

**MINUTES
CITY OF ORMOND BEACH
QUALITY OF LIFE ADVISORY BOARD
REGULAR MEETING**

April 1, 2015

6:00 PM

**City of Ormond Beach
Training Room
22 South Beach Street
Ormond Beach, Florida**

1) Call to Order

Dr. Shapiro called the meeting to order at 6:00 p.m.

Members present were: Debbie Berner, Julianne Blanford, William Masters, Troy Railsback and Dr. Philip Shapiro. Excused were Brian Nave and Kathy Page.

Others present were: City Manager Joyce Shanahan, Recording Secretary Shá Moss and Observer reporter Wayne Grant.

2) Approval of Minutes – March 5, 2015

Ms. Berner moved seconded by Mr. Masters to accept the minutes of the March 5, 2015, meeting. The motion passed unanimously.

3) Property Maintenance Code Deficiencies

Dr. Shapiro stated people moved to Ormond Beach primarily for the quality of life and if areas become blighted and run down, families don't appreciate it and it hurts growth, investments and the tax base. He noted there are certain properties that have issues that need to be addressed.

Ms. Shanahan reviewed the power point presentation. She asked the Board for guidance in the direction the code of ordinance should take.

What Do we regulate?

Conditions:

- Accumulation of junk, trash and debris

- Tall grass and weeds (over 12" high)
- Outside storage of personal property
- Trash cans visible from the street
- Boats/Motor homes and Trailers visible longer than 72 hours
- Illegal signs: portable, billboards, snipes, wind, human directional, animated, balloons and other inflatables (only when permitted), banners (only when permitted)
- Inoperable vehicles
- Home occupation (no signage permitted)
- Commercial vehicles in residential neighborhood
- Accessory structure in front yard (play house/storage sheds)

What DON'T we regulate?

Conditions

- Tree maintenance
- Vines encapsulating a home
- Overgrown shrubbery
- Structure maintenance: peeling paint, roofs in disrepair or holes in a roof, hanging gutters, deteriorated fascia and siding, mildew
- Boarded windows
- Green pools/water conditions
- Failing garage doors
- Interior of structure including no heat, no air-conditioning, mildew, electrical, bad plumbing, improper ventilation, holes in flooring, etc.

Next Steps?

- Determine the types of issues/conditions that the committee feels are important to regulate.
- Examine and compare property maintenance standards from other communities.
- Develop recommendations to provide to the Commission on property maintenance issues.

Ms. Shanahan stated the goal of code enforcement is compliance and not to penalize. She noted the issue was property rights, because people have the right to maintain their property how they want, but some people don't want to live next door to someone that doesn't take care of their property. She noted there was not much support to regulate the interior of homes.

Ms. Shanahan noted the City has a foreclosure registry that lists the banks and the property owners so that the property can be mowed and other repairs can be done.

Dr. Shapiro asked whether a neglected pool could it be drained.

Ms. Shanahan stated the problem with draining pools is that you risk the possibility of them popping out of the ground. She noted if there was a mosquito issue because of the water, Volusia County can be contacted and spray and tablet can be used to control the mosquitoes.

Mr. Railsback stated whatever the City obligates to do it obligates financially and in perpetuity for all other properties in the city; just for one property owner to be served

Dr. Shapiro stated curb appeal affects the value of a neighborhood.

Ms. Shanahan stated the majority of complaints were regarding peeling paint, hanging gutters, tall shrubbery, and things of that nature so there would probably be support from the community. She stated what the Board would do was develop codes so that citations can be issued. If they were absentee owners or the home owner did not have the financial means, after they are advised of the violation; a citation was issued after a period of time to appear before the Special Magistrate. Time could be extended or a lien would be placed on the property and the property could still not be in compliance. Ms. Shanahan noted that you cannot foreclose on a homestead property in Florida for liens.

Ms. Berner agreed that the aesthetics were important so to not affect the property value.

Mr. Masters stated safety and aesthetics were important, but what are the steps to enforce them.

Ms. Blanford stated that it looked as though the property owners were only doing the minimum requirements as far as upkeep was concerned.

Ms. Shanahan noted that a lot of the homes were in foreclosure.

Dr. Shapiro stated that the City didn't want to appear to be zealous or extremist but don't want to look as though the City doesn't have a proper code. He stated that if the City could mow a lawn and add it to the water bill, then the other things should be able to be done to keep up property values.

Ms. Shanahan stated that the City could afford to do that.

Mr. Railsback stated that when the property gets mowed on behalf of the City, it is because the property would start accruing a fine. For example, if there is an issue with the roof, it will accrue fines and most times the bank will come to the City wanting to negotiate and fix the repairs in return for removing the fines.

