CODE ENFORCEMENT BOARD MEETING
Wednesday, February 10, 2016 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIENCE

3. PRELIMINARY MATTERS

A) Adoption of Minutes – January 13, 2016
B) Agenda Additions, Deletions and Adoption

4. UNLICENSED CONTRACTORS/CITATIONS

5. EVIDENTIARY HEARINGS

A) Citation Appeals

1. CASE #15-CE-1747 / 1825
VIOLATOR: Kenn Davin
VIOLATION: Unlicensed contracting; failure to apply for a building permit
VIOLATION ADDRESS: 1602 36th Avenue, Vero Beach, Florida 32960

2. CASE #15-CE-1748 / 1827
VIOLATOR: Jerry Yearwood
VIOLATION: Unlicensed contracting
VIOLATION ADDRESS: 1602 36TH Avenue, Vero Beach, Florida 32960

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #15-CE-1146 / 787M
VIOLATOR: Francisco Flores (Guzman)
VIOLATION: Fence installed without code compliance from the City of Vero Beach Planning and Development Department or a building permit from the Indian River County Building Department
VIOLATION ADDRESS: 3 Lamplighter Lane, Vero Beach, Florida 32960
(Paid $50.00 Civil Penalty)

(Case was Continued from the December 9, 2015 & January 13, 2016 Hearing)

b. **CASE #15-CE-6189 / 0840T**
VIOLATOR: Phyllis F. (Collins) Duffey
VIOLATION: Grass, weeds, and undergrowth in excess of 12 inches
VIOLATION ADDRESS: 1455 15th Avenue, Vero Beach, Florida 32960
(New Property Owner)

c. **CASE #15-CE-6204 / 0818T**
VIOLATOR: Betty Smith
VIOLATION: Reroof and fascia work without a permit
VIOLATION ADDRESS: 1745 41st Avenue, Vero Beach, Florida 32960
(Paid $50.00 Civil Penalty)
(Case Continued from January 13, 2016 Hearing)

d. **CASE #15-CE-6009 / 742T**
VIOLATOR: First Choice Healthcare, LLC; Dr. Neal Abarbanell
VIOLATION: Weeds, grass, and undergrowth in excess of 12 inches; unlicensed/inoperable vehicle
VIOLATION ADDRESS: 1867 20th Avenue, Vero Beach, Florida 32960
(Requesting a reduction in civil penalties)

e. **CASE #15-CE-6060 / 752M**
VIOLATOR: Venetian Apartments/Kraig Vann Pyle
VIOLATION: Construction without a permit
VIOLATION ADDRESS: 2545 Indian River Boulevard, Vero Beach, Florida 32960

f. **CASE #15-CE-6145 / 0798T**
VIOLATOR: Samuel W. and Kim High
VIOLATION: Property is overgrown in excess of 12" and has a large tree dead that has fallen onto the lot
VIOLATION ADDRESS: 1925 22nd Avenue, Vero Beach, Florida 32960

g. **CASE #15-CE-6246 / 793M**
VIOLATOR: Judith Trage
VIOLATION: Weeds, grass, or undergrowth at a height of more than 12 inches; dead tree in the back yard; garbage and trash in the back and front yards; non-operable vehicle in the front yard

VIOLATION ADDRESS: 1030 27th Street, Vero Beach, Florida 32960

h. **CASE #15-CE-6227 / 0851T**
VIOLATOR: David M. Millner
VIOLATION: Operation of a business entity without issuance of a business tax receipt
VIOLATION ADDRESS: 726 Hibiscus Lane, Vero Beach, Florida 32963

i. **CASE #15-CE-6276 / 0871T**
VIOLATOR: Titone Properties, LLC / Mark Titone
VIOLATION: Extensive trash and debris accumulated along rear property line and drainage area
VIOLATION ADDRESS: 1926 40th Avenue, Vero Beach, Florida 32960

j. **CASE #15-CE-3315 / 0864T**
VIOLATOR: Andrew F. Zaleski
VIOLATION: Home occupation without active business tax receipt; parking and signage of vehicle
VIOLATION ADDRESS: 1912 26th Avenue, Vero Beach, Florida 32960

6. OLD BUSINESS

7. ADMINISTRATIVE MATTERS

8. CLERK'S MATTERS

9. ATTORNEY'S MATTERS

10. CHAIRMAN'S MATTERS

11. MEMBER'S MATTERS

12. ADJOURNMENT

This is a Public Meeting. Should any interested party seek to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City's Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.

CODE ENFORCEMENT BOARD MINUTES
Wednesday, January 13, 2016 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

PRESENT: Vice Chairman, Kirk Noonan; Members: Suzanne Shell, Frank Pizzichillo, Jeffrey McGann, Stephen McDonald, Herbert Whittall and Christopher Bryant **Also Present:** City Attorney, Wayne Coment; Code Enforcement Officer, Tom Ramsey; Code Enforcement Officer, Melody Sanderson and Deputy City Clerk, Sherri Philo

1. CALL TO ORDER

Today's meeting was called to order at 2:00 p.m.

