

CITY OF COCOA BEACH
CODE ENFORCEMENT SPECIAL MAGISTRATE
MINUTES
July 9, 2025

A. Call to Order

Mr. Lonnie Groot, Special Magistrate, explained the process of a Magistrate meeting.

1. Roll Call
2. Approval of Minutes

B. New Cases

1. **Case No. 24-191** - Violations of Section 3-31 (G) - Swimming pools and required enclosures, City of Cocoa Beach Code of Ordinances; 515.29 Residential swimming pool barrier requirements, Florida Statutes and Constitution; Section 3-32 - Fences and walls, City of Cocoa Beach Code of Ordinances; Sec. 5-23 - Abandoning vessels, City of Cocoa Beach Code of Ordinances; Sec. 15-23.1 - Nuisance; designated personal property under certain conditions, City of Cocoa Beach Code of Ordinances; (185 Bahama Blvd.) Michael Linthicum, Property Owner.

Ms. Danielle Crawford, Code Enforcement Officer, presented her evidence vs the respondent. A PowerPoint and packet was offered into evidence. She stated that the issue is with the fence. Mr. Linthicum stated that the surveyors he contacted wouldn't return his phone calls and had not been able to find anyone that would work for him.

Ms. Crawford shared the staff recommendation to give time for the survey application until August 9th, 2025. If failure to comply, there will be a \$100 fine and \$50 a day thereafter. Mr. Linthicum requested assistance in finding a surveyor. He stated he would get a survey first, then would contact a fence company. Stated a previous surveyor stated they wouldn't do it with a lack of permits. Ms. Crawford clarified that only the permits have to be in by August 9th, 2025. Mr. Linthicum shared a history of his property and previous fences. Mr. Lonnie Groot stated that Mr. Linthicum is in violation and accepted the staff's recommendation and put it into order.

2. **Case No. 25-73** - Violations of Section Sec. 26.5-21. - Registration required, City of Cocoa Beach Code of Ordinances; Sec. 13-2. - License/permit required, City of Cocoa Beach Code of Ordinances; (166 N Orlando Ave) J Russell Buchanan, Property Owner.

The respondent has complied, and this case does not need to be heard.

3. **Case No. 25-91** - Violations of Section Sec. 26.5-21. - Registration required, City of Cocoa Beach Code of Ordinances; Sec. 13-2. - License/permit required, City of Cocoa Beach Code of Ordinances; (300 S Orlando Ave) Michael Saracco, Property Owner.

Mr. Saracco did not attend the meeting. Ms. Brooke Oxrieder, Code Enforcement Officer, presented evidence against the respondent and shared the staff's recommendation to bring the property into compliance by August 9, 2025, with a \$100 fine and a \$50 daily fine after that date. Mr. Groot clarified that the maximum

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initial fine allowed for a BTR is \$250 and found the respondent in violation of two code sections. He ordered the staff's recommended action and noted that an additional order for a Business Tax Receipt with a \$250 fine would also need to be proposed.

C. Compliance (Massey) Hearing

1. **Case No. 24-143** - Violations of Section PERMITS [A] 105.1 Required, Florida Building Code; INSPECTIONS [A] 110.1 General, Florida Building Code; Section 304.1 General, International Property Maintenance Code; Section 304.6 Exterior walls, International Property Maintenance Code; 304.13 Window, International Property Maintenance Code; Section 303.1 Swimming pools, International Property Maintenance Code; (123 Sunset Dr.) Kathleen Behrmann, Property Owner.

Ms. Crawford presented evidence, noting that all issues except the pool had been resolved. Ms. Pearson, speaking for Ms. Behrmann, explained that pool pumps were purchased but electrical issues prevented their use, and that windows and roof were prioritized before resurfacing the pool. The windows would be completed in about 2–2.5 weeks, after which the pool pump could run once power stabilized. Ms. Behrmann submitted a letter outlining difficulties with repairs and a proposed timeline for compliance, requesting no fine and offering to secure the location with a lock. Ms. Crawford referenced a prior discussion recommending a retroactive fine starting June 20, 2025. Mr. Brian Palmer, Deputy Director, stated that permits were in place for all violations except the pool, which still needed cleaning, and that the city would not extend time but would consider reducing the lien. Mr. Groot emphasized that the pool is a public safety issue, and Mr. Brian Palmer, Deputy Director, suggested contacting a pool company for help to bring the pool into compliance. Ms. Behrmann confirmed daily work was ongoing. Discussion included whether emptying or covering the pool would resolve the issue, but Mr. Groot found the pool violation unresolved. Mr. Groot ordered a retroactive fine starting June 20, 2025, at \$100 for the first violation and \$50 per day thereafter, while noting the city is open to reducing the accumulated fine once compliance is met.

2. **Case No. 25-46** - Violations of Section PERMITS [A] 105.1 Required, Florida Building Code; INSPECTIONS [A] 110.1 General, Florida Building Code; Section 10-5. - Accumulation and disposal, City of Cocoa Beach Code of Ordinances; Section 10-22 Enumerated conditions prohibited, declared nuisance; notice of violations, penalty, City of Cocoa Beach Code of Ordinances; Section 302.1 Sanitation, International Property Maintenance Code; Section 304.5 Foundation walls, International Property Maintenance Code; Section 304.6 Exterior walls, International Property Maintenance Code; Section 309.1 Infestation, International Property Maintenance Code; (1350 S Atlantic Ave) Mary Goldcamp, Property Owner.

The respondent has complied, and this case does not need to be heard.

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D. Adjournment

The meeting adjourned at 9:51 A.M.

X

Danielle Crawford
Code Enforcement Officer

X



Lonnie Groot
Special Magistrate