

MINUTES OF THE BUILDING TRADES BOARD
HEARING
HELD AT 6:30 P.M. – NOVEMBER 18, 2010
CITY COMMISSION CHAMBERS, CITY HALL,
210 SAMS AVE, NEW SMYRNA BEACH, FLORIDA

- I. The Hearing of November 18, 2010, was called to order at 6:30 p.m. Answering to roll call were:

Paul Heer (Vice Chair)

Randy Beach

Joseph Blanchette

Terry Harrison

Grant Clark

Also present were Chief Building Official Michael Knotek, Asst. City Attorney Greg McDole and Permit & License Technician Dorlisa Pogany. Board member William Cowherd was absent.

II. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Members of the Citizens Code Enforcement Board were asked to please disclose, for the record, the substance of any ex parte communications that occurred prior to this public hearing.

Mr. Heer stated that there were none.

III. APPROVAL OF MINUTES

October 21, 2010

Mr. Clark made a motion to approve the minutes of the October 21, 2010 as written; seconded by Mr. Beach. Motion passed up roll call vote 5-0.

IV. SWEARING OF CITY STAFF

Michael Knotek, Chief Building Official, was sworn for testimony.

V. OLD BUSINESS:

C2010-0620:

Lawrence L. Kraker

551 Julia St

Consideration from Building Department to demolish a residential structure at 551 Julia Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

Steven Wischmeier was present and sworn in for testimony.

Mr. Heer asked staff for a recommendation.

Mr. Knotek testified that the owner was given 90 days to make certain improvements to the property which included demolishing unstable front balcony, repair fence, paint exterior and clean up the property. Mr. Knotek further testified that the cleanup process has been started by the improvements have not been made and the property owner has not met staff's obligations. Mr. Knotek recommends the Board condemn the property for demolition.

Mr. Wischmeier stated that the Board recommended removing the loose boards of the ceiling of the front porch not to demolish the porch. Mr. Wischmeier further stated debris has been removed, paint is on the premises to paint the exterior, the unstable rear porch has been removed and some repairs to the fence have been completed. Mr. Wischmeier stated the house can be saved and working to make it safer.

Discussion ensued among staff, the Board and Mr. Wischmeier regarding broken windows, unsecured doors and sagging boards that have not been corrected, building used for dry storage, provide copy of feasibility study, structural integrity of building, health and welfare of the neighborhood, and property owner showing signs of maintaining building to save the structure.

Mr. Knotek stated for the record that staff makes a new recommendation to continue this case until January 20, 2011 and for the property owner to show repairs have been made and provide a feasibility study showing the future of the building.

Discussion ensued among staff, the Board and Mr. Wischmeier regarding goals to meet for next meeting, extent of repairs to be completed, removal of rotted planks without affecting structural integrity, plywood on outside of openings instead of inside to prevent further glass breakage, repair openings in fence and paint exterior.

Mr. Blanchette made a motion to condemn 551 Julia Street and give the property owner 60 days to bring into compliance by securing all building openings with plywood on the exterior, remove or replace any loose planks on porch which may be a hazard, repair damage to fence and paint exterior; seconded by Mr. Harrison. Motion passed unanimously upon roll call 5-0.

C2010-0621:

**Partner of Sonlight Dev
C/O Lawrence Kraker**

553 Julia St

Consideration from Building Department to demolish a residential structure at 553 Julia Street due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

Mr. Heer stated for the record that Steven Wischmeier was the representative for 553 Julia Street and remains sworn in for testimony.

Mr. Heer asked staff for a recommendation

Mr. Knotek testified that staff recommends to continue this case until January 20, 2011 and for the property owner to show repairs have been made in accordance with the Board's stipulations.

Discussion ensued among staff, the Board and Mr. Wischmeier regarding the types of repairs to include plywood on outside of openings instead of inside to prevent further glass breakage, repair openings in fence and paint exterior.

Mr. Blanchette made a motion to condemn 553 Julia Street and give the property owner 60 days to bring into compliance by securing all building openings with plywood on the exterior, repair damage to fence and paint exterior; seconded by Mr. Beach. Motion passed unanimously upon roll call 5-0.

C2010-0623: Frederick Klein 500 Wayne Ave

Consideration from Building Department to demolish a residential structure at 500 Wayne Avenue due to unsafe or dilapidated condition as per Article X, §26-796 of the New Smyrna Beach City Code of Ordinances.

Al Sanford Life Estate was present and sworn in for testimony.

Mr. Heer asked staff for a recommendation.

Mr. Knotek testified that Mr. Klein has requested an extension for to obtain prices to repair structure and a price from the City for demolition. Mr. Knotek further testified that DBI Demolition has taken measurements to provide an estimate for demolition. Mr. Knotek recommends to continue this case until the January 20, 2011 meeting.

Discussion ensued among staff and the Board regarding the portion of the building that was fire damaged extent of the fire damage, if building has been condemned, the amount of debris that still needs to be removed and if the property owner will have a plan for the future of the building.

Gary Sanford was present and sworn in for testimony.

Mr. Sanford stated he was familiar with the property and has been working on cleaning up the property. Mr. Sanford further stated he understands it is taking time and is working and quickly as possible to remove the debris.

Mr. Clark made a motion to continue case C2010-0623 until the January 20, 2011 and for the property owner to provide a plan for the future of the building; seconded by Mr. Beach. Motion passed unanimously upon roll call 5-0.

VI. NEW BUSINESS

VII. COMMENTS FROM BOARD MEMBERS AND STAFF:

Mr. Heer asked Staff for an update to cases from the October 21, 2010 meeting.

Mr. Knotek provided an update on the following cases:

C2008-1135: 2105 Saxon Drive – Property has been sold in a tax auction and the new owner contacted the City. Mr. Knotek stated the owner has secured the pool and give the owner 60 days to complete a study for renovations or demolition.

C2010-0625: 1907 S Atlantic Avenue – The structure has been demolished.

C2010-0624: 640 Dora Street – Demolition crew moved equipment to site and will start demolition on November 19th. The structure should be demolished by Thanksgiving.

C2010-0619: 331 Canal Street – The asbestos removal has been completed and demolition is scheduled to start the week after Thanksgiving and should be completed by the end of the year.

C2010-0618: 541 Charlovix Street – The City will complete a Purchase Order to demolish the structure and lien the property.

C2010-1045: 122 ½ Railroad Street – Community Redevelopment Agency (CRA) is purchasing the property from Mr. Mitchell and will demolish the structure.

C2010-1046: 545 Washington Street – This case was continued until January 20, 2011.

C2010-1047: 512 Ronnoc Lane – The structure has been demolished.

C2010-1180: 428 N Myrtle Avenue – The property owner has given the City authorization to demolish the structure. The City is completing a Purchase Order for the demolition.

C2010-1043: 312 N Myrtle Avenue – One of the property owners will have the funds by the end of the month to have the structure demolished.

C2010-1139: 144 S Timberlane Drive – The Developer contacted the City for a price to demolish the structure.

C2010-1177: 2275 Eslinger Drive – Centex Development requested a price to demolish the structure.

C2010-1176: 1401 Canal Street – This case was continued until January 20, 2011.

C2010-1182: 2601 S Atlantic Avenue – This case was continued until January 20, 2011.

C2010-1178: 1118 Live Oak Street – The City has received no response from the property owner so the City will have the demolition contractor provide and estimate to demolish the front porch, garage in rear and remove propane tank.

VIII. ADJOURNMENT:

Mr. Clark made the motion to adjourn; seconded by Mr. Beach. All agreed and the hearing adjourned at 7:25 pm.