

City of Melbourne



Code Compliance Division
900 E. Strawbridge Avenue • Melbourne, FL 32901 • Fax (321) 608-7920
Building Div. (321) 608-7915 • Code Enf. (321) 608-7905 • Fire Prevention (321) 608-7910

AGENDA
CODE ENFORCEMENT BOARD
COUNCIL CHAMBER - 6:00 P.M.
May 23, 2012

1. Meeting Call to Order
2. Pledge of Allegiance to the Flag
3. Reading of the Opening Statement
4. Roll Call
5. Approval of Minutes: April 4, 2012
6. Announcements: Next scheduled meeting will be July 11, 2012
7. Testimony Swear-In

UNFINISHED BUSINESS

8. CE 11-008 - W J Vaughn, Elaine W Vaughn – 2007-2009 Melbourne Ct
(Terry Oliver, Code Compliance Inspector) (Cited 11-29-10)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.7 Roofs and drainage
- b) Chapter 3 General Requirements of the 2000 International Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 303 Exterior Structure, 303.13 Window, Skylight and Door Frames.
- c) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Florida Building Code adopted. Chapter 1 Administration, Section 105 Permits, 105.1 Permits (**COMPLIED**)
- d) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 301, General, 301.3 Vacant Structures and Land

2-23-11 case continued to 5-25-11

5-25-11 Found in violation

7-13-11 case continued to 10-12-11; 10-12-11 case continued to 11-30-11; 11-30-11 case continued to 1-4-12

1-4-12 case previously continued to 2-22-12; 2-22-12 case continued to 5-23-12

9. CE-11-024 –Triumph the Church & Kingdom of God In Christ – 2712 Main Street
(Thomas Kleving, Code Compliance Inspector) (Cited 2-22-11)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances Section 303.7 Roofs and drainage
- b) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls Chapter 10 Community Planning and Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior
- c) Appendix D, Land Development Code - Chapter 13 Buildings and Building Regulations - Article III Building Code Section 13-82 International Property Maintenance Code adopted (b) 2 Care of premises

4-6-11 found in violation, continued to 5-25-11

5-25-11 case continued to 7-13-11; 7-13-11 case continued to 10-12-11; 10-12-11 case continued 11-30-11

11-30-11 case previously continued to 1-4-12; 1-4-12 case continued to 2-22-12

2-22-12 case continued to 4-4-12; 4-4-12 case continued to 5-23-12

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10. CE 11-031 - Michael S King, Lisa King H/W - 560 Creston Ct
(Thomas Kleving, Code Compliance Inspector) (Cited 3-17-11)

- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Florida Building Code adopted. Chapter 1 Administration, Section 105 Permits, 105.1 Permits

5-25-11 found in violation, comply by 7-12-11 or a fine of up to \$250.00 per day be assessed
7-13-11 assessed a fine of \$25.00 per day commencing 7-13-11 (8-31-11 fine = \$1,225.00)
8-31-11 fine runs (10-12-11 fine = \$2,275.00); 10-12-11 fine runs (11-30-11 fine = \$3,500.00)
11-30-11 fine runs (1-4-12 fine = \$4,375.00); 1-4-12 fine runs (2-22-12 fine = \$5,600.00)
2-22-12 fine runs (4-4-12 fine = \$6,650.00); 4-4-12 fine runs (5-23-12 fine = \$7,875.00)

11. CE 11-059 - Robert Mills, Lisa Mills - 704 Wisteria Drive
(Terry Oliver, Code Compliance Inspector) (Cited 7-8-11)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.7 Roofs and drainage
b) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls. Chapter 10 Community Planning And Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior

8-31-11 found in violation, comply by 10-11-11 or a fine of up to \$250.00 per day be assessed
10-12-11 assessed a fine of \$25.00 per day commencing 10-12-11 (11-30-11 fine = \$1,250.00)
11-30-11 fine runs (1-4-12 fine = \$2,125.00); 1-4-12 fine runs (2-22-12 fine = \$3,350.00)
2-22-12 fine runs (4-4-12 fine = \$4,400.00); 4-4-12 fine runs (5-23-12 fine = \$5,625.00)

