



CODE COMPLIANCE BOARD

Thursday, May 13, 2010

2:00 P.M.

COMMUNITY CENTER

MINUTES

CALL TO ORDER

Chairperson Linda Johnson called the regular meeting of the Code Compliance Board to order at 2:01 PM in the Community Center.

ROLL CALL

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

APPROVAL OF MINUTES

The Minutes for the regular meeting of April 8, 2010 were presented to the Board for approval.

MOTION by Ed Corn, SECOND by Ben Wagner to adopt the minutes of the Regular Code Compliance Board meeting on April 8, 2010, as written.

MOTION CARRIED UNANIMOUSLY.

SWEARING IN OF WITNESSES:

Code Supervisor Angela Desue, Code Officers Robin Bell and Mike McGrath
Worldley Frye, IV- 3125 Yule Tree Dr.

ORDER VACATING PREVIOUS CITATION ORDER FINDING VIOLATION AND SUBSEQUENT CASE:

Case # 2009-CE-1229, 218 N. Riverside Dr., Edgewater Florida; John E. and Stella Yvonne Bice. Violation of Section 10-82 (Commercial Vehicles).
Code Compliance Board Attorney Ty Harris presented background information to the Board. There was discussion between Mr. Harris and the Board regarding the vacating of the case.

MOTION by Ben Wagner, SECOND by Alice Haldeman to vacate the Order in Case #2009-CE-1229.
MOTION CARRIED UNANIMOUSLY

Code Supervisor Angela Desue informed the Board that Case #2010-CE-3055 (A & B) and Case #2010-CE-4015 would not be heard at today's meeting. There was a consensus of the Board to move the following case to the beginning of the agenda:

Case #2010-CE-1208

OLD BUSINESS:

Case #2010-CE-1208, 3125 Yule Tree Dr., Edgewater Florida; Worldley D. Frye IV & Viktoriya Kyrymova JTRS. Violation of Section 10-80 (Outdoor Storage Residential).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Worldley D. Frye IV & Viktoriya Kyrymova JTRS in violation of Section 10-80 of the Code of Ordinances assessing a citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010.

This case was worked and managed by Code Officer Robin Bell. Photos were entered into record under Exhibit A. Worldley D. Frye IV spoke to the Board in regards to the case.

MOTION by Ed Corn, SECOND by Alice Haldeman to continue the case for 90 days.
MOTION CARRIED 5-2 with Ben Wagner and Sherry Lester voting NO.

NEW BUSINESS:

Case #2010-CE-4019 3421 Mango Tree Dr., Edgewater Florida ; Aurora Loan Services, LLC. Violation of Section 19-11 (Meters and Connections to Water Required).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Aurora Loan Services, LLC in violation of Section 19-11 of the Code of Ordinances assessing a citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. This case was worked and managed by Code Supervisor Angela Desue. No one was present to testify.

MOTION by Ben Wagner, SECOND by Sherry Lester that the Board finds Aurora Loan Services, LLC in violation of Section 19-11 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 May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010.

MOTION CARRIED UNANIMOUSLY.

Case #2010-CE-1196, 1300 block of Willow Oak Dr., Edgewater Florida; Sherman M. Saunders. Violation of Sections 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 Sherman M. Saunders in violation of Section 10-98 of the Code of Ordinances assessing a citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists pasts May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 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 May 14, 2010 and that a lien is placed on the property. This case was worked and managed by Code Officer Robin Bell. No one was present to testify.

MOTION by Ed Corn, SECOND by Sherry Lester that the Board finds Sherman M. Saunders 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 May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the cutting of the grass by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMOUSLY

Case #2010-CE-3024, 3037 Woodland Dr., Edgewater Florida; Rebecca Yarborough. Violation of Section 10-4 (Nuisances Generally).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Rebecca Yarborough in violation of Section 10-4 of the Code of Ordinances assessing a citation fine of \$75.00, an additional fine of \$50.00 per day for each day the violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the removal of the trash and tree by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property. This case was worked and managed by Code Officer Mike McGrath. Photos were entered into record under Exhibit B. No one was present to testify.

MOTION by Alice Haldeman, SECOND by Gail Anderson that the Board finds Rebecca Yarborough in violation of Section 10-4 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 May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the removal of the trash and tree by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMOUSLY.

Case #2010-CE-4046, 2825 Needle Palm Dr., Edgewater Florida ; Dale Wisniewski. Repeat 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 Dale Wisniewski in repeat violation of Section 10-98 of the Code of Ordinances assessing a repeat citation fine of \$150.00 and an additional fine of \$100.00 per day each day the repeat violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 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 repeat violation is not corrected by May 14, 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 Ed Corn , SECOND by Ben Wagner that the Board finds Dale Wisniewski in repeat violation of Section 10-98 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 repeat violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the cutting of the grass by City

Staff if the repeat violation is not corrected by May 14, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMIOUSLY.