2. PLEDGE OF ALLEGIENCE

The Vice Chairman led the Board members and the audience in the Pledge of Allegiance to the flag.

The Deputy City Clerk swore in staff and members of the audience en masse.

3. ELECTION OF OFFICERS

A) Chairman

Mr. Pizzichillo nominated Mr. Kirk Noonan for Chairman of the Code Enforcement Board. There were no other nominations. Mr. Kirk Noonan was unanimously appointed Chairman of the Code Enforcement Board.

B) Vice Chairman

Mr. McGann nominated Mr. Frank Pizzichillo for Vice Chairman of the Code Enforcement Board. There were no other nominations. Mr. Frank Pizzichillo was unanimously appointed Vice Chairman of the Code Enforcement Board.

4. PRELIMINARY MATTERS

A) Adoption of Minutes – December 9, 2015

Mr. Pizzichillo made a motion to adopt the minutes of the December 9, 2015 Code Enforcement Board meeting. Mr. Whittall seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Mr. Tom Ramsey, Code Enforcement Officer, pulled item 6-B) 1a – Aurelija Miseviclute from today's agenda. He reported that the property is in compliance and the civil penalty has

been paid. He then pulled items 6-B) 1d – John Anthony Laporte, 6-B) 1h – Fan To Yeung and 6-B) 1i - Ancel Brown from today's agenda.

Ms. Melody Sanderson, Code Enforcement Officer, pulled item 6-B) 1j – Michael Stiles from today's agenda. She reported that the property is in compliance and the civil penalty has been paid. She then pulled item 6-B) 1l – Anchor Commercial Bank from today's agenda. She reported that the property has a new owner and it has been brought into compliance. She also pulled item 6-B) 1n – Gerald Fulchini, Fulchini Enterprises, Inc., from today's agenda. She reported that the property has been brought into compliance and the civil penalty has been paid.

Ms. Sherri Philo, Deputy City Clerk, pulled items 6-A) 2 – Kenn Davin and 6-A) 3 – Jerry Yearwood from today's agenda. She reported that these cases will be heard at the February 10, 2016 Code Enforcement Board meeting.

Mr. Pizzichillo made a motion to adopt the agenda as amended. Mr. Whittall seconded the motion and it passed unanimously.

5. UNLICENSED CONTRACTORS/CITATIONS

None

6. EVIDENTIARY HEARINGS

*Please note that the following cases were not heard in the order presented on the agenda.

A) Citation Appeals

1. CASE #15-CE-6150 / 0817T
VIOLATOR: Aurelija Miseviclute
VIOLATION: Pine Trees and a Palm Tree removed without a permit
VIOLATION ADDRESS: 1834 24th Avenue, Vero Beach, Florida 32960

Mr. Ramsey reported that the property owner was cited for tree removal without a permit. He reported that the property owner did get an after the fact permit. He said the Planning and Development Department normally requires tree mitigation, but mitigation was waived because the trees were damaged. He explained that the citation with the civil penalty in the amount of $1,050.00 remains because even though the trees were damaged, a permit is still required. There is a cost of enforcement in the amount of $64.67.

Mr. Michael Merrill, Property Owner, reported that they purchased this home approximately six or seven months ago for a friend to live in. He said they were unable to get insurance because of the condition of the trees. He said one tree was about five-feet from the home and was lifting up the slab. The other two trees had trunks that were rotated over. He said while they were on the property with the insurance agent there was someone redoing their fence who stated that he knew a certified arborist who could take the trees down that weekend. He

said that not knowing they needed a permit was not an excuse and he was not going to use it as one. But, to prove that they didn't know they had another issue regarding the property and they called Code Enforcement to come and check on it while they had a front yard full of cut down trees. He said they called Ms. Gayle Lafferty, City Planner, and asked her to come and look at the situation and to explain it to them. She saw that the home was getting damaged by one tree and the other two were in danger of falling over. He asked the Board for a relief on the civil penalty.

Ms. Shell asked didn't the arborist know a permit was needed.

Mr. Merrill said that he called the arborist after the citation was issued and the arborist told him that he didn't know a permit was needed in this County as he normally works in the City of Sebastian. Mr. Merrill said if he had known a permit was needed he would have pulled one, but he was not going to use not knowing as a defense.

Mr. Pizzichillo asked how much does a permit cost.

Mr. Ramsey answered $40.00.

Mr. Wayne Coment, City Attorney, asked did they have to pay double the normal permit fee. He was told that they did.

Mr. Noonan asked were they quick to respond and take care of getting the after the fact permit.

Mr. Ramsey answered yes.

Mr. Pizzichillo felt that the property owners were on sound footing in the fact that they were told the trees had to come down. He thought there should be a small penalty for not pulling the permit, but not anywhere near the $1,050.00 cited.

Mr. Noonan agreed.

Mr. Whittall said they have paid a penalty in the fact that they had to pay double the permit fee of $40.00.

Ms. Sanderson clarified that the permit fee is $20.00. They paid $40.00, which is double the initial fee for the after the fact permit.