12. CE 11-063 - Peter S McChrystal, Elizabeth L McChrystal - 531 W Eau Gallie Blvd
(Gary Thron, Code Compliance Inspector) (Cited 8-16-11)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 302 Exterior Property Areas, 302.9 Defacement of Property (**COMPLIED**)
b) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited (**COMPLIED**)
c) Appendix D Land Development Code - Chapter 11 Signs and Advertising. Section 11.07 Conformance. (F) (**COMPLIED**)
d) Appendix D Land Development Code - Chapter 11 Signs and Advertising. Section 11.19 Prohibited signs (**COMPLIED**)
e) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls Chapter 10 Community Planning And Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior.
f) Chapter 28 – Streets, Sidewalks and other Public Places. Article II. Numbering Of Buildings and Property. Sec. 28-26. - Numerals to be posted; dimensions; coloration (**COMPLIED**)

10-12-11 case continued to 11-30-11
11-30-11 found in violation, comply by 1-3-12 or a fine of up to \$250.00 per day be assessed
1-4-12 assessed a fine of \$25.00 per day commencing 1-4-12 (2-22-12 fine = \$1,225.00)
2-22-12 fine runs (4-4-12 fine = \$2,275.00); 4-4-12 fine runs (5-23-12 fine = \$3,500.00)

13. CE 11-071 - James Lochner - 1932 Cedarwood Drive
(Gary Thron, Code Compliance Inspector) (Cited 8-9-11)

- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Florida Building Code adopted. Chapter 1 Administration, Section 105 Permits, 105.1 Permits

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- b) Appendix B Zoning. Article VII. Accessory and Temporary Uses and Structures. Section 3. Temporary Uses. (C) Tents **(COMPLIED)**
- c) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited **(COMPLIED)**
- d) Chapter 14 Garbage and Refuse. Article IV. Littering. Section 14-56. Property maintenance. (a) In general., (1) Lot maintenance
- e) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code. Section 13-82 International Property Maintenance Code adopted. (b) 2. Care of premises
- f) Chapter 17 Junked, Abandoned and Wrecked Property, Article I Tangible Personal Property, Section 17-8 Storage of Vehicles. Section 17-9. Evidence of abandonment, junking, etc., of vehicle. Section 17-10. Removal of abandoned, junked vehicles from private property **(COMPLIED)**
- g) Appendix D Land Development Code - Chapter 9 Design Standards and Building Regulations - Article V. Parking and Loading Requirements. Section 9.74. Minimum standards for the design of off-street parking Areas. (p) Parking, Storage, or Use of Recreational Equipment and Recreational Vehicles **(COMPLIED)**
- h) Appendix D Land Development Code - Chapter 9 Design Standards and Building Regulations - Article III. Standards For Walls and Fences. Section 9.50. Maintenance of fences or walls **(COMPLIED)**
- i) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls Chapter 10 Community Planning and Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior
- j) Appendix B Zoning. Article V. District Regulations Section. 2. District use and dimensional standards. (A) Use and dimensional standards tables

10-12-11 found in violation, comply by 11-29-11 or a fine of up to \$250.00 per day be assessed
11-30-11 assessed a fine of \$100.00 per day commencing 12-1-11 (1-4-12 fine = \$3,500.00)
1-4-12 fine runs (2-22-12 fine = \$8,400.00); 2-22-12 fine runs (4-4-12 fine = \$12,600.00)
4-4-12 fine runs (5-23-12 fine = \$17,500.00)

14. CE 12-009 - Karen Cormier - 2326 Irwin Street
(Thomas Kleaving, Code Compliance Inspector) (Cited 1-5-12)

- a) Chapter 28 Streets, Sidewalks and Other Public Places - Article II. Numbering Of Buildings and Property. Section 28-26 Numerals to be posted; dimensions; coloration **(COMPLIED)**
- b) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code. Section 13-82 International Property Maintenance Code adopted. (b) 2. Care of premises **(COMPLIED)**
- c) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls. Chapter 10 Community Planning and Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior
- d) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 303.13.1 Glazing **(COMPLIED)**
- e) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 303.10 Stairways, decks, porches and balconies **(COMPLIED)**

2-22-12 found in violation, comply by 4-3-12 or a fine of up to \$250.00 per day be assessed
4-4-12 case continued to 5-23-12

15. CE 12-015 - Barbara E Vrabel - 1819 Mosswood Drive
(Gary Thron, Code Compliance Inspector) (Cited 11-9-11)

- a) Chapter 14 Garbage and Refuse. Article IV. Littering. Section 14-56. Property Maintenance. (a) I General, (1) Lot Maintenance

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- b) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code. Section 13-82 International Property Maintenance Code adopted. (b) 2. Care of premises (**COMPLIED**)
- c) Chapter 14 Garbage and Refuse. Article II. Collection and Disposal. SECTION 14-27. (8), Setting out Materials for Collection
- d) Appendix D Land Development Code - Chapter 9 Design Standards and Building Regulations - Article III. Standards for Walls and Fences. Section 9.48. Permits required

