

City of Melbourne



900 E. Strawbridge Avenue • Melbourne, FL 32901 • (321) 727-2900 • Fax (321) 953-6207

AGENDA CODE ENFORCEMENT BOARD COUNCIL CHAMBER - 6:00 P.M. JANUARY 13, 2010

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: December 2, 2009
6. Announcements: Next scheduled meeting will be February 24, 2010.
7. Testimony Swear-In

UNFINISHED BUSINESS

8. **CE-07-081 – W. J. Vaughn, Elaine W. Vaughn – 2007 Melbourne Court**
(Terry Oliver, Code Officer) (Cited 7-27-07)
 - 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) Appendix D, Land Development Code, Chapter 13, Article III, Building Code Section 13.80, Florida Building Code and Florida Residential Building Code Adopted, Chapter 1 Administration, Section 105 Permits 105.1 Required

9-26-07 case continued to November 28, 2007
10-31-07 case previously continued, no Board action taken
11-28-07 case continued to January 14, 2008
1-14-08 found in violation, comply by February 26, 2008 or a fine of up to \$250.00 per day be assessed
2-27-08 comply by March 25, 2008 or a fine of up to \$250.00 per day be assessed
3-26-08 comply by April 29, 2008 or a fine of up to \$250.00 per day be assessed
4-30-08 case previously continued, no Board action taken
10-29-08 case continued to February 25, 2009
1-28-09 case previously continued, no Board action taken
2-28-09– 4-29-09 case continued to May 27, 2009
5-27-09 case continued to July 8, 2009
7-8-09 case continued to October 7, 2009
8-26-09 case previously continued, no Board action taken
10-7-09 case continued to December 2, 2009
12-2-09 case continued to January 13, 2010
9. **CE-09-040 – Maggie Ventures LLC – 2660, 2664, & 2688 Pineapple Avenue**
(Richard Andre, Gary Thron, Code Officers) (Cited 4-17-09)
 - 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 303.6 Exterior Walls, Section 303.2 Protective Treatment. Section 301 General, 301.3 Vacant Structures and Land. Section 303 Exterior Structure, 303.4 Structural Members. Section 303 Exterior Structure, 303.7 Roofs and

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

- Drainage. Section 303 Exterior Structure, 303.9 Overhang Extensions. Section 303 Exterior Structure, 303.10 Stairways, decks porches and balconies. Section 303 Exterior Structure, 303.12 Handrails and Guards. Section 303 Exterior Structure, 303.13 Windows skylight and door frames. Section 303 Exterior Structure, 303.13.1 Glazing. Section 303 Exterior Structure, 303.13.2 Opeanable Windows. Section 303 Exterior Structure, 303.14 Insect Screens. Section 303 Exterior Structure, 303.15 Doors. Section 305 Rubbish and Garbage, 305.1 Accumulation of rubbish or garbage. 305.2 Disposal of rubbish. 305.2.1 Rubbish storage facilities. 305.3 Disposal of garbage.
- c) Chapter 5 General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 504 Plumbing Systems And Fixtures, 504.1 General. (**COMPLIED**)
 - d) Chapter 6 General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 604, Electrical Facilities, 604.3 Electrical system hazards. Section 605 Electrical Equipment, 605.1 Installation. Section 605 Electrical Equipment, 605.2 Receptacles. (**COMPLIED**)
 - e) Chapter 17 Junked, Abandoned & Wrecked Property: Section 17-8 Storage of Vehicles; Section 17-9 Evidence of Abandonment; Section 17-10 Removal of abandoned, junked vehicles from property; Vehicle(s) must be removed within ten days.
 - f) Appendix D, Land Development Code, Chapter 13 Buildings and Building Regulations, Article III, Building Code Section 13-82 International Property Maintenance Code as amended by Sub Sec (b)2, Care of Premises. (**COMPLIED**)
 - g) Chapter 5 Animals, Article II. Animal Permits, Sec. 5-17 (**COMPLIED**)

