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CODE ENFORCEMENT BOARD

MINUTES

October 15, 2020

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Chris Gibbs called the meeting to order at 5:30 pm and led the Pledge of Allegiance.

2. ROLL CALL

Present: Chair Chris Gibbs, Vice Chair Sandra Michelson, Board Members Andrew Jones, James Shipton (arrived late), Linda Palardy and George Bosch.

Absent: Board Members Robert Luber, James Shipton (arrived late) and Carl Weaver.

Board Member Palardy moved to excuse Board Members Luber, Shipton (arrived late) and Weaver. Seconded by Board Member Bosch, motion carried 4-0.

Also present: Building Official Tom Forbes, Code Enforcement Inspector Roy Black, Administrative Support Specialist Doreen Morales, City Attorney Morris Richardson and members of the public.

3. ADOPTION OF THE MINUTES

Board Member Palardy moved to approve the minutes from the September 17, 2020 hearing. Seconded by Board Member Jones, motion carried 4-0.

4. SWEARING IN OF THOSE PRESENTING TESTIMONY

Doreen A. Morales swore in those presenting testimony.

5. OLD BUSINESS

Case No. 2020-0018

Violation of Section 18-151. Required

Violation of Section 18-178. Work starting before permit issuance

Building Official Tom Forbes presented Case No. 2020-0018 for property located at 2909 W. New Haven Avenue and owned by Joseph Dipola, et al.

Building Official Forbes was sworn in and testified:

- Provided history of the case to the Board
- Mr. Dipola, at this time, cannot find a civil engineer and he's tried to complete a site plan by himself but it was not acceptable
- Respondent is agreeable to remove the portion of concrete slab which is covering the water line along with the concrete wall across the water line
- Permitted gates will then be installed
- Mr. Forbes spoke with Planning & Zoning Director Christy Fischer, Public Works Supervisor Tim Thibert and Mike DeBarry from Jacobs and found this solution was acceptable to everyone
- Permits will be issued for the gates and the site will be cleaned up within two weeks, to date, good progress has been made

Building Official Forbes recommends a two week extension with no fines imposed.

Board Member Jones moved to grant a two week extension with no fines imposed. Seconded by Board Member Bosch, motion carried 4-0.

6. NEW BUSINESS

Case No. 2020-0059

Violation of Section 26-166. Certain locations and vehicles prohibited

Code Inspector Black presented Case No. 2020-0059 for property located at 3027 Grace Street and owned by Van Property Group, LLC, et al.

Inspector Black was sworn in and testified:

- Provided history of the case regarding the tractor trailer at this address
- The tenant has been warned, on many occasions, not to park the tractor trailer at the residence
- The tenant removes the tractor trailer but it then returns
- Once again it has been removed and the case is complied

Inspector Black stated although the case is in compliance he recommends the Board find the violations for future repeat violations.

Board Member Jones moved to find the violations. Seconded by Vice Chair Michelson, motion carried 4-0.

Case No. 2020-0070
Violation of Section 302.1. Sanitation

Code Inspector Black presented Case No. 2020-0070 for property located at 351 N. Laila Drive and owned by Vance B. Harless, et al.

Inspector Black was sworn in and testified:

- Provided history of the case to the Board
- Soffit is deteriorating and the property needs upkeep along with removal of a large dead tree
- Ms. Harless, the Respondent, could not be here tonight but is aware of recommendation and time and penalty
- Respondent is working to remove the dead tree and cleanup of the property

Inspector Black recommends the Board find the violations.

Board Member Jones moved to find the violations. Seconded by Board Member Palardy, motion carried 4-0.

Inspector Black recommends granting 10 days to come into compliance and \$50/a day thereafter until in compliance.

Board Member Palardy moved to grant 10 days to come into compliance and \$50/a day thereafter until in compliance. Seconded by Board Member Jones, motion carried 4-0.

Case No. 2020-0052
Violation of Section 26-65. Commercial, business & institutional est. trash
Violation of Section 74-119. Unpaved parking lots
Violation of Section 74-120. Curbing

Code Inspector Roy Black presented Case No. 2020-0052 for property located at 3170 W. New Haven Ave and owned by Plaza West Shopping Center, LLC, et al.

Inspector Black was sworn in and testified:

- Provided history of the case to the Board from March 2020; partial compliance
- July 2020 - wheel stops and asphalt shavings were still in violation

- 15-20 bales of cardboard boxes have been removed and complied
- As of inspection today the wheel stops have been removed
- Asphalt shavings is the only violation to be complied as per Christy Fischer

Inspector Black recommends the Board find the violations.

