Special Magistrate Meeting Minutes

Wednesday, March 12, 2025

A. Call to Order

1. Roll Call

2. Approval of Minutes

B. New Cases

1. Case No. 24-32
Respondent: David and Stephanie Bailey
Address of Property: 137 Bahama Blvd.
Parcel ID#: 25-37-03-79-*-20
Legal Description: COCOA ISLES 5TH ADDN REPLAT LOT 20

Code Section/Violations: Chapter 13 - LICENSES AND BUSINESS TAXES. Sec. 13-2. - License/permit required. Anyone who maintains a business location within the city shall first procure a license from the occupational license administrator by paying the amount of license fee provided therefore.

ARTICLE II. - VACATION RENTAL REGISTRATION. Sec. 26.5-21. - Registration required. Every vacation rental owner shall register with the City of Cocoa Beach. The operation of a vacation rental without registration after the date registration is required shall be a violation of this ordinance.

Sec. 26.5-53. - Maximum occupancy based on site capacity/limitations/grandfathering/previous rentals. (a) The maximum occupancy of a vacation rental shall be stated in the vacation rental registration form, and shall be limited to the lesser of: (1) Two (2) occupants (as defined herein) per bedroom (as defined herein), plus two (2) occupants. (2) A total of eight (8) occupants per vacation rental.

Case dismissed as the Respondent came into compliance.

2. Case No. 24-317
Respondent: K Gene Harris
Address of Property: 126 E Gadsden Ln.
Parcel ID#: 24-37-35-CJ-22-12
Legal Description: COCOA OCEAN BEACH SUBD REPLAT NO 1 LOT 12 BLK 22

Code Section/Violations: Chapter 13 - LICENSES AND BUSINESS TAXES. Sec. 13-2. - License/permit required. Anyone who maintains a business location within the city shall first procure a license from the occupational license administrator by paying the amount of license fee provided therefore.

ARTICLE II. - VACATION RENTAL REGISTRATION. Sec. 26.5-21. - Registration required. Every vacation rental owner shall register with the City of Cocoa Beach. The operation of a vacation rental without registration after the date registration is required shall be a violation of this ordinance.

Sec. 26.5-53. - Maximum occupancy based on site capacity/limitations/grandfathering/previous rentals. (a) The maximum occupancy of a vacation rental shall be stated in the vacation rental registration form, and shall be limited to the lesser of: (1) Two (2) occupants (as defined herein) per bedroom (as defined herein), plus two (2) occupants. (2) A total of eight (8) occupants per vacation rental.

Case dismissed as the Respondent came into compliance.

3. Case No. 24-319
   Respondent: Bayview Capital Group LLC
   Address of Property: 329 Cedar Ave.
   Parcel ID#: 25-37-10-75-*-61
   Legal Description: CONVAIR COVE LOT 61

Code Section/Violations: Chapter 13 - LICENSES AND BUSINESS TAXES. Sec. 13-2. - License/permit required. Anyone who maintains a business location within the city shall first procure a license from the occupational license administrator by paying the amount of license fee provided therefore.

ARTICLE II. - VACATION RENTAL REGISTRATION. Sec. 26.5-21. - Registration required. Every vacation rental owner shall register with the City of Cocoa Beach. The operation of a vacation rental without registration after the date registration is required shall be a violation of this ordinance.

Sec. 26.5-53. - Maximum occupancy based on site capacity/limitations/grandfathering/previous rentals. (a) The maximum occupancy of a vacation rental shall be stated in the vacation rental registration form, and shall be limited to the lesser

of: (1) Two (2) occupants (as defined herein) per bedroom (as defined herein), plus two (2) occupants. (2) A total of eight (8) occupants per vacation rental.

Case dismissed as the Respondent came into compliance.

C. Compliance (Massey) Hearing

1. Case No. 24-245
   Respondent: Brendon Miller
   Address of Property: 162 Bimini Rd.
   Parcel ID#: 25-37-03-01-*-8
   Legal Description: COCOA ISLES 9TH ADDN SEC A LOT 8

   Code Section/Violations: Chapter 13 - LICENSES AND BUSINESS TAXES. Sec. 13-2. - License/permit required. Anyone who maintains a business location within the city shall first procure a license from the occupational license administrator by paying the amount of license fee provided therefore.

   ARTICLE II. - VACATION RENTAL REGISTRATION. Sec. 26.5-21. - Registration required. Every vacation rental owner shall register with the City of Cocoa Beach. The operation of a vacation rental without registration after the date registration is required shall be a violation of this ordinance.

   Code Enforcement Officer Danielle Crawford (Officer Crawford) presented the case to the Special Magistrate and submitted the packet as evidence, which was accepted. Officer Crawford relayed that the Respondent was substantially in compliance as he attempted to register the property as a vacation rental with the City, completing State and County registrations, submitted the City BTR and Registration, and scheduled the Fire Inspection. The windows did not meet the Fire Department's life safety requirements. The Respondent was no longer interested in completing the registration process and agreed to stop utilizing the home as a vacation rental. Officer Crawford requested that past owed fees for the vacation rental business tax receipt and registration be paid, and to dismiss any additional late fines. The Special Magistrate entered the Order.

D. Unfinished Business

1. Case No. 24-136
   Respondent: Rachael Aragon
   Address of Property: 645 S Atlantic Ave
   Parcel ID#: 25-37-14-DD-7-7

Legal Description: COCOA BEACH LOT 7 RESUBD BLK 7

Code Section/Violations: Chapter 13 - LICENSES AND BUSINESS TAXES. Sec. 13-2. - License/permit required. Anyone who maintains a business location within the city shall first procure a license from the occupational license administrator by paying the amount of license fee provided therefore.

ARTICLE II. - VACATION RENTAL REGISTRATION. Sec. 26.5-21. - Registration required. Every vacation rental owner shall register with the City of Cocoa Beach. The operation of a vacation rental without registration after the date registration is required shall be a violation of this ordinance.

Sec. 26.5-53. - Maximum occupancy based on site capacity/limitations/grandfathering/previous rentals. (a) The maximum occupancy of a vacation rental shall be stated in the vacation rental registration form, and shall be limited to the lesser of: (1) Two (2) occupants (as defined herein) per bedroom (as defined herein), plus two (2) occupants. (2) A total of eight (8) occupants per vacation rental.

Officer Crawford presented the case to the Special Magistrate and stated that the Respondent had requested the Special Hearing for potential lien reduction. The Respondent confirmed Officer Crawford's statements and cited her hardships for needing a lien reduction. The Respondent stated that she is in contract to sell the property for $2.6 million and had a $2.3 million mortgage to pay off.

Officer Crawford stated the lien currently totaled $70,000. The Respondent argued that the violations only occurred for fifty (50) days and that the lien should only amount to $37,500. Officer Crawford acknowledged some past errors in documentation and confirmed the City would accept a lien reduction of $37,500 to help facilitate the sale of the property.

The Special Magistrate accepted the agreement and entered the lien of $37,000 into Order, and stipulated that the lien be paid in full within thirty (30) days or that the lien would revert to $70,000.

Special Magistrate Meeting Minutes

Wednesday, March 12, 2025

Adjournment
The Meeting Adjourned at 9:27 A.M.

X Danielle Crawford

Danielle Crawford
Code Enforcement Officer

X

Lonnie Groot
Special Magistrate