5-27-09 case continued to July 8, 2009

7-8-09 found in violation and continued case to August 26, 2009

8-26-09 found in violation and continued case to October 7, 2009

10-7-09 case continued to December 2, 2009

12-2-09 case continued to January 13, 2010

10. CE-09-051 - Cynthia M Spore - 2915 Plaza Way

(Matt Daszuta, Code Officer) (Cited 5-11-09)

- a) Appendix D, Land Development Code, Chapter 13, Article III, Building Code Section 13.80, Florida Building Code and Florida Residential Building Code Adopted. Chapter 1 Administration of the 2004 Edition of the Florida Building Code Section 109 Inspections, 109.5 Inspection Requests

7-8-09 found in violation, comply by July 18, 2009 or a fine of up to \$250.00 per day be assessed

8-26-09 assessed a fine of \$ 10.00 per day commencing 8-26-09 (10-7-09 = \$ 430.00)

10-7-09 fine runs, no board action taken (12-2-09 = \$ 990.00)

12-2-09 comply by December 9, 2009 or a fine of up to \$250.00 per day be assessed.

11. CE-09-054 - Kelly A Eddy, Shawn C Eddy - 3100 Rollins Street

(Terry Oliver, Code Officer) (Cited 5-13-09)

- a) 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
- b) Chapter 15 Health and Sanitation, Article II, Lot, Junk, Garbage and Trash Clearing, Section 15-23. Public Nuisances Prohibited (**COMPLIED**)

7-8-09 found in violation, comply by August 25, 2009 or a fine of up to \$250.00 per day be assessed

8-26-09 asses a fine of \$ 25.00 per day commencing 8-26-09 (10-7-09 = \$1,075.00)

10-7-09 fine runs, no board action taken (12-2-09 = \$2,475.00)

12-2-09 fine runs, no board action taken (1-13-10 = \$3,525.00)

12. CE-09-057 - Melbourne Beach LLC - 991 E Eau Gallie Blvd

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD
January 13, 2010

(Mark Lucas, Fire Inspector) (Cited 6-14-09)

- a) City of Melbourne Ordinance Chapter 12, Fire Prevention and Protection has adopted NFPA-1 Uniform Fire Code, Florida 2007 Edition, Chapter 13.1.7
- b) City of Melbourne Ordinance Chapter 12, Fire Prevention and Protection Sec 12-8 adopts 2007 Florida Fire Prevention Code, NFPA 101 Life Safety Code, Florida 2007 Edition, Chapter 9.7.5 Maintenance and Testing

8-26-09 case continued to October 7, 2009 no board action required

10-7-09 no board action case continued to December 2, 2009

12-2-09 found in violation, comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

13. CE-09-058 - Brevard Regional Arts Group Inc - 625 E New Haven Avenue

(Terry Oliver, Code Officer) (Cited 6-16-09)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code, Section 303 Exterior Structure, 303.13 Window, Skylight and Door Frames

8-26-09 case continued to October 7, 2009

10-7-09 case continued to December 2, 2009

12-2-09 case continued to January 13, 2010

14. CE-09-060 - Johna Blair, John A Dawson Jr - 1640 Sarno Road

(Ralph Keller, Code Officer) (Cited 7-17-09)

- a) 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
- b) Chapter 15 Health and Sanitation, Article II, Lot, Junk, Garbage and Trash Clearing, Section 15-23. Public Nuisances Prohibited
- c) Appendix D, Land Development Code, Chapter 13 Buildings and Building Regulations, Article III, Building Code Section 13-82 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, (b) 2 Care of Premises
- d) 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

8-26-09 found in violation, comply by September 18, 2009 or a fine of up to \$250.00 per day be assessed

10-7-09 assessed a fine of \$50.00 commencing September 19, 2009 (12-2-09 fine = \$ 3,750.00)

12-2-09 stayed fine at \$3750.00, comply by 12-31-09 or fine reverts to original amount

15. CE-09-061 - Johna Blair, John A Dawson Jr - 1660 Sarno Road

(Ralph Keller, Code Officer) (Cited 7-17-09)