Board Member Jones moved to find the violations. Seconded by Vice Chair Michelson, motion carried 4-0.

Jeff Baker, the Property Manager for Plaza West Shopping Center, of 141 W. Alexander Palm Road, Boca Raton, FL, was sworn in and testified:

- Fence permit was applied for and it was permitted to move the fence back 10 feet from property line; to the west
- Parking shortage due to the Lucky's Supermarket
- He met with Planning & Zoning Director Christy Fischer and Planner Denise Curry regarding annexation of property for much needed extra parking
- Hired a civil engineer to complete a site plan but it hasn't been completed to date
- Fence caused a deep fall off from the parking lot and they wanted it filled with gravel but was filled with asphalt shavings
- Mr. Baker was not aware there was a difference
- Parking wheel stops and trash have been removed
- They are looking to pave the asphalt shavings and add additional parking spots
- Requests an extension to get the site plan approval

Inspector Black recommends granting 10 days to come into compliance and \$250/a day thereafter until they are in compliance.

Building Official Tom Forbes added an engineer can determine if the asphalt shavings would be a good sub-base. He cannot answer if the Planning and Zoning Department would allow for asphalt shavings underneath the paving. The shavings would be under the pavement and they need a site plan to be reviewed and approved.

Inspector Black amended his recommendation to table until the November 19, 2020 hearing. If not in compliance by November 19, 2020 a \$250/a day fine will apply until compliance is reached.

Board Member Jones moved to table until the next Code Board hearing on November 19, 2020, if not complied by next hearing a \$250/a day fine will apply until compliance is reached. Seconded by Board Member Palardy, motion carried 4-0.

Case No. 2020-0060

Violation of Section 26-166. Certain location and vehicles prohibited

Violation of Section 26.206. Vehicles in inoperable condition

Violation of Section 98-1008. Parking, storage or use of major recreational equip.

Code Inspector Roy Black presented Case No. 2020-0060 for property located at 3008 Grace Street and owned by Joseph H. Fulkerson, Jr, et al.

Inspector Black was sworn in and testified:

- Provided history of the case to the Board
- Two vehicles in inoperable condition still exist on property
- Trailer has been complied
- RV equipment has been complied
- These cannot be parked in a residential zone; trailer can be parked behind the front line of the house
- City ordinance does not allow car covers but they can be put under a carport or inside an enclosed building

Inspector Black recommends the Board find the violations.

Board Member Palardy moved to find the violations. Seconded by Board Member Jones, motion carried 4-0.

Inspector Black recommends granting 10 days to come into compliance and \$50/a day fine thereafter until in compliance.

Board Member Jones moved to grant 10 days to comply and \$50/a day thereafter until in compliance. Seconded by Vice Chair Michelson, motion carried 4-0.

Joe Fulkerson, resident at 3008 Grace Street, was sworn in and testified:

- His 1964 Comet is not registered because he does not have money to register it
- His 1969 Corvair has 75 miles on it and it's up on the tire stands to avoid the tires from rotting; it's a collectable vehicle
- He would like to put car covers over them until he has the money to register
- Corvair is registered just not tagged because he's not driving it
- Trailers and personal water craft have been removed
- The lots are too small to be able to store them out of sight
- Cars are operable and he will try to register the Comet and then move them

City Attorney suggested he can register the vehicles and show the Code Officer they start, are drivable and then he will be in compliance.

Case No. 2020-0073

Violation of Section 26-206. Vehicles in inoperable condition
Violation of Section 62-2108. Farm animals and fowl

Building Official Tom Forbes presented Case No. 2020-0073 for property located at 5140 Trend Road and owned by Susan Hillman-Cook, et al.

Building Official Forbes stated the sheep has been relocated to Palm Bay and the inoperable vehicles have been removed, this case has complied.

Case No. 2020-0076

Violation of Section 26.207. Storing, depositing, keeping property in encl. bldg.

Building Official Tom Forbes presented Case No. 2020-0076 for property located at 7630 Coral Drive and owned by Jose Garcia, et al.

Building Official Forbes stated this case has complied.

7. ADJOURNMENT

There being no further business, hearing was adjourned at 6:11 pm.

Chair Chris Gibbs, or designee

Doreen A. Morales
Recording Secretary