Mr. Pizzichillo made a motion that whatever costs were paid would be sufficient.

Mr. Coment said the Code Officer is entitled to recover the cost of enforcement.

Mr. Pizzichillo made that part of his motion. Mr. Noonan seconded the motion.

Mr. Coment explained that the Board would need to find that there was a violation and that it was corrected.

Mr. Pizzichillo asked Mr. Noonan to make the motion.

Mr. Noonan made a motion that the Board finds there was a violation, the violation has been corrected, and to issue a Board Order for payment for the cost of enforcement in the amount of $64.67 and that the double permit fee ($40.00) stand in place of the initial civil penalty. Mr. Pizzichillo seconded the motion and it passed unanimously.

2. CASE #15-CE-1747 / 1825
VIOLATOR: Kenn Davin
VIOLATION: Unlicensed contracting; failure to apply for a building permit
VIOLATION ADDRESS: 1602 36th Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

3. CASE #15-CE-1748 / 1827
VIOLATOR: Jerry Yearwood
VIOLATION: Unlicensed contracting
VIOLATION ADDRESS: 1602 36TH Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #15-CE-6151 / 0821T
VIOLATOR: Aurelija Miseviclute
VIOLATION: RV parked in residential area in required front yard
VIOLATION ADDRESS: 1834 24th Avenue, Vero Beach, Florida 32960

This item was removed from today's agenda.

b. CASE #15-CE-6206 / 2015/2496
VIOLATOR: William Joseph Brown
VIOLATION: Noise Ordinance
VIOLATION ADDRESS: 1103 21st Street, Vero Beach, Florida 32960

Mr. William Brown said that he accepts responsibility and that he would pay the civil penalty.

Mr. Coment said if the civil penalty is paid then the case would be closed.

c. CASE #15-CE-5770 / 569M
VIOLATOR: Justin Russell Flinchum / Randall Flinchum
VIOLATION: Accessory structure converted to residence without approval
VIOLATION ADDRESS: 2325 18th Avenue, Vero Beach, Florida 32960

Ms. Sanderson reported the property has changed hands and the new property owner, Ms. Sharon Flinchum has signed a compliance agreement with the City to bring the property in compliance by February 15, 2016. She said as far as this case is concerned, the civil penalties have been paid and the listed violators are in compliance.

Mr. Coment clarified that no action is needed by the Board for this case.

*Please note that there is a new case for this property with the violator being Ms. Sharon Flinchum.

d. CASE #15-CE-6034 / 0756T
VIOLATOR: John Anthony Laporte – c/o Trevor Laporte
VIOLATION: Construction and/or demolition without City of Vero Beach Planning and Development Department approval or Indian River County Building Department permitting; trash and debris
VIOLATION ADDRESS: 2103 17th Street, Vero Beach, Florida 32960

This item was pulled from today's agenda.

e. CASE #15-CE-1146 / 787M
VIOLATOR: Francisco Flores (Guzman)
VIOLATION: Fence installed without code compliance from the City of Vero Beach Planning and Development Department or a building permit from the Indian River County Building Department
VIOLATION ADDRESS: 3 Lamplighter Lane, Vero Beach, Florida 32960

Ms. Sanderson reported that this came before the Board at their December meeting. She said the fence was installed in Citrus Mobile Home Park and in order to apply for a building permit they have to get permission from Airport staff because it is Airport property. She said that she spoke with Airport staff and the trailer itself has changed hands. She requested that they continue this case for 30 days in order to give staff time to straighten out some issues with the ownership.

Mr. Coment noted that the Board issued an Order to Correct within 30 days at their last hearing.

Mr. Pizzichillo made a motion that the Board continues the Order to Correct for another 30 days. Ms. Shell seconded the motion and it passed unanimously.

f. CASE #15-CE-6138 / 779M
VIOLATOR: Viking Tree and Landscaping Services, LLC; Brian Rutherford; Jessica Cantlon
VIOLATION: Specimen trees (2) removed without tree removal permit
VIOLATION ADDRESS: 2076 Nevarra Avenue, Vero Beach, Florida 32960

Ms. Sanderson reported that Viking Tree and Landscaping Services, LLC, applied for the permit last week. It was her understanding that the permit would be approved and the Planning and Development Department was not requiring mitigation, which brings them in compliance. She reported that at last month's hearing the Board issued an order to correct and to pay the initial civil penalty of $1,000.00 and the cost of enforcement in the amount of $141.38. She asked the Board members if they would be willing to reduce the civil penalty to $500.00.

Mr. Pizzichillo thought that was a good suggestion.

Ms. Shell asked would the trees be replaced.

Ms. Sanderson answered no. She said the Planning and Development Department has waived mitigation.

Mr. Bryant made a motion that the Board keeps the civil penalty at $1,000.00 along with the cost of enforcement. He said they were hefty trees. He said this is a hard lesson to learn.

Ms. Sanderson was called to step out of the meeting to speak to Mr. Tim McGarry, Planning and Development Director. She reported to the Board that she was told the trees were dead, mitigation was not required, and there should not be a civil penalty.

