

**ROCKLEDGE CODE ENFORCEMENT BOARD  
MEETING MINUTES**

**Thursday, August 12, 2021 - 4:30 p.m.**

**1. CALL TO ORDER/ROLL CALL**

The Rockledge Code Enforcement Board met on August 12, 2021, at 4:30 p.m. in the City Council Chamber at Rockledge City Hall, 1600 Huntington Lane, Rockledge, Florida.

**MEMBERS PRESENT:** Kevin Jarvis, Vice Chairman  
David Bucher  
Jeffrey Fee  
Mark O'Donnell  
Martha Rich  
Matthew Whalen

**MEMBERS ABSENT:** Karen Kuta, Chairman (*Excused*)

**STAFF PRESENT:** Joseph Miniclier, Code Enforcement Board Attorney  
Brad Bettin, Code Enforcement Officer Attorney  
John Cooper, Planning Director  
Deanna Pomichter, Code Enforcement Officer  
Tricia Olsson, Recording Secretary  
Jennifer M. LeVasseur, City Clerk

With a quorum present, the meeting was called to order by Vice Chairman Kevin Jarvis.

**2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE**

A salute was given to the flag, and the Pledge of Allegiance was repeated in unison.

**3. APPROVAL OF MINUTES AND ATTENDANCE RECORD**

Meeting of May 13, 2021

**Jeffrey Fee moved to approve the minutes and attendance record from the regular meeting on May 13, 2021 with an amendment to the motion for item 4A on page 3. Seconded by Martha Rich. The motion passed unanimously.**

**4. UNFINISHED BUSINESS**

A. ECE20-0163 – Grace Herrington – 923 Levitt Parkway – Inoperable vehicle (expired tag) on side of house, open carport full of household items, such as clothing, household furniture, cardboard boxes and more, west side of property has vines that have taken over the side of the house and has caused damage to the gable ends, there is missing fascia and soffits and the roof remains in disrepair. (Tabled May 13, 2021) – 60 days

Code Enforcement Officer Deanna Pomichter introduced herself as the new Code Enforcement Officer and introduced Tricia Olsson as the new Recording Secretary.

**Matthew Whalen moved to remove item ECE20-0163 from the table; seconded by Martha Rich. The motion carried unanimously.**

Code Enforcement Officer Pomichter reported that all violations were corrected except for the missing soffit and fascia and noted that the property owner requested additional time to complete the final repairs. Code Enforcement Officer Pomichter requested that the board grant an additional 30 days for the property owner to come into compliance.

**Matthew Whalen made a motion to table ECE20-0163 for an additional 30 days to allow the owner time to complete the remaining repairs; seconded by Jeffrey Fee. The motion passed by unanimous vote.**

- B. ECE-20-0911 – Russell Sage Jr – 1718 Palmer Lane – inoperable vehicle (flat tire and expired tag) and curb/sidewalk are not edged.
1. Finding of Fact, conclusion of Law and Order (March 12, 2021)
  2. Request to file Administrative Order/Lien (Tabled May 13, 2021) – 60 days

**Matthew Whalen moved to remove item ECE20-0911 from the table; seconded by Mark O'Donnell. The motion passed without objection.**

Code Enforcement Officer Pomichter stated that the violation regarding the inoperable vehicle has not been corrected since the last meeting. She reported that additional inspections in June, July and August 2021 showed no remedies by the property owner. Code Enforcement Officer Pomichter requested authorization to file the lien.

**Jeffrey Fee moved to authorize the filing of a lien on 1718 Palmer Lane with the current fine of \$22,950.00 and to continue accrual of the fine until all items have been corrected; seconded by Martha Rich. The motion passed unanimously.**

Vice Chairman Kevin Jarvis subsequently read the Order.

- C. ECE20-0910 – William T. Davis, LaRhonda Davis – 1024 Pompano Drive – Inoperable vehicle (missing/no tag) beside driveway.
1. Finding of Fact, Conclusion of Law and Order (May 14, 2021)

**Matthew Whalen moved to remove item ECE20-0910 from the table; seconded by Jeffrey Fee. The motion carried without objection.**

Code Enforcement Officer Pomichter stated the cited violation has not been remedied since the last meeting. She requested authorization to file a lien since the property is not in compliance.