Ms. Shanahan asked whether the Board wanted her to compile a list of what other surrounding cities do regarding their code violations. She suggested having someone from Code Enforcement attend the next meeting.

Mr. Railsback asked that the commercial properties be addressed as well. He also agreed that if the property owner could mow the grass then their responsibility should be to also maintain the trees and the shrubbery.

The Board agreed that the violations should be addressed through a code change.

Ms. Shanahan pointed out that just because a fine structure would be in place didn't mean that things would change. She noted that some people made bad decisions and didn't have the financial resources to do what was necessary.

Ms. Berner asked whether there could be stricter codes in the gateways and thoroughfare areas.

Ms. Shanahan agreed that would be good to have different standards for those areas.

Ms. Shanahan stated once a month she does field work with the various City departments and last month she worked with the code enforcement department. She talked about the condition of a home on beachside and noted that the house was not a total wreck but it was not someplace you wanted to live next to. She also stated the code officer made suggestions of places where he could seek assistance and advised him of the violation process should he not comply.

Dr. Shapiro ~~asked~~ stated when you by a deed restricted property are you given the bylaws. He asked whether you are given anything when you by a property outside of the deed restricted area, does the buyer receive any information regarding what is expected as a homeowner as far as codes are concerned.

Ms. Shanahan stated she was not aware of that process.

Dr. Shapiro stated that they should receive a list of the ordinances as part of the purchasing process, and have to sign that it was received.

Ms. Shanahan stated currently the City does not have the codes in place to regulate the homeowner to do certain things on their property.

Ms. Berner agreed that code changes needed to be made.

Ms. Shanahan stated that they would put information together in categories, such as structural, property and landscape maintenance as well as give examples of what other neighboring cities are doing for guidance. She noted that they would discuss this for a few months prior to making changes to the code.

Ms. Shanahan stated things are starting to improve in the area. The demand forces people to clean up their property and/or sell it because it is more valuable. She noted they were focusing on the US1 corridor with FDOT and received a landscaping grant.

She stated most of the property was just annexed in the City and there is an interlocal service boundary agreement with the County.

Ms. Shanahan stated the City was working with the merchants on US1 regarding an itinerant merchant license process for Bike Week. This means that those businesses that have a permanent structure on their property would be allowed to continue the itinerant Bike Week activity. If it is a vacant property, they are going to be amortized over a five year period unless they have improved the property and ~~positioned~~ petitioned the Commission or they would not be allowed to continue those activities.

Dr. Shapiro asked whether we could get information from the Legal Department on having property owners sign an acknowledgement that they received the material regarding City codes. They should be aware before the purchase of what the City's standards are. He noted that way they would not be able to say that they were unaware of any violations.

Ms. Shanahan asked after the document is sign, who would maintain and monitor it. The City would still give the homeowner the opportunity to correct the violation.

Ms. Shanahan stated she received good direction from the Board and it was a great discussion. She stated staff would probably work on grouping the issues and bring it back to the Board.

4) Member Comments

None

5) Adjournment – Next Meeting – May 7, 2015

The meeting adjourned at 7:05 p.m.

Respectfully submitted,

Shá Moss, Recording Secretary

ATTEST:

Dr. Philip J. Shapiro, Chairman

Property Maintenance Code Deficiencies



Quality of Life Board
Regular Meeting
April 1, 2015

What DO we regulate?

Conditions:

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What DON'T we regulate?

Conditions:

- Tree maintenance
- Vines encapsulating a home
- Overgrown Shrubbery
- Structure maintenance: peeling paint, roofs in disrepair or holes in a roof, hanging gutters, deteriorated fascia and siding, mildew
- Boarded windows
- Green pools/water conditions
- Failing garage doors
- Interior of structures including no heat, no air-conditioning, mildew, electrical, bad plumbing, improper ventilation, holes in flooring, etc.