- a) 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
- b) Chapter 15 Health and Sanitation, Article II, Lot, Junk, Garbage and Trash Clearing, Section 15-23. Public Nuisances Prohibited
- c) Appendix D, Land Development Code, Chapter 13 Buildings and Building Regulations, Article III, Building Code Section 13-82 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, (b) 2 Care of Premises
- d) 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
- e) Appendix D Land Development Code Chapter 13 Article III Building Code, Section 13.80. Florida Building Code and Florida Residential Building Code Adopted

8-26-09 found in violation, comply by September 18, 2009 or a fine of up to \$250.00 per day be assessed

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

10-7-09 assessed a fine of \$250.00 commencing September 19, 2009 (12-2-09 fine = \$ 18,750.00)

12-2-09 case continued to January 13, 2010

16. CE-09-067 - Rudolph V Lerp, Rudolph V Lerp III - 2546 Post Road

(Matt Daszuta, Code Officer) (Cited 7-23-09)

- 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

8-26-09 found in violation, comply by October 6, 2009 or a fine of up to \$250.00 per day be assessed

10-7-09 assessed a fine of \$10.00 commencing October 7, 2009 (12-2-09 fine = \$ 570.00)

12-2-09 fine runs, no board action taken (1-13-10 fine = \$ 990.00)

17. CE-09-071 – Evan Taylor - 648 Wisteria Drive

(Gary Thron, Code Officer) (Cited 6-3-09)

- a) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited
- 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

8-26-09 found in violation, comply by October 6, 2009 or a fine of up to \$250.00 per day be assessed

10-7-09 assessed a fine of \$10.00 commencing October 7, 2009 (12-2-09 fine = 570.00)

12-2-09 fine runs, no board action taken (1-13-10 fine = \$990.00)

18. CE-09-074 - Willie S Brothers, John W Brothers - 905 Brothers Ave

(Thomas Kleving, Code Officer) (Cited 6-12-09)

- a) Chapter 10 Community Planning and Development Article VIII. Community Aesthetics Sec 10-171. Maintenance of building exteriors. (**DISMISSED**)
- b) Appendix D Land Development Code, Chapter 13 Buildings and Building Regulations, Article III. Building Code, Sec. 13.82 International Property maintenance Code adopted. Chapter 3 general Requirements, 303.7 Roofs and drainage (**DISMISSED**)
- c) Chapter 14 garbage and refuse Article IV. Littering. Sec. 14-56. Property Maintenance (a) In general. (1) Lot Maintenance, (3) Prohibition of public nuisance and (5) Junked and abandoned property
- d) Chapter 17 Junked, Abandoned & Wrecked Property Sec. 17-8. Storage of vehicles. and Sec. 17-11. Dismantled or inoperable motor vehicle

8-26-09 found in violation, comply by September 6, 2009 or a fine of up to \$250.00 per day be assessed

10-7-09 case continued to December 2, 2009

12-2-09 case continued to January 13, 2010

19. CE 09-082 - 222 North LLC - 222 N Harbor City Blvd

(Gary Thron, Code Compliance Officer) (Cited 8-28-09)

- a) 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.
- 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. 303.7 Roofs and

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD
January 13, 2010

Drainage.

- c) Chapter 3 General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303 Exterior Structure. 303.9 Overhang Extensions.
- d) Chapter 3 General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. Section 303 Exterior Structure. Section 303 Exterior Structure. 303.13 Windows skylight and door frames.
- e) Chapter 3 General Requirements of the 2000 Edition of the International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances. SECTION 303 Exterior Structure. Section 303 Exterior Structure. 303.13.1 Glazing.
- f) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited.
- g) Chapter 25 Signs and Advertising. Section 25-23 Abandoned Signs and Hazardous Signs (a) Abandoned Signs.