2-22-12 found in violation, comply by 4-3-12 or a fine of up to \$250.00 per day be assessed
4-4-12 assessed a fine of \$100.00 per day commencing 4-4-12 (5-23-12 fine = \$4,900.00)

16. CE 12-017 - Estate of Veronica L Harris - 447 Grove Lane

(Terry Oliver, Code Compliance Inspector) (Cited 12-30-11)

- a) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited (**COMPLIED**)
- b) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.7 Roofs and drainage

2-22-12 found in violation, comply by 4-3-12 or a fine of up to \$250.00 per day be assessed
4-4-12 assessed a fine of \$25.00 per day commencing 4-4-12 (5-23-12 fine = \$1,225.00)

17. CE 12-020 - AMT CADC Venture LLC - 1100 Range Drive

(Thomas Kleving, Code Compliance Inspector) (Cited 2-13-12)

- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code. Section 13-82 International Property Maintenance Code adopted. (b) 2. Care of premises

4-4-12 found in violation, comply by 5-22-12 or a fine of up to \$250.00 per day be assessed

NEW BUSINESS

18. CE 12-022 - Towne Hynes of Melbourne LLC - 1232 E New Haven Ave

(Terry Oliver, Code Compliance Inspector) (Cited 3-21-12)

- a) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.291 Scope and exclusions
- b) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.74 Minimum standards for the design of off-street parking areas
- c) Chapter 28 Streets, Sidewalks and Other Public Places, Article, I In General 28-5 Water on streets, sidewalks

19. CE 12-023 - Towne Hynes of Melbourne LLC - 1234 E New Haven Ave

(Terry Oliver, Code Compliance Inspector) (Cited 3-21-12)

- a) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.291 Scope and exclusions
- b) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.74 Minimum standards for the design of off-street parking areas
- c) Chapter 28 Streets, Sidewalks and Other Public Places, Article, I In General 28-5 Water on streets, sidewalks

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20. **CE 12-024 - Towne Hynes of Melbourne LLC - 1229 E Strawbridge Ave**
(Terry Oliver, Code Compliance Inspector) (Cited 3-21-12)
- a) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.291 Scope and exclusions
 - b) Appendix D Land Development Code, of the City of Melbourne Code of Ordinances, Chapter 9 Design Standards and Building Regulations. Article XVI Standards for Soil Conservation and Erosion Control. Sec. 9.74 Minimum standards for the design of off-street parking areas
 - c) Chapter 28 Streets, Sidewalks and Other Public Places, Article, I In General 28-5 Water on streets, sidewalks
21. **CE 12-025 - Mable R Frazier - 339 Patrick Circle**
(Thomas Kleving, Code Compliance Inspector) (Cited 2-14-12)
- a) Chapter 5 Plumbing Facilities and Fixture Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 505 Water Systems, 505.1 General 501.1 Scope
 - b) Chapter 6 Mechanical and Electrical Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 604 Electrical Facilities. 604.1 Facilities required
22. **CE 12-026 - Michael Taylor, Dina Taylor H/W - 1067 Byrd Street**
(Richard Andre, Code Compliance Inspector) (Cited 4-13-12)
- a) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited
23. **CE 12-027 - Yale Mortgage Corp - 2804 Burton Place**
(Thomas Kleving, Code Compliance Inspector) (Cited 4-18-12)
- a) Chapter 17 Junked, Abandoned and Wrecked Property – Section 17-30 Registration; Section 17-31 Maintenance Requirements; Section 17-32 Security Requirements
24. **CE 12-028 - Francis M Shirk Jr - 2765 W Eau Gallie Blvd**
(Ralph Keller, Code Compliance Inspector) (Cited 3-14-12)
- a) Chapter 17 Junked, Abandoned and Wrecked Property, Article I Tangible Personal Property, Section 17-8 Storage of Vehicles. Section 17-9. Evidence of abandonment, junking, etc., of vehicle. Section 17-10. Removal of abandoned, junked vehicles from private property
25. **CE 12-029 - Bank of New York c/o America's Servicing Co - 1905 Glendon Drive**
(Thomas Kleving, Code Compliance Inspector) (Cited 4-18-12)
- a) Chapter 17 Junked, Abandoned and Wrecked Property – Section 17-30 Registration; Section 17-31 Maintenance Requirements; Section 17-32 Security Requirements
26. **CE 12-030 - Sherrie Owens, Kenneth Owens - 2205 Cindy Circle**
(Richard Andre, Code Compliance Inspector) (Cited 2-28-12)
- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code. Section 13-82 International Property Maintenance Code adopted. (b) 2. Care of premises
 - b) Chapter 17 Junked, Abandoned and Wrecked Property, Article I Tangible Personal Property, Sec. 17-11. - Dismantled or inoperable motor vehicle

