from the tenant who states the tires are low profile and are not flat. One of the vehicles (gold) is parked in the front yard to where the plate is visible and it is expired. The other vehicle (red) is backed in to where the plate is not visible. One of the vehicles has an expired tag as well, weeds were growing in the wheel well. The tenant sent a letter and left a voicemail explaining he was in the process of getting his driver's license back and that the cars were his and they run.

Discussion followed and the Board's consensus was that one vehicle (the red one) was in compliance and one vehicle (the gold one) was not.

Motion by Kevin Jarvis that there exists an inoperable vehicle at 975 Pinson Boulevard, which is a violation of the Rockledge Code of Ordinances when the Notice of Violation was sent. Seconded by Martha Rich. All in favor. Motion carries.

Motion by Kevin Jarvis that the property, at 975 Pinson Boulevard, is in violation of Section 13-15 of the Rockledge Code of Ordinances, by having an inoperable vehicle. Seconded by Mike Pryor. All in favor. Motion carries.

Motion by Kevin Jarvis that the property at 975 Pinson Boulevard must be in compliance with Section 13-15 of the Rockledge Code of Ordinances by moving the car and having proper tags within ten (10) days, or a fine of \$50.00 a day will be imposed retroactive to the date the order is signed. Seconded by Mike Prior. All in favor. Motion carries.

- C. ECE19-1240 – Dean A. Trosset, Cathy Lynn Trosset – 1152 Luther Drive – Occupying residence without water service, overgrowth (rear), dilapidated fence along rear of property.

Code Enforcement Officer McDonald explained that a complaint was received that there was an illegal electrical connection. FPL was called and they disconnected the power for safety. While on the site it was noted that there was an inoperable vehicle (expired tags), debris in the yard, overgrown grass and a dilapidated fence. In addition, City of Cocoa Water Department was called and it was discovered that water service had been disconnected due to non-payment. Notice was hand delivered to the property owner.

The property owner did remove the vehicle and the debris and mowed the entire yard. Yet still occupying the property without utilities (water/electric) and the fence is still dilapidated.

Discussion followed.

Motion by Kevin Jarvis that there exists a dilapidated fence and the mobile home is being occupied without utilities (water/electric) at 1152 Luther Drive, which is a violation of the Rockledge Land Development Regulations, when the Notice of Violation was sent. Seconded by Mike Pryor. All in favor. Motion carries.

Motion by Kevin Jarvis that the property, at 1152 Luther Drive, is in violation of Sections 59.75.E.1, 59.73.A.2, 59.73B.4 and 81.30 of the Rockledge Land Development Regulations, by having a dilapidated fence and occupying without utilities (water/electric). Seconded by Mike Pryor. All in favor. Motion carries.

Motion by Kevin Jarvis that the property at 1152 Luther Drive must be in compliance with Sections 59.75.E.1, 59.73.A.2, 59.73B.4 and 81.30 of the Rockledge Land Development Regulations by vacating the property or have the utilities restored and having the fence fixed or removed within five (5) business days or a fine of \$250.00 a day will be imposed retroactive to the date the order is signed. Seconded by Martha Rich. All in favor. Motion carries.

- D. ECE19-1101 – Russell Sage, Jr – 1718 Palmer Lane – Boat and trailer stored on the grass without current Florida tags and registration.

Code Enforcement McDonald stated this property has been brought into compliance.

- E. Rockledge Land Development Regulation 24.75(c). After six (6) months from the filing of any such lien, which remains unpaid, the Code Enforcement Board may authorize the City Attorney to foreclose on the lien. No lien created pursuant to the provisions of this section may be foreclosed on real property, which is a homestead property under Section 4, Article X, of the State Constitution.

Code Enforcement Officer McDonald stated 1727 Baldwin Street and 1240 Three Meadows Drive have been in and out of compliance for several years. The liens on the properties have been in place for over six (6) months with no payment.

The property at 1240 Three Meadows Drive has a fine of \$22,500.00 and it is zoned multi-family and is on 2.87 acres. The property at 1727 Baldwin Street has a fine \$46,250.00 it is behind the old Wendy's and is on 2.02 acres and the taxes have not been paid. Neither property is homesteaded.

Motion by Kevin Jarvis to have the City Attorney file for foreclosure on 1727 Baldwin Street. Seconded by Mike Pryor. All in favor. Motion carries.

Motion by Kevin Jarvis to have the City Attorney file for foreclosure on 1240 Three Meadows Drive. Seconded by Martha Rich. All in favor. Motion carries.

There being no further business, the meeting was adjourned at 5:27 p.m.

Submitted by:

Deanna Pomichter
Recording Secretary

Approved by:

Karen Kuta
Chairman