



# City of New Smyrna Beach

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## THE BUILDING TRADES BOARD

**NOTICE OF MEETING  
TO BE HELD AT 6:30 P.M.  
NOVEMBER 17, 2016  
PLANNING AND ENGINEERING CONFERENCE ROOM  
2650 N. DIXIE FREEWAY  
NEW SMYRNA BEACH, FLORIDA**

### BUILDING TRADES BOARD MEMBERS:

William M. Cowherd, Chairman  
Paul Heer, Vice Chairman  
Joseph Blanchette  
Randy Beach  
R. Grant Clark  
Terry D. Harrison  
Charles Hoffman

Dear Board members:

THIS SHALL SERVE AS YOUR OFFICIAL NOTIFICATION of the meeting for the Building Trades Board, which has been scheduled for Thursday, November 17, 2016, commencing at 6:30 P.M., in the Planning and Engineering Conference Room, 2650 N. Dixie Freeway, New Smyrna Beach, to consider the enclosed agenda.

  
William Cowherd, Chairman  
Building Trades Board

**I. ROLL CALL:**

**II. DISCLOSURE OF EX PARTE COMMUNICATIONS:**

Members of the Building Trades Board are asked to please disclose, for the record, the substance of any ex parte communications that have occurred prior to this public hearing for any cases on this Agenda.

**III. APPROVAL OF MINUTES:**

August 18, 2016 – Minutes will be available for the next agenda

**IV. SWEARING OF CITY STAFF**

**V. OLD BUSINESS:**

**VI. NEW BUSINESS:**

**CI BT16-13287                      Carter Mays    1426 Beacon Street**

Consideration from the Building Department to demolish a residential structure at 1426 Beacon Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

**CI BT16-13447                      Eric A. & Alice Moller    212 Marshall Street**

Consideration from the Building Department to demolish a residential structure at 212 Marshall Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

**CI BT16-14409                      Deborah Maria Williams    476 Hickory Street**

Consideration from the Building Department to demolish a residential structure at 476 Hickory Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

**CI BT16-13644                      Absolute Property Solutions    451 Hickory Street**

Consideration from the Building Department to demolish a residential structure at 451 Hickory Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

**CI BT16-13895                      Anna M Mercieri & Edna M Muni    725 Dougherty Street**

Consideration from the Building Department to demolish a residential structure at 725 Dougherty Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

**C2014-12094**

**New Smyrna Beach Capital Trust**

**206 Douglas Street**

Consideration from the Building Department to remove the Condemnation Order for the structure located at 206 Douglas Street.

**VII. REQUEST TO APPEAR**

**VIII. COMMENTS FROM BOARD OR STAFF**

**IX. ADJOURNMENT**

Pursuant to Florida Statutes 286.0160, if an individual decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the American With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office in person or by mail at 210 Sams Avenue, New Smyrna Beach, FL, 32168, (386) 410-2630, prior to the meeting.



## **Building Department**

210 Sams Avenue  
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Phone: (386) 424-2141  
Fax: (386) 424-2143  
[www.cityofnsb.com](http://www.cityofnsb.com)

## **Staff Recommendations**

**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
1426 Beacon Street  
New Smyrna Beach, Florida  
**CASE NO:** BT16-13287  
**DATE:** November 17, 2016

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

Upon inspection of the property by the Building Department, the following items were noted:

- The structure's exterior or interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities necessary for health, safety, or general welfare.
- The structure has parts which are so attached that there is a reasonable likelihood they may fall and injure members of the public or property in general.
- The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property

The property was subsequently posted with the violation letter and notice of hearing.

Photographs of the property that was taken showing the condition of the property is attached for your review.

### **ALTERNATIVES**

1. Allow the owner additional time to repair or demolish the structures.
2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if

the expenses are not paid within 30 days from the date of the invoice.

### **RECOMMENDATION**

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that the structure be demolished within 30 days from the date of this hearing. If the structure is not demolished within 30 days then the city will proceed with the demolition and all costs incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

If the Board chooses to allow the property owner to repair the structures and bring the structures up to code, Staff recommends that the Board condemn the property and under Section 26-799 (Repairs after condemnation) of the City of New Smyrna Beach Code of Ordinances allow the owner to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be complete, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.





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## **Staff Recommendations**

**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
212 Marshall Street  
New Smyrna Beach, Florida  
**CASE NO:** BT16-13447  
**DATE:** November 17, 2016

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

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### **ALTERNATIVES**

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2. Proceed with the demolition; determine if the structures will be demolished by the City of New Smyrna Beach or a private contractor, and authorize an execution against the owner and property if

the expenses are not paid within 30 days from the date of the invoice.

### **RECOMMENDATION**

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that the structure be demolished within 30 days from the date of this hearing. If the structure is not demolished within 30 days then the city will proceed with the demolition and all costs incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

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## **Staff Recommendations**

**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
476 Hickory Street  
New Smyrna Beach, Florida  
**CASE NO:** BT16-14409  
**DATE:** November 17, 2016

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

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### **ALTERNATIVES**

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### **RECOMMENDATION**

Alternative number 2 is recommended. Based on the inspections, there are parts of the structures that are in danger of collapsing and the condition of the property is a blight to the neighboring properties. Staff recommend that the structure be demolished within 30 days from the date of this hearing. If the structure is not demolished within 30 days then the city will proceed with the demolition and all costs incurred by the city in carrying out the demolition shall be assessed against the owner. The costs incurred by the city are declared to be a debt due the city. Such amounts, if not paid within 30 days of billing, shall be recoverable by the city in court and shall constitute a lien against the property.

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**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
451 Hickory Street  
New Smyrna Beach, Florida  
**CASE NO:** BT16-13644  
**DATE:** November 17, 2016

Since the structures have been vacant for a long period of time, the Code Enforcement Inspector referred the property to the Building Department. The property has not been maintained and is now a public health and safety issue. Due to the lack of response from the property owners to make any attempts of correcting the situation, the Building Department has recommended that the matter be referred to the Building Trades Board for further action.

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**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
725 Dougherty Street  
New Smyrna Beach, Florida  
**CASE NO:** BT16-13895  
**DATE:** November 17, 2016

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## **Staff Recommendations**

**Builders Trade Board**

**TO:** Building Trade Board  
**FROM:** Michael W. Knotek, Chief Building Official  
**SUBJECT:** Unsafe & Dilapidated Structure  
207 Douglas Street  
New Smyrna Beach, Florida  
**CASE NO:** 2014-12094  
**DATE:** November 17, 2016

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**RECOMMENDATION**

Staff recommends that the Board remove it's condemnation and allow the new owners to repair only upon written agreement specifying the nature of the repairs, the date on which the repairs shall be completed, and an agreement that failure to complete the repairs within the time provided authorizes the city to take remedial action with attachment of a lien for all costs incurred by the city.