Mr. Noonan asked is Mr. McGarry suggesting that they remove the civil penalty.

Ms. Sanderson thought that was correct.

Mr. Coment suggested that they call Mr. McGarry into the meeting.

Ms. Sanderson left the meeting to get clarification from Mr. McGarry.

At this time, the Deputy City Clerk swore in Mr. Brian Rutherford.

Ms. Sanderson entered back into the meeting and reported that mitigation was not required because the trees were dead.
Mr. Coment asked what was the position on the civil penalty.

Ms. Sanderson said it is at the Board's discretion.

Mr. Noonan felt that this case was similar to a previous case they heard today (Case #15-CE-6204).

Mr. Pizzichillo seconded the motion for discussion.

Mr. Pizzichillo said that he was torn because originally he agreed with reducing the civil penalty to $500.00. He said with no mitigation being required and the way the limbs and things were thrown into the right-of-way, he is going to have to think about it. He said that he could not vote yes or no at this point. He said the tree limbs did not look dead to him.

Mr. Bryant said that he remembered driving around and seeing this prior to him being on this Board and he could not believe that the City allowed the trees to be taken down. Now it has come up that the trees were dead, but the branches were green.

Mr. Pizzichillo said the civil penalty was $1,000.00 and the Code Officer suggested reducing it to $500.00. He suggested that they compromise and enforce the civil penalty of $750.00. Mr. Bryant said that he would agree with $750.00.

Mr. Bryant amended his motion that the Board imposes a reduced civil penalty in the amount of $750.00 along with the cost of enforcement. Mr. Pizzichillo seconded the amended motion and it passed 5-2 with Mr. Bryant voting yes, Mr. Whittall yes, Mr. McDonald no, Mr. McGann yes, Ms. Shell yes, Mr. Pizzichillo yes, and Mr. Noonan no.

Mr. Rutherford questioned appealing this case. He said the City stated that the trees were dead.

Mr. Coment explained that an appeal would go before the Circuit Court. He said that he could go before the City Council and request a reduction, but to appeal the action of the Board he would have to go to the Circuit Court.

g. CASE #15-CE-6204 / 0818T
VIOLATOR: Betty Smith
VIOLATION: Reroof and fascia work without a permit
VIOLATION ADDRESS: 1745 41st Avenue, Vero Beach, Florida 32960

Mr. Ramsey reported that the violation in this case has not been corrected and the civil penalty has been paid. He requested that the Board issue an order to pay the cost of enforcement in the amount of $51.10 along with continuing penalties of $50.00 a day commencing on December 5, 2015, the day following the compliance date.

Ms. Betty Smith said that she didn't know that she had to pay for a permit before she got a licensed roofer because the person that did the work was not licensed.
Mr. Coment asked if she has hired a licensed roofer.

Ms. Brown answered no.

Mr. Pizzichillo asked Ms. Brown when she would be getting a permit.

Ms. Brown said that she would go today.

Mr. Bryant asked Ms. Brown if she has selected a roofer.

Ms. Brown said that she had two (2) roofers come out to the property, but has not hired one yet because it is expensive. She said that she did pick up an application for the permit, but she did not fill it out because the person who did the work was not a licensed roofer.

Mr. Coment asked who was doing the work.

Ms. Brown said it was her niece's boyfriend.

Mr. Coment said that she, as the property owner, could do the work without being licensed.

Mr. Bryant explained to Ms. Brown that she could apply for a permit as an owner/builder. He said if the Building Department does not allow her to do it as an owner/builder then she would have to have a licensed roofer apply for the permit.

Mr. Pizzichillo asked was the entire roof taken off.

Ms. Brown answered no. She said a branch from an Oak Tree fell through the roof and it was leaking.

Mr. Noonan made a motion that the Board issues an order finding that there is a violation, that the violation is to be corrected by February 5, 2016 and to pay the cost of enforcement in the amount of $51.10. Ms. Shell seconded the motion and it passed unanimously.

h. CASE #15-CE-6220 / 0831T
VIOLATOR: Fan To Yeung and Zhengyi Wang
VIOLATION: Three (3) trees removed without a permit
VIOLATIONADDRESS: 456 19th Lane, Vero Beach, Florida 32960

This item was pulled from today's agenda.

i. CASE #15-CE-6160 / 0825T
VIOLATOR: Ancel Brown

VIOLATION: Many items of unstored goods or trash and debris located throughout the property
VIOLATION ADDRESS: 1915 18th Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

j. CASE #15-CE-6158 / 781M
VIOLATOR: Michael Stiles
VIOLATION: Shed constructed without Code Compliance or a building permit
VIOLATION ADDRESS: 2316 15th Avenue, Vero Beach, Florida

This item was pulled from today's agenda.

k. CASE #15-CE-6189 / 0840T
VIOLATOR: Phyllis F. (Collins) Duffey
VIOLATION: Grass, weeds, and undergrowth in excess of 12 inches
VIOLATION ADDRESS: 1455 15th Avenue, Vero Beach, Florida 32960

Mr. Ramsey reported that the property remains in violation and the civil penalty has not been paid. He requested that the Board issue an order to pay the cost of enforcement in the amount of $51.10 along with continuing penalties of $50.00 a day.