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$250.00 per day be assessed
12-2-09 assessed a fine of \$50.00 a day commencing October 7, 2009 (1-13-2010 = 4,950.00)

20. CE 09-085 - Wilson D Jones & Faith C Jones H/W - 2910 W Eau Gallie Blvd
(Ralph Keller, Code Compliance Officer) (Cited 8-20-09)

- a) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited (**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
- c) Chapter 17 Junked, Abandoned and Wrecked 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
- d) 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 303.15 Doors (**COMPLIED**)

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$250.00 per day be assessed
12-2-09 case continued to January 13, 2010

21. CE 09-086 - Harbor City Melbourne LLC - 240 N Harbor City Blvd
(Gary Thron, Code Compliance Officer) (Cited 8-28-09)

- 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 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
- c) Appendix D Land Development Code Chapter 9 Design Standards and Building Regulations. Article V. Parking and Loading Requirements. Sec. 9.74. Minimum standards for the design of off-street parking areas (**COMPLIED**)
- d) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited (**COMPLIED**)
- e) Chapter 25 Signs and Advertising. Section 25-23 Abandoned Signs and Hazardous Signs (a) Abandoned Signs (**COMPLIED**)

10-7-09 case continued to December 2, 2009
12-2-09 case continued to January 13, 2010

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD
January 13, 2010

22. CE 09-089 - Anna Katz & Howard Katz H/W - 3032 Jacobaeus Lane

(Gary Thron, Code Compliance Officer) (Cited 9-3-09)

- a) Appendix D Land Development Code - Chapter 13 Buildings and Building Regulations - Article III. Building Code. Section 13.80, Florida Building Code and Florida Residential Building Code Adopted. Chapter 1 Administration of the 2004 Edition of the Florida Building Code Section 109 Inspections, 109.5 Inspection requests

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$250.00 per day be assessed

12-2-09 comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

23. CE 09-091 - Sherrie Owens - 2205 Cindy Circle

(Ralph Keller, Code Compliance Officer) (Cited 6-25-09)

- a) Chapter 17 Junked, Abandoned and Wrecked 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**)
- b) Chapter 17 Junked, Abandoned and Wrecked Property. Section 17-11. Dismantled or Inoperable Motor Vehicle (**COMPLIED**)
- 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 (**COMPLIED**)
- d) Chapter 10 Community Planning and Development - Article VIII. Community Aesthetics. Section 10-171. Maintenance of building exteriors
- e) 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

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$250.00 per day be assessed

12-2-09 comply by January 12, 2010 or a fine of \$50.00 per day be assessed

24. CE 09-093 - Hollandale Mobile Home Park LLC - 2634 Pineapple Avenue

(Matt Daszuta, Code Compliance Officer) (Cited 6-18-09)

- a) Chapter 17 Junked, Abandoned and Wrecked 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.
- 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.
- c) 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.

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$250.00 per day be assessed

12-2-09 comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

25. CE 09-096 - Janice M Shirk - 2765 W Eau Gallie Blvd

(Ralph Keller, Code Compliance Officer) (Cited 5-7-09)

This is a Repeat Violation:

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD
January 13, 2010

by the City of Melbourne Code of Ordinances, Section 303.7 Roofs and Drainage.

10-7-09 found in violation, comply by December 1, 2009 or a fine of up to \$500.00 per day be assessed
12-2-09 case continued to January 13, 2010

26. CE 09-098 - Ray K. McFarland & Jo Ann McFarland H/W - 3500 Deer Trail
(Matt Daszuta, Code Compliance Officer) (Cited 8-7-09)

- a) City of Melbourne Code of Ordinances, Appendix D, Land Development Code, Chapter 9 Design Standards and Building Regulations, Section 9.48 Permits required.

10-7-09 found in violation, comply by January 2, 2010 or a fine of up to \$250.00 per day be assessed
12-2-09 case previously ordered to comply by January 2, 2010, no board action taken

27. CE 09-100 - Dorothy Gulak Baker & Et al Susan Diane Baker - 3570 Turtle Mound Road
(Matt Daszuta, Code Compliance Officer) (Cited 6-24-09)

- a) Chapter 15 Health and Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited. (**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 303.7 Roofs and drainage.
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.

