



CITIZEN CODE ENFORCEMENT BOARD

Thursday, February 11, 2010

2:00 P.M.

COMMUNITY CENTER

MINUTES

CALL TO ORDER

Chairperson Linda Johnson called the regular meeting of the Citizen Code Enforcement Board to order at 2:00 PM in the Community Center.

ROLL CALL

Members present: Linda Johnson, Alice Haldeman, Glenn Barnhill, Ben Wagner, Ed Corn, Gail Anderson and Sherry Lester. Also present were Code Officers Robin Bell and Mike McGrath, Code Supervisor Angela Desue, City Attorney Ty Harris and Board Coordinator Tabitha Russell.

APPROVAL OF MINUTES

The Minutes for the regular meeting of January 14, 2010 were presented to the Board for approval.

MOTION by Alice Haldeman, SECOND by Gail Anderson to adopt the minutes of the Regular Citizen Code Enforcement Board meeting on January 14, 2010, as written.

MOTION CARRIED UNANIMOUSLY.

SWEARING IN OF WITNESSES:

Code Officers Robin Bell and Mike McGrath, Code Supervisor Angela Desue, Tracey Barlow and Dennis Fischer – City of Edgewater, John Prater-419 Sea Hawk Ct., Mark Hall-124 Faulkner St.

CASES IN COMPLIANCE:

Case# 2009-CE-1208

Tanya Marie Sievert- 2924 Vista Palm Dr.

There was a consensus among the Board to move Case # 2009-CE-9046 to the beginning of the agenda.

NEW BUSINESS:

Case #2009-CE-9046, 419 Sea Hawk Ct., Edgewater Florida; John M. Prater Sr. Violation of Section 21-32.01 (Zoning).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find John M. Prater Sr. in violation of Section 21-32.01 of the Land Development Code assessing a citation fine of \$75.00, and additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. This case was worked and managed by Code Officer Robin Bell. Dennis Fischer, Building Official, provided background information regarding the building permit and use of the property. Tracey Barlow, City Manager, provided background information regarding the contents of the unit and what would need to be done to bring the property into compliance. Mark Hall, representing Mr. Prater, spoke to the Board in regards to the violation.

MOTION by Ed Corn, SECOND by Glenn Barnhill that the Board finds John Prater in violation of Section 21-32.01 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists past March 11, 2010. The Board gives Mr. Prater until March 11, 2010 to come into compliance according to the following conditions as outlined by City Manager Barlow:

- **Remove any furniture commonly used or associated with living units;**
- **Remove kitchen unit that would give the perception that it was a living unit;**
- **Get building permit for all partition walls that were added after the CO was issued.**
- **Remove mattresses, box springs, etc.;**
- **Stipulate that it cannot be used as any type of living unit; and**
- **The Staff will record with the Property Appraiser and Clerk of Court that it is an accessory structure and cannot be used as a living unit.**

If the property is not brought into compliance according to the above conditions by March 11, 2010, the fines are retroactive to February 15, 2010 and a lien is to be placed on the property if not satisfied by March 11, 2010.

MOTION CARRIED UNANIMIOUSLY.

Case #2009-CE-1227, 2509 Victory Palm Dr., Edgewater Florida ; Matty Harkho. Violation of Section 10-98 (Property Maintenance).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Matty Harkho in violation of Section 10-98 of the Code of Ordinances assessing a citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by February 17, 2010. This case was worked and managed by Code Officer Robin Bell. No one was present to testify.

MOTION by Ben Wagner, SECOND by Sherry Lester that the Board finds Matty Harkho in violation of Section 10-98 of the Code of Ordinances and assesses the citation fine of \$75.00 and for a lien to be placed on the property if not satisfied by February 17, 2010.

MOTION CARRIED UNANIMOUSLY.

Case #2009-CE-1210, 3422 Tamarind Dr. Edgewater Florida ; William and Suzanne Inklebarger. Violation of Section 10-98 (Property Maintenance).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find William and Suzanne Inklebarger in violation of Section 10-98 of the Code of Ordinances assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists pasts February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by February 12, 2010 and that a lien is placed on the property. This case was worked and managed by Code Supervisor Angela Desue. No one was present to testify.