Case #2010-CE-1308, 5 Silver Circle., Edgewater Florida; Douglas Zimmerman. Violation of Section 10-4(Nuisances Generally).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Douglas Zimmerman in violation of Section 10-4 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 May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the removal of debris by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property. This case was worked and managed by Code Officer Mike McGrath. Photos were entered into record under Exhibit C. No one was present to testify.

MOTION by Gail Anderson, SECOND by Glenn Barnhill that the Board finds Douglas Zimmerman in violation of Section 10-4 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 May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the removal of debris by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property.

MOTION CARRIED UNANIMIOUSLY.

Case #2010-CE-3040 (A), 3012 Travelers Palm Dr., Edgewater Florida; Nancee Michaux Est. 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 Nancee Michaux Est. 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 May 19, 2010. This case was worked and managed by Code Officer Mike McGrath. No one was present to testify.

MOTION by Ben Wagner, SECOND by Ed Corn that the Board finds Nancee Michaux Est. 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 May 19, 2010.

MOTION CARRIED UNANIMIOUSLY.

Case #2010-CE-3040 (B), 3012 Travelers Palm Dr., Edgewater Florida; Nancee Michaux Est. Violation of Section 10-4 (Nuisances Generally).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Nancee

Michaux Est. in violation of Section 10-4 of the Code of Ordinances assessing a citation fine of \$75.00, an additional fine of \$50.00 per day each day the violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the securing of the garage door by City Staff if the violation is not corrected by May 14, 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 Ben Wagner, SECOND by Ed Corn that the Board finds Nancee Michaux Est. in violation of Section 10-4 of the Code of Ordinances and assesses the citation fine of \$75.00, an additional fine of \$50.00 per day each day the violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the securing of the garage door by City Staff if the violation is not corrected by May 14, 2010 and that a lien is placed on the property. MOTION CARRIED UNANIMIOUSLY.

Case #2010-CE-4052, 107 New Hampshire St., Edgewater Florida; Rebecca Hall. Repeat Violation of Section 10-4 (Nuisances Generally).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Rebecca Hall in repeat violation of Section 10-4 of the Code of Ordinances assessing a repeat citation fine of \$150.00, an additional fine of \$100.00 per day for each day the repeat violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. It is also recommended that the Board issue a Board Order requesting the City Manager approve the removal of the debris and cutting of the grass by City Staff if the repeat violation is not corrected by May 14, 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 Glenn Barnhill, SECOND by Sherry Lester that the Board finds Rebecca Hall in repeat violation of Section 10-4 of the Code of Ordinances and assesses the repeat citation fine of \$150.00, an additional fine of \$100.00 per day for each day the repeat violation exists past May 14, 2010 and for a lien to be placed on the property if not satisfied by May 19, 2010. The Board is also issuing a Board Order requesting the City Manager approve the removal of debris and cutting of the grass by City Staff if the repeat violation is not corrected by May 14, 2010 and that a lien is placed on the property. MOTION CARRIED UNANIMIOUSLY.

Case #2010-CE-1043, 2718 India Palm Dr., Edgewater Florida; Laura Wadsworth. Violation of Section 10-83 (Neglected Premises).

Code Supervisor Angela Desue presented the case summary to the Board. Code Supervisor Angela Desue presented staff's recommendation to find Laura Wadsworth in violation of Section 10-83 of the Code of Ordinances assessing a citation fine of \$75.00 and for a lien is to be placed on the property if not satisfied by May 19, 2010. This case was worked and managed by Code Officer Mike McGrath. No one was present to testify.

MOTION by Sherry Lester, SECOND by Glenn Barnhill that the Board finds Laura Wadsworth in violation of Section 10-83 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 May 19, 2010.

MOTION CARRIED UNANIMIOUSLY.

OTHER BUSINESS:

- a. Board term expiration- Ben Wagner, whose term expires on May 21, 2010, is seeking reappointment.
- b. Board term expiration- Sherry Lester, whose term expires on May 21, 2010, is seeking reappointment.
- c. Board term expiration- Ed Corn, whose term expires on June 18, 2010, is seeking reappointment.

MOTION by Alice Haldeman, SECOND by Glenn Barnhill to recommend to City Council the reappointments of Ben Wagner, Sherry Lester and Ed Corn to the Code Compliance Board for another three (3) year term.

MOTION CARRIED UNANIMOUSLY

CODE COMPLIANCE REPORT:

Chairperson Johnson requested an update on the Jane Church case. Code Supervisor Desue informed her that the property has been cleaned up.

PUBLIC COMMENT:

None at this time.

BOARD DISCUSSION:

None at this time.

ADJOURNMENT

Chairperson Linda Johnson adjourned the meeting at 3:35 p.m.

Next Meeting scheduled for June 10, 2010 at 2 p.m.

Minutes respectfully submitted by,
Tabitha Russell
Board Coordinator