10-7-09 Found in violation continue until April 7, 2010
12-2-09 case continued till April 7, 2010, no board action taken

28. CE 09-102 – Serafin Jimenez – 772 Orange Street
(Ralph Keller, Code Officer) (Cited 7-22-09)

- 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.

29. CE 09-103 - Margaret Y Heath - 1710 Fletcher Street
(Terry Oliver, Code Officer) (Cited 10-13-09)

- 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) 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

12-2-09 found in violation, comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

30. CE 09-104 - Bank of America - 2740 Rouen Avenue
(Richard Andre, Code Officer) (Cited 10-30-09)

- a) City of Melbourne Code of Ordinances, Chapter 17 Junked, Abandoned A and Wrecked Property – Section 17-30 Registration of real property mortgagees holding mortgages in default Section 17-31 Maintenance Requirements Section 17-32 Security Requirements

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

12-2-09 found in violation, comply by December 16, 2009 or a fine of \$10.00 per day be assessed

31. CE 09-107 - Sean C Burlingham - 408 Roxy Avenue

(Terry Oliver, Code Officer) (Cited 10-2-09)

- 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
- b) Appendix D Land Development Code - Chapter 13 Buildings and Building Regulations - Article III. Building Code. Section 13.80, Florida Building Code and Florida Residential Building Code Adopted. Chapter 1 Administration of the 2004 Edition of the Florida Building Code Section 109 Inspections, 109.5 Inspection requests

12-2-09 found in violation, comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

32. CE 09-109 - Countrywide Bank FSB - 2100 Palm Blvd

(Terry Oliver, Code Officer) (Cited 9-16-09)

- a) City of Melbourne Code of Ordinances, Chapter 17 Junked, Abandoned and Wrecked Property – Section 17-30 Registration of real property mortgagees holding mortgages in default. Section 17-31 Maintenance Requirements. Section 17-32 Security Requirements

12-2-09 found in violation, comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

33. CE 09-110 - Wells Fargo N/A - 813 Cheyenne Avenue

(Richard Andre, Code Officer) (Cited 9-22-09)

- a) City of Melbourne Code of Ordinances, Chapter 17 Junked, Abandoned And Wrecked Property – Section 17-31 Maintenance Requirements

12-2-09 found in violation, comply by December 16, 2009 or a fine of \$10.00 per day be assessed

34. CE 09-115 - Marvin Richardson, Jr - 2521 Race Street

(Thomas Kleving, Code Officer) (Cited 3-14-09)

- a) Chapter 10 Community Planning and Development Article VIII Community Aesthetics Sec 10-171 Maintenance of building exteriors
- b) Chapter 17 Junked, Abandoned & Wrecked Property Sec 17-8 Storage of vehicles, and Sec 17-11 Dismantled or inoperable motor vehicle
- c) Chapter 31 Traffic and Motor Vehicles Article II Parking Division 2 Large Trucks and Heavy equipment Sec 32-42 Districts in which parking is prohibited
- d) 302.8 Care of premises of the International Property Maintenance Code as adopted by Appendix D Chapter 13 Buildings and Building Regulations, Article III, Sec 13-82 (b) 2 as amended

12-2-09 Found in violation, comply by January 12, 2010 or a fine of up to \$250.00 per day be assessed

35. CE 09-116 - James W Lee and Jennifer Denniston-Lee H/W - 1685 Sweetwood Drive

(Matt Daszuta, Code Officer) (Cited 3-31-09)

- 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) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations - Article III. Building Code, Section 13.80 Section 105 Permits, 105.4.1
- c) Appendix D Land Development Code - Chapter 13 Buildings and Building Regulations - Article