Mr. Noonan made a motion that the Board issues an order finding that there is a violation, that the violation continues to exist, to pay the initial $50.00 civil penalty, a cost of enforcement in the amount of $50.10, and a $50.00 continuing penalty (commencing on December 29, 2015, the day following the correction date). Mr. Pizzichillo seconded the motion and it passed unanimously.

l. CASE #15-CE-6232 / 791M
VIOLATOR: Anchor Commercial Bank
VIOLATION: Weeds, grass or undergrowth at a height of more than 12 inches
VIOLATION ADDRESS: 2365 16th Avenue, Vero Beach, Florida 32960

This item was pulled from today's agenda.

m. CASE #15-CE-6078 / 757M
VIOLATOR: Citimortgage / Cecil R. Bays
VIOLATION: Weeds, grass, or undergrowth at a height of more than 12 inches

VIOLATION ADDRESS: 2245 27th Avenue, Vero Beach, Florida 32960

Mr. Coment reported that this case was heard by the Board last month. He said the bank had a representative present at that meeting and their argument was that the bank should not be listed on the citation because they do not have possession of the property. He said after the meeting he spoke with the banks attorneys and agreed that they should not be listed. He explained that the bank does not have legal possession and are not obligated to take care of the property. He requested that the Board approve changing the order to only have the property owner, Mr. Cecil Bays, listed on the Board Order and to take Citimortgage off.

Mr. Pizzichillo made a motion that the Board approves changing the order to list only Mr. Cecil Bays and removing Citimortgage. Mr. McGann seconded the motion and it passed unanimously.

n. CASE #15-CE-6262 / 795M
VIOLATOR: Gerald Fulchini, Fulchini Enterprises Inc. and Digna Martinez
VIOLATION: Deck installed without Code Compliance Certification
VIOLATION ADDRESS: 1255 26th Street, Lot #2, Vero Beach, Florida 32960

This item was pulled from today's agenda.

7. OLD BUSINESS

None

8. ADMINISTRATIVE MATTERS

None

9. CLERK'S MATTERS

None

10. ATTORNEY'S MATTERS

None

11. CHAIRMAN'S MATTERS

None

12. MEMBER'S MATTERS

None

13. ADJOURNMENT

Today's meeting adjourned at 2:45 p.m.

/sp

5-A)1

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-1747

KENN DAVIN
Violator

Citation No.: 1825

TO: Kenn Davin
1602 36th Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [X] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):**

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

CITY OF VERO BEACH CONTRACTING CODE ENFORCEMENT CITATION

CITATION No. 1825

THE UNDERSIGNED CERTIFIES THAT upon personal investigation he/she has reasonable cause to believe, and does believe that on:

DAY OF WEEK	MONTH	DAY	YEAR	TIME	( ) a.m. / (✓) p.m.
WEDNESDAY	DECEMBER	30	2015	3:26	

CONTRACTING VIOLATOR INFORMATION

NAME (Print) FIRST: KEVIN M.I.: LAST: DAVIN

STREET: 1602 36th AVE

CITY: VERO BEACH STATE: FL ZIP CODE:

TELEPHONE NO. D.L. STATE D.L. NUMBER

OCCUPATION EMPLOYER

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

Demolition and concrete Pour without permits

CONTRACTING VIOLATION INFORMATION

VIOLATION DESCRIPTION: DEMOLITION AND CONSTRUCTION WITHOUT PERMITS. DRIVEWAY DEMO AND CONCRETE POUR

LOCATION OF VIOLATION: 1602 36th AVE VERO BEACH

(CHECK VIOLATION(S) THAT APPLY:

- ✓ Unlicensed contracting ..... $500 fine [City Code Section 22-86(a)]
- ____ Contracting advertisement violation ..... $500 fine [City Code Section 22-86(e)]
- ____ Licensed contractor or owner hiring unlicensed contractor(s) ..... $500 fine [City Code Section 22-86(f)]
- ____ Uninsured contractor violation ..... $500 fine [City Code Section 22-87]
- ____ Acts/Omissions ..... $500 fine [City Code Section 22-89]
- ✓ Failure to apply for building permit ..... $500 fine [City Code Section 22-106]
- ____ Other contracting violations specified in Chapter 489, Florida Stature ..... $500 fine [Code Section _____]

TOTAL FINE/CIVIL PENALTY ASSESSED: $ 1000 00

ISSUING CODE OFFICER/INSPECTOR INFORMATION

THIS CITATION IS ISSUED BY:
OFFICER NAME (Print): DAVID CHECHZ

AGENCY/DEPARTMENT: BUILDING DEPARTMENT

OFFICER SIGNATURE ISSUE DATE & TIME

WARNING NOTICE

This citation is issued pursuant to City of Vero Beach Ordinance No. 92-18 and Resolution 92-23. PAYMENT OF THE ABOVE CIVIL PENALTY MUST BE RECEIVED BY INDIAN RIVER COUNTY/VERO BEACH BUILDING DIVISION WITHIN IN TEN (10) DAYS (excluding weekends and holidays) of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing (within the above specified ten (10) days time frame) to appear before the City Code Enforcement Board to appeal the issuance of this Citation shall constitute a waiver of the right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly, in the form of a lien on real or personal property.