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27. **CE 12-031 - JKRS Investments LLC - 809 Poplar Lane**
(Thomas Kleving, Code Compliance Inspector) (Cited 3-12-12)
- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Florida Building Code adopted. Chapter 1 Administration, Section 105 Permits, 105.1 Permits
28. **CE 12-032 - Johnny C Burr, Curtis L Burr, Aaron Raymond Burr, Phyllis R Burr - 506 Williams Street**
(Thomas Kleving, Code Compliance Inspector) (Cited 4-16-12)
- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls. Chapter 10 Community Planning and Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior
- b) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303 Exterior Structure, 303.2 Protective treatment
29. **CE 12-033 - Luis Fernandez - 2970 Saint James Lane**
(Ralph Keller, Code Compliance Inspector) (Cited 3-5-12)
- a) Chapter 17 Junked, Abandoned and Wrecked Property, Article I Tangible Personal Property, Section 17-8 Storage of Vehicles. Section 17-9. Evidence of abandonment, junking, etc., of vehicle. Section 17-10. Removal of abandoned, junked vehicles from private property
30. **CE 12-034 - Nationstar Mortgage, LLC - 2970 Saint James Lane**
(Ralph Keller, Code Compliance Inspector) (Cited 4-5-12)
- a) Chapter 17 Junked, Abandoned and Wrecked Property – Section 17-30 Registration; Section 17-31 Maintenance Requirements; Section 17-32 Security Requirements
31. **CE 12-035 - Melbourne Beach LLC c/o Winn Dixie Account Manager, Melbourne Beach LLC - 951 E Eau Gallie Blvd**
(Dan Porsi, Code Enforcement Administrator) (Cited 2-17-12)
- a) Code of Ordinances. Appendix D - Land Development Code. Chapter 11. - Signs and Advertising. Sec. 11.09. - Permit and Appeals. A. Permit Required
- b) Code of Ordinances. Appendix D - Land Development Code. Chapter 11. - Signs and Advertising. Sec. 11.20. - Signs Permitted In Zoning Districts

ADDITIONAL BUSINESS

False Alarm Appeal

32. **CEA 12-002 – RBC Bank – 3000 Sarno Road**
(Appeal Amount: \$300.00)

Request for Recommendation of Rescission of Fine

33. **CE 11-031 - Michael S King, Lisa King H/W - 560 Creston Ct**
(Thomas Kleving, Code Compliance Inspector) (Cited 3-17-11)
- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Florida Building Code adopted. Chapter 1 Administration, Section 105 Permits, 105.1 Permits

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34. CE 11-042 - Kimberly R Compton - 1661 Bruman Terrace
(Gary Thron, Code Compliance Inspector) (Cited 5-19-11)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303.6 Exterior walls. Chapter 10 Community Planning and Development, Article VIII Community Aesthetics, Section 10-171 Maintenance of building exterior

35. Board/Staff Comments

36. Adjournment

FOR YOUR INFORMATION:

RESPONDENTS OR THEIR REPRESENTATIVE SHOULD BE PRESENT FOR ALL MEETINGS CONCERNING THEIR PROPERTY. PLEASE BE ADVISED CASE ITEMS MAY BE ACTED UPON IN THE ABSENCE OF REPRESENTATION.

MORE THAN ONE MEMBER OF THE CITY COUNCIL MAY BE IN ATTENDANCE AT THE MEETING AND MAY PARTICIPATE IN DISCUSSIONS. IF AN INDIVIDUAL DECIDES TO APPEAL ANY DECISION MADE BY THE CODE ENFORCEMENT BOARD WITH RESPECT TO THIS MEETING, A VERBATIM TRANSCRIPT MAY BE REQUIRED. IF SO, THE INDIVIDUAL SHOULD MAKE PROVISIONS FOR A TRANSCRIPT TO BE MADE AT THE MEETING. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION INTO EVIDENCE OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW. (EXCERPT FROM FLORIDA STATE STATUTE 286.0105) IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND SECTION 286.26, FLORIDA STATUTES, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS MEETING SHOULD CALL CODE ENFORCEMENT DEPARTMENT, 608-7905 NO LATER THAN 48 HOURS PRIOR TO THE MEETING.