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

- d) III. Building Code. Section 13.80, Chapter 1 Section 109 Inspections, 109.5 Inspection requests Chapter 15 Health And Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited
- e) 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.
- f) Appendix D Land Development Code - Chapter 9 Design Standards and Building Regulations - Article Iii. Standards for Walls and Fences. Section 9.48. Permits required.
- g) Appendix D Land Development Code - Chapter 13 Buildings and Building Regulations - Article III. Section 13.80. The 2004 Florida Building Code - Chapter 4. Section 424 Swimming Pools and Bathing Places. 424.2.17.1 Outdoor swimming pools shall be provided with a barrier complying with Sections 424.2.17.1.1 through 424.2.17.1.14
- h) Chapter 15 Health and Sanitation. Article III. Mosquito Control. Section 15-41 Breeding places for mosquitoes – Prohibited

12-2-09 found in violation, comply by December 9, 2009 or a fine of \$250.00 per day be assessed

NEW BUSINESS

36. CE 10-001 – Stack Village Plaza Melbourne LLC – 5000 Stack Boulevard

(Terry Oliver, Code Officer) (Cited 12-4-09)

- a) Appendix D Land Development Code. Chapter 11 Signs and Advertising. Section 11.19 Prohibited Signs

37. CE 10-002 – Lucille D. Jones – 3222 Redwood Lane

(Thomas Kleving, Code Officer) (Cited 11-6-09)

- a) Appendix D, Land Development Code - Chapter 13. Buildings and Building Regulations Article III. Building Code, Section 13.80, Florida Building Code and Florida Residential Building Code Adopted. Chapter 1 Administration of The 2004 Edition Of The Florida Building Code Section 109 Inspections, 109.5 Inspection Requests

38. CE 10-003 – JP Morgan Chase Bank – 308 Rutgers Avenue

(Terry Oliver, Code Officer) (Cited 10-30-09)

- a) City of Melbourne Ordinances, Chapter 17 Junked, Abandoned and Wrecked Property – Section 17-30 Registration of real property, Section 17-31 Maintenance requirements, Section 17-32 Security Requirements

39. CE 10-004 – Florida Home Equity LLC – 1720 Elizabeth Street

(Terry Oliver, Code Officer) (Cited 11-11-09)

- a) City of Melbourne Ordinances, Chapter 17 Junked, Abandoned and Wrecked property Section 17-30 Registration of Real Property, Section 17-31 Maintenance Requirements, Section 17-32 Security Requirements

40. CE 10-005 – Ralph Abravaya – 2160 Warwick Road

(Matt Daszuta, Code Officer) (Cited 11-30-09)

- 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.

41. CE 10-006 – Jackie L Stickney – 735 Lund Circle

(Terry Oliver, Code Officer) (Cited 11-5-09)

- a) Appendix D Land Development Code - Chapter 13 Buildings and Building Regulations

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

Article III. Building Code. Section 13.80, Florida Building Code and Florida Residential Building Code Adopted. Chapter 1 Administration of the 2004 Edition of the Florida Building Code Section 109 Inspections, 109.5 Inspection Requests.

ADDITIONAL BUSINESS

Request for Recommendation for Rescission of Fine

42. CE-09-039 – Rada, LLC – 308 E Strawbridge Avenue

(Found in violation May 27, 2009, fine imposed July 8, 2009, Stayed fine August 26, 2009)

(Terry Oliver, Code Officer)(Fine Amount \$1250.00)

- a) 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 (**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 Exterior Structure 303-1 General
- c) 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
- d) Appendix D, Land Development Code, Chapter 13, Article II, Building Division 1 Code Compliance Division, Code Section 13.41, Florida Building Code and Florida Residential Building Code Adopted. The Florida Building Code and the Florida Residential Building Code, current editions as mandated by the Florida Legislature and published by the Florida Building Commission, shall be known as the City of Melbourne Building Code and are hereby adopted by reference and incorporated herein, as if fully set out. Chapter 1 Administration, Section 105 Permits 105.1 Required

False Alarm Appeal

43. CEA-09-006 – Siren Boutique Inc – 1402 Highland Avenue

(Appeal Amount: \$ 700.00)