Additional citations may be issued for each day the applicable violation is found to exist.

WILLFUL REFUSAL TO SIGN AND ACCEPT THIS CITATION IS A MISDEMEANOR OF THE SECOND DEGREE PUNISHABLE UNDER F.S. 775.082 OR 775.083

X SIGNATURE OF INDIVIDUAL DATE

~~I WISH TO SEEK AN ADMINISTRATIVE REVIEW OF THE CHARGE~~

X SIGNATURE OF INDIVIDUAL DATE 12-30-2015

HEARING DATE: IF YOU SEEK AN ADMINISTRATIVE REVIEW, YOU ARE HEREBY NOTIFIED TO APPEAR for a hearing at the regular meeting of the City of Vero Beach Code Enforcement Board to occur on ~~Monday,~~ JANUARY 9 at ~~9:00 A.M.~~ 2:00 PM in the Council Chambers of the City Hall, 1053 20th Place, Vero Beach, Florida. Wednesday

PAYMENT OF FINE: Payment of the Civil Penalty may be made in person at the Building Division of the County Community Development Office, ~~1840 25th Street~~ 1801 27th ST, Vero Beach, FL 32960 (772-226-1800) Monday through Friday between 9:00 A.M. and 5:00 P.M., or by mailing a cashier's check or money order to said address, payable to Indian River County. DO NOT SEND CASH.

INDIAN RIVER COUNTY/CITY OF VERO BEACH
BUILDING DIVISION
1801 27th Street, Vero Beach, FL 32960 772 226-1260

2014 5th Edition Florida Building Code Section 115

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL

Date: 12/21/15
Location: 1602 36th ave, Vero Beach, FL
Permit Number: No permit

A STOP WORK ORDER is hereby issued at the above referenced location on this date for the following conditions:

1. **Demolition and concrete work without a permit.**

Work may resume at this location upon the following conditions being met:

1. **Work may resume when a permit is issued and posted on job site, and work completed by a licensed contractor.**

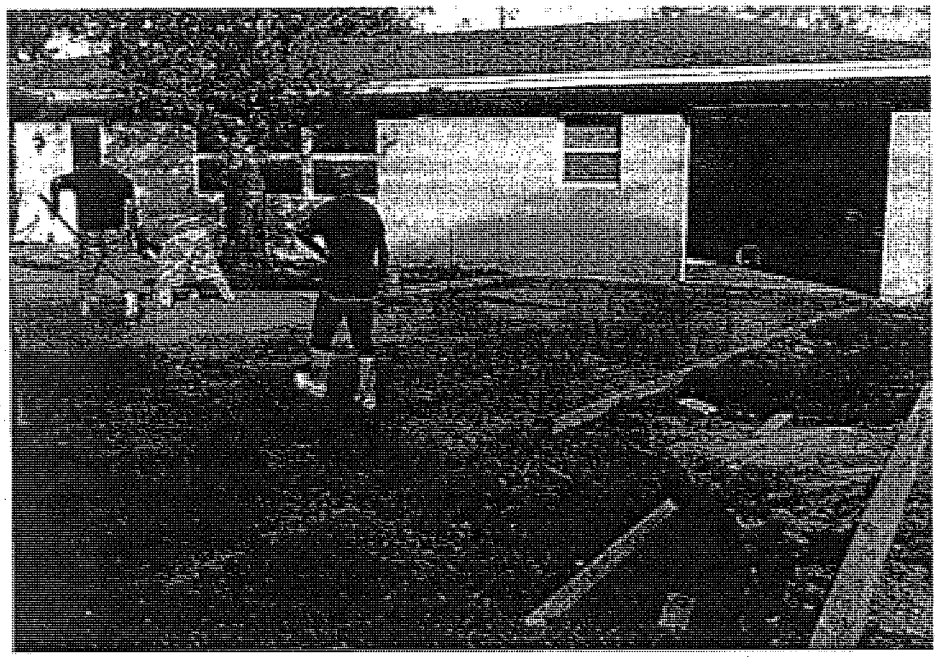
115.1 Authority.
Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.
115.2 Issuance.
The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
115.3 Unlawful continuance.
Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