11 Carmel Ter. – Zone 1



Issues:

- Tarp on Roof
- Boarded Windows
- Leaning Mailbox
- Shrubs
- Debris

5/13/2015

1561 N. US 1 – Zone 1



Issues:

- Closed Business
- Missing Panels
- Wooden Sign Attached

1561 N. US 1 – Zone 1



Issues:

- Closed Businesses
- Awning Ripped
- Signs still in windows
- Buildings need general maintenance

5/13/2015

204 N. Ridgewood Ave. – Zone 2



Issues:

- Boarded Windows
- Property Not Secured
- Roof in Disrepair
- General Property maintenance
- Overgrown Shrubs

204 N. Ridgewood Ave. – Zone 2



Issues:

- Boarded Windows
- Property Not Secured
- Roof in Disrepair
- General Property maintenance
- Overgrown Shrubs

220 E. Granada Blvd. – Zone 2



Issues:

- Boarded Windows in Central Business District
- Peeling Paint

539 S. Yonge St. – Zone 2



Issues:

- Boarded Windows
- Peeling Paint
- Roof Collapsing

100 W. Granada Blvd. – Zone 2



Issues:

- Boarded Windows
- Peeling Paint
- Roof in bad condition
- Murals?

445 S. Atlantic Ave. – Zone 2



Issues:

- Painting incomplete



5/13/2015

600 S. Atlantic Ave. – Zone 2



Issues:

- Boarded Windows, Ripped Awning, Roof Structure failing, Peeling Paint, Old Sign in disrepair

211 S. Halifax Dr. – Zone 2



Issues:

- Can't require removal of dead trees
- (Tree is now gone)

503 Lake Bridge Dr. – Zone 3



Issues:

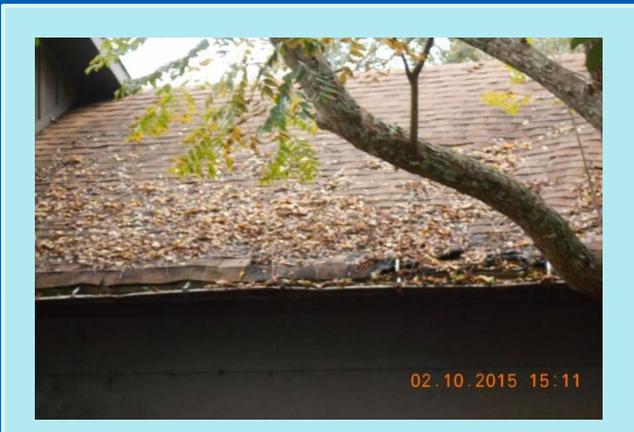
- Overgrown trees and shrubs
- Roof and Paint in poor condition
- Abandoned House but not in foreclosure
- Condo/Townhome – shared roof

19 Iroquois Trl. –Zone 3

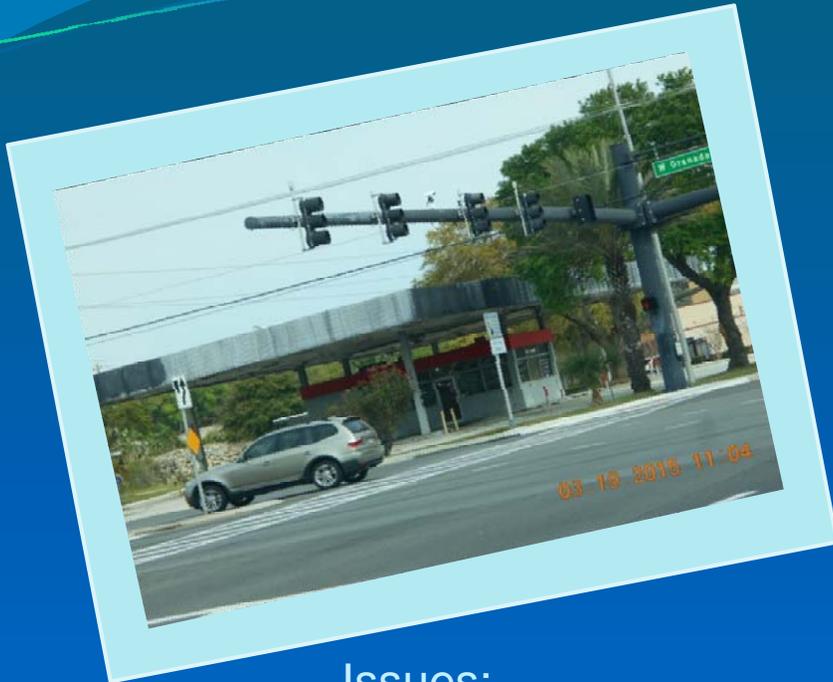


Issues:

- Don't regulate maintenance of trees
- Overgrown shrubs
- Roof in bad condition



Old Texaco @ 10 N. Nova Rd. – Zone 4



Issues:

- Paint in poor condition
- Boarded up windows
- Abandoned Commercial Building



26 Aston Cir. – Zone 4



Issues:

- Garage door failing
- Junk and Debris accumulation

Next Steps?

- Determine the types of issues/conditions that the committee feels are important to regulate.
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