12-2-09 case continue to January 13, 2010

44. CEA-10-001 – David Matte – 4775 Lake Waterford Way #3

Pending Authorization to Foreclose

45. CE-06-071 – Sandra K. Hayes Estate a.k.a. James P. Teele – 2815 Locksley Road

(Matt Daszuta, Code Officer) (Cited 4-19-06)

- a) 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
- 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, 303.1 General
- c) 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, 303.7 Roofs and Drainage

9-12-06 – 10-25-06 case continued to November 13, 2006

11-13-06 found in violation, comply by January 30, 2007 or a fine of up to \$250.00 per day be assessed

12-11-06 case previously continued, no Board action taken

1-31-07 assess a fine of \$100.00 per day commencing January 31, 2007 (2-28-07 fine = \$2,900.00)

2-28-07 fine runs, no Board action taken (3-28-07 fine = \$5,700.00)

3-28-07 fine runs, no Board action taken (4-25-07 fine = \$8,500.00)

4-25-07 fine runs, no Board action taken (5-30-07 fine = \$12,000.00)

5-30-07 fine runs, no Board action taken (6-27-07 fine = \$14,800.00)

6-27-07 fine capped at \$14,500.00

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD

January 13, 2010

7-25-07 – 12-10-08 no Board action taken

1-28-09 – 12-2-09 no Board action taken

46. CE-09-049 - Charles W Urie, Jean Urie H/W - 1705 Pine Valley Drive

(Matt Daszuta, Code Officer) (Cited 6-9-09)

- a) Chapter 15 Health and Sanitation. Article III Mosquito Control Section 15-41 Breeding places for mosquitoes – Prohibited
- b) Chapter 15 Health and Sanitation. Article II Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited

7-8-09 found in violation, comply by July 18, 2009 or a fine of up to \$250.00 per day be assessed

8-26-09 assessed a fine of \$25.00 per day commencing 7-19-09 (10-7-09 = \$ 2,025.00)

10-7-09 fine runs, no board action taken (12-2-09 = \$ 3,425.00)

12-2-09 capped fine at current amount \$ 3,425.00

47. CE-09-065 - Crane Creek Property Development LLC - 517 E Melbourne Avenue

(Terry Oliver, Code Officer) (Cited 6-16-09)

- 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 15 Health And Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited

8-26-09 found in violation, comply by September 7, 2009 or a fine of \$25.00 per day be assessed

10-7-09 assessed a fine of \$25.00 commencing September 8, 2009 (12-2-09 fine = \$ 2,150.00)

12-2-09 capped fine at current amount of \$ 2,150.00

48. CE-09-070 - Waterbury Management Inc - 807 E Melbourne Avenue

(Terry Oliver, Code Officer) (Cited 6-16-09)

- 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 15 Health And Sanitation. Article II. Lot, Junk, Garbage and Trash Clearing. Section 15-23. Public nuisances prohibited

8-26-09 found in violation, comply by September 7, 2009 or a fine of \$25.00 per day be assessed

10-7-09 assessed a fine of \$25.00 commencing September 8, 2009 (12-2-09 fine = \$2,150.00)

12-2-09 capped fine at current amount of \$ 2,150.00

49. CE 09-087 - Cherrie B James - 823 Brothers Ave

(Thomas Kleving, Code Compliance Officer) (Cited 7-29-09)

- a) Chapter 3 General Requirements of the 2000 International Property Maintenance Code as adopted by the City of Melbourne Code of Ordinances, Section 301 General, 301.2 Responsibility
- b) 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.
- c) 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, 303.1 General
- d) 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, 303.6 Exterior walls

CITY OF MELBOURNE
AGENDA – REGULAR MEETING OF THE CODE ENFORCEMENT BOARD
January 13, 2010

- e) 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, 303.7 Roofs and Drainage

10-7-09 found in violation, comply by October 14, 2009 or a fine of \$250.00 per day be assessed
12-2-09 assessed fine of \$250.00 per day commencing October 14, 2009 and capped fine at \$12,250.00

50. Election of Chairman/Vice Chairman

51. Self Evaluation

52. Board/Staff Comments

53. 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.