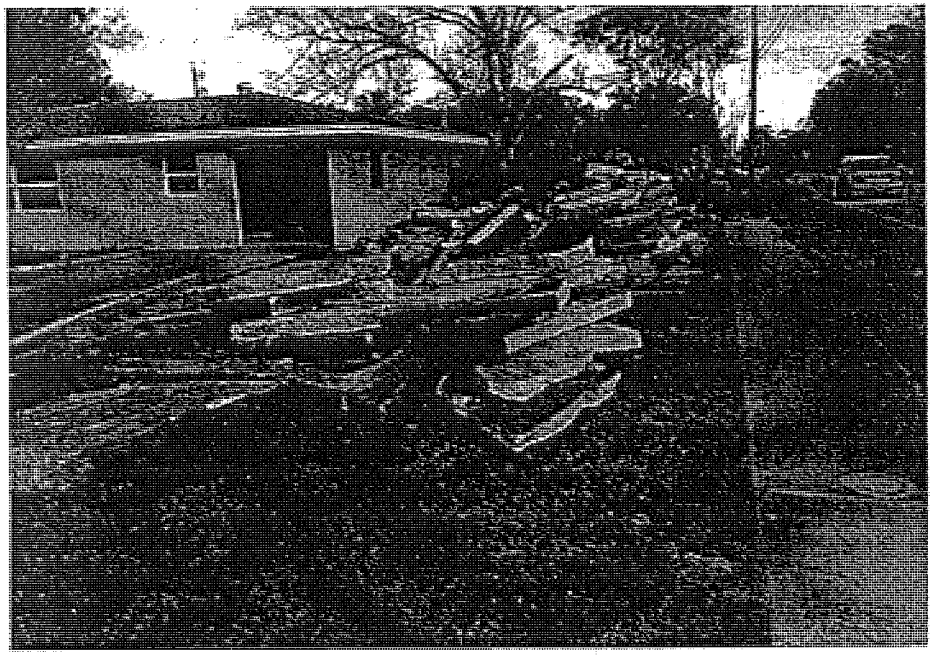
NOTICE OF RIGHT TO APPEAL: Any person or entity having any legal interest in the subject property may appeal this Notice and Order to the Indian River County Construction Board of Adjustments and Appeals or the City of Vero Beach Board of Building Appeals. Such appeal shall be in writing and filed with the Building Official within thirty (30) days from the date of service of this notice and must contain the following information: (1) Identification of the building or structure concerned by street address or legal description; (2) A statement identifying the legal interest of each appellant; (3) A statement identifying the specific order or section being appealed; (4) A statement detailing the issues on which the appellant desires to be heard; and (5) The legal signature of all appellants and their official mailing address.
FAILURE TO APPEAL IN THE TIME SPECIFIED WILL CONSTITUTE A WAIVER OF ALL RIGHTS TO AN ADMINISTRATIVE HEARING.

Further information regarding this Stop Work Order may be obtained by contacting the undersigned Building Official at 772-226-1260 or at the Building Department Office in the Indian River County Administration Building, 1801 27th Street, Vero Beach, Florida 32960.

By Investigator: David Checchi

Scott McAdam, CBO,MCP
Building Official





5-A)2

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-1748

JERRY YEARWOOD
Violator

Citation No.: 1827

TO: Jerry Yearwood
19319 Bowman Road
Brooksville, Florida 34610

AND

1602 36th Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [X] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):** _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960**.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

CITY OF VERO BEACH CONTRACTING CODE ENFORCEMENT CITATION

CITATION No. 1827

THE UNDERSIGNED CERTIFIES THAT upon personal investigation he/she has reasonable cause to believe, and does believe that on:

DAY OF WEEK	MONTH	DAY	YEAR	TIME	( ) a.m. (X) p.m.
WEDNESDAY	DECEMBER	30	2015	3:26	

CONTRACTING VIOLATOR INFORMATION

NAME (Print) FIRST: Jerry M.I.: LAST: YEARWOOD

STREET: 19319 BOWMAN RD

CITY: BROOKSVILLE STATE: FL ZIP CODE: 34610

TELEPHONE NO. D.L. STATE D.L. NUMBER

OCCUPATION EMPLOYER

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE:

UNLICENSED CONTRACTING.

CONTRACTING VIOLATION INFORMATION

VIOLATION DESCRIPTION: CONCRETE AND DEMO WORK WITHOUT A CONTRACTORS LICENSE

LOCATION OF VIOLATION: 1602 36th AVE

(CHECK VIOLATION(S) THAT APPLY:

- X Unlicensed contracting [City Code Section 22-86(a)] ..... $500 fine
- ___ Contracting advertisement violation [City Code Section 22-86(e)] ..... $500 fine
- ___ Licensed contractor or owner hiring unlicensed contractor(s) [City Code Section 22-86(f)] ..... $500 fine
- ___ Uninsured contractor violation [City Code Section 22-87] ..... $500 fine
- ___ Acts/Omissions [City Code Section 22-89] ..... $500 fine
- ___ Failure to apply for building permit [City Code Section 22-106] ..... $500 fine
- ___ Other contracting violations specified in Chapter 489, Florida Stature [Code Section ___] ..... $500 fine