LaRhonda Davis, 1024 Pompano Drive, was sworn in by Attorney Miniclier and subsequently provided testimony to the Board explaining the extraordinary circumstances that left her unable to rectify the code violation. Ms. Davis stated the subject vehicle belonged to her deceased ex-husband, and the title remains in his name. Due to the divorce, she has been unable to transfer the title into her name. She communicated this issue with the City previously and continued to seek avenues to remedy the violation.

Code Enforcement Board Attorney Miniclier and Code Enforcement Officer Attorney Bettin offered ideas for Ms. Davis to pursue in order to legally transfer the title. Mr. Miniclier suggested that the Board grant an additional 30 days for Ms. Davis to correct the violation.

**Mark O'Donnell moved to table item ECE20-0910 for an additional 30 days and to pause the accrual of fines; seconded by Jeffrey Fee. The motion passed unanimously.**

- D. ECE20-0770 – David L. McMurray – 1121 Geiger Street – Sun-Sational Salon & Spa, LLC – work without permit (plumbing) (Tabled May 13, 2021) – 30 days

**Matthew Whalen made a motion to remove item ECE20-0770 from the table; seconded by Jeffrey Fee. The motion carried by unanimous vote.**

Code Enforcement Officer Pomichter announced that a revised Staff Report was provided to the Board, which corrected an error in the property address. Code Enforcement Officer Pomichter reported that the violation that was tabled at the May 13<sup>th</sup> meeting still existed, and the owner has not provided the Building Department with the required documentation in order to complete the permit process.

**Mark O'Donnell moved that work without a permit existed at 1121 Geiger Street and was in violation of the Rockledge Land Development Regulations when the Notice of Violation was sent; seconded by Matthew Whalen. The motion passed unanimously.**

**Mark O'Donnell moved that 1121 Geiger Street is in violation of Sections 30.30 and 30.35(C) of the Rockledge Land Development Regulations; seconded by Matthew Whalen. The motion passed by unanimous vote.**

**Mark O'Donnell moved that 1121 Geiger Street must be in compliance with section 30.30 and 30.35(C) of the Rockledge Land Development Regulations within 15 days or a fine of \$100.00 per day will be imposed retroactive to the original date of the violation; seconded by David Bucher. The motion passed without objection.**

Vice Chairman Kevin Jarvis subsequently read the Order.

## 5. NEW BUSINESS

- A. ECE21-0123 – Brian A. King – 1165 Bailey Court – Missing skirting and address numbers not on Mobile Home.

Code Enforcement Officer Pomichter was sworn in by Attorney Miniclier. She then provided background information on the case and reported that some of the violations have been corrected. Code Enforcement Officer Pomichter stated that the missing skirting and address numbers remain noncompliant and presented a photo from earlier in the day as evidence. She informed the Board that the Notice of Violation was sent to the property owner on May 11, 2021 and mailing/service requirements were met.

**Matthew Whalen moved that a violation of missing skirting and no address numbers on the mobile home exists at 1165 Bailey Court and was in violation of the Rockledge Land Development Regulations when the Notice of Violation was sent; seconded by Mark O'Donnell. The motion passed unanimously.**

**Matthew Whalen moved that 1165 Bailey Court is in violation of Sections 59.73(D)(3) and 62.75(D) of the Rockledge Land Development Regulations; seconded by Mark O'Donnell. The motion carried without objection.**

**Matthew Whalen moved for the property to be brought into compliance within 15 days or a fine of \$50.00 per day will be imposed retroactive to the date that the order was signed; however, should the property be found in violation of the same provision within a five (5) year period, it will be considered a repeat violation and the owner will receive, without further notice, a notice of hearing to appear before this Board; seconded by Mark O'Donnell. The motion passed unanimously.**

Vice Chairman Kevin Jarvis subsequently read the Order.

## 6. ADJOURN

There being no further business, the meeting was adjourned at 5:00 p.m.

Submitted by:

Tricia T. Olsson  
Recording Secretary

Approved by:

Karen Kuta  
Chairman