MOTION by Sherry Lester, SECOND by Glenn Barnhill that the Board finds William and Suzanne Inklebarger in violation of Section 10-98 of the Code of Ordinances and assesses the citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of

the grass by City staff if the violation is not corrected by February 12, 2010 and that a lien is placed on the property.
MOTION CARRIED UNANIMIOUSLY.

Case #2009-CE-1237 (A & B), Guava Dr. (Parcel #8402-01-06-7230), Edgewater Florida; Alan Chow. Violation of Section 10-98 (A) (Property Maintenance) and Section 21-53.10 (B) (Plan Adherence of the City of Edgewater's Code of Ordinances and Land Development Code).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Alan Chow in violation of Sections 10-98 of the Code of Ordinances and 21-53.10 of the Land Development Code assessing a citation fine of \$75.00 and an additional fine of \$50.00 per day for each day the violation exists pasts February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It was also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass and repairing of the silt fence by City staff if the violations are not corrected by February 12, 2010 and that a lien is placed on the property. This case was worked and managed by Code Officer Mike McGrath. No one was present to testify.

MOTION by Alice Haldeman , SECOND by Ed Corn that the Board finds Alan Chow in violation of Section 10-98 of the Code of Ordinances and assesses the citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City staff if the violation is not corrected by February 12, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMIOUSLY.

MOTION by Ed Corn , SECOND by Glenn Barnhill that the Board finds Alan Chow in violation of Section 21-53.10 of the Land Development Code and assesses the citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the repairing of the silt fence by City staff if the violation is not corrected by February 12, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMIOUSLY.

Case #2009-CE-1226, 1328 Victory Palm Dr., Edgewater Florida; Deutsche Bank National Trust & Ocwen Loan Servicing. Violation of Section 19-98 (Property Maintenance).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Deutsche Bank National Trust & Ocwen Loan Servicing in violation of Section 10-98 of the Code of Ordinances assessing a citation fine of \$75.00, and an additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City Staff if the violation is not corrected by February 12, 2010. This case was worked and managed by Code Officer Mike McGrath No one was present to testify.

MOTION by Gail Anderson, SECOND by Glenn Barnhill that the Board finds Deutsche Bank National Trust & Ocwen Loan Servicing in violation of Section 10-98 of the Code of Ordinances and assesses the citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the cutting of the grass by City Staff if the violation is not corrected by February 12, 2010 and that a lien is be placed on the property.

MOTION CARRIED UNANIMIOUSLY.

Case #2009-CE-1213, 1903 Mango Tree Dr., Edgewater Florida ; Thomas Belmonte Jr. Repeat Violation of Section 10-82 (Commercial Vehicles in a Residential Area).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Thomas Belmonte Jr. in repeat violation of Section 10-82 of the Code of Ordinances assessing a citation fine of \$150.00 and an additional fine of \$100.00 per day each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010. This case was worked and managed by Code Officer Mike McGrath. No one was present to testify.

MOTION by Glenn Barnhill , SECOND by Sherry Lester that the Board finds Thomas Belmonte Jr in repeat violation of Section 10-82 of the Code of Ordinances and assesses the repeat citation fine of \$150.00, an additional fine of \$100.00 per day each day the violation exists past February 12, 2010 and for a lien to be placed on the property if not satisfied by February 17, 2010.

MOTION CARRIED UNANIMIOUSLY.

OTHER BUSINESS:

None at this time.

CODE COMPLIANCE REPORT:

Code Supervisor Desue informed the Board that in January Code Enforcement did a sweep of Florida Shores that resulted in 298 violations that were not grass/weed issues. These violations will be coming in front of the Board within the next few months.

PUBLIC COMMENT:

BOARD DISCUSSION:

Mr. Wagner stated he does not have a current updated contact list for the Board. He would like to have one distributed to the Board at the next meeting.

ADJOURNMENT

Chairperson Linda Johnson adjourned the meeting at 3:13 p.m.

Next Meeting scheduled for March 11, 2010 at 2 p.m.

Minutes respectfully submitted by,
Tabitha Russell
Board Coordinator