TOTAL FINE/CIVIL PENALTY ASSESSED: $ 500.00

ISSUING CODE OFFICER/INSPECTOR INFORMATION

THIS CITATION IS ISSUED BY:
OFFICER NAME (Print): DAVID CHELCHI

AGENCY/DEPARTMENT: BUILDING DEPARTMENT

OFFICER SIGNATURE ISSUE DATE & TIME

WARNING NOTICE

This citation is issued pursuant to City of Vero Beach Ordinance No. 92-18 and Resolution 92-23. PAYMENT OF THE ABOVE CIVIL PENALTY MUST BE RECEIVED BY INDIAN RIVER COUNTY/VERO BEACH BUILDING DIVISION WITHIN IN TEN (10) DAYS (excluding weekends and holidays) of the issuance of this Citation. Failure to either pay the above civil penalty or to request in writing (within the above specified ten (10) days time frame) to appear before the City Code Enforcement Board to appeal the issuance of this Citation shall constitute a waiver of the right to an administrative hearing. A waiver of the right to an administrative hearing shall be deemed an admission of the violation and penalties may be imposed accordingly, in the form of a lien on real or personal property.

Additional citations may be issued for each day the applicable violation is found to exist.

WILLFUL REFUSAL TO SIGN AND ACCEPT THIS CITATION IS A MISDEMEANOR OF THE SECOND DEGREE PUNISHABLE UNDER F.S. 775.082 OR 775.083

X SIGNATURE OF INDIVIDUAL DATE

I WISH TO SEEK AN ADMINISTRATIVE REVIEW OF THE CHARGE

X SIGNATURE OF INDIVIDUAL DATE

HEARING DATE: IF YOU SEEK AN ADMINISTRATIVE REVIEW, YOU ARE HEREBY NOTIFIED TO APPEAR for a hearing at the regular meeting of the City of Vero Beach Code Enforcement Board to occur on ~~Monday~~ Wednesday, January 9 at ~~9:00 AM~~ 2:00 PM in the Council Chambers of the City Hall, 1053 20th Place, Vero Beach, Florida.

PAYMENT OF FINE: Payment of the Civil Penalty may be made in person at the Building Division of the County Community Development Office, ~~1840 25th Street~~ 1801 27th St, Vero Beach, FL 32960 (772-226-1800) Monday through Friday between 9:00 A.M. and 5:00 P.M., or by mailing a cashier's check or money order to said address, payable to Indian River County. DO NOT SEND CASH.

INDIAN RIVER COUNTY/CITY OF VERO BEACH
BUILDING DIVISION
1801 27th Street, Vero Beach, FL 32960 772 226-1260

2014 5th Edition Florida Building Code Section 115

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL

Date: 12/21/15
Location: 1602 36th ave, Vero Beach, FL
Permit Number: No permit

A STOP WORK ORDER is hereby issued at the above referenced location on this date for the following conditions:

1. **Demolition and concrete work without a permit.**

Work may resume at this location upon the following conditions being met:

1. **Work may resume when a permit is issued and posted on job site, and work completed by a licensed contractor.**

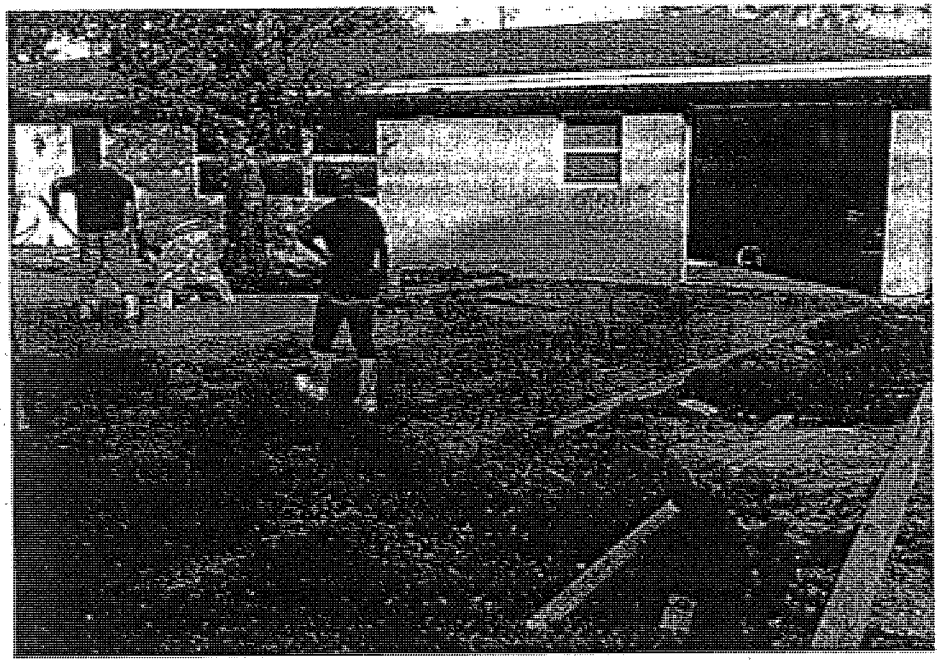
115.1 Authority.
Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.
115.2 Issuance.
The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
115.3 Unlawful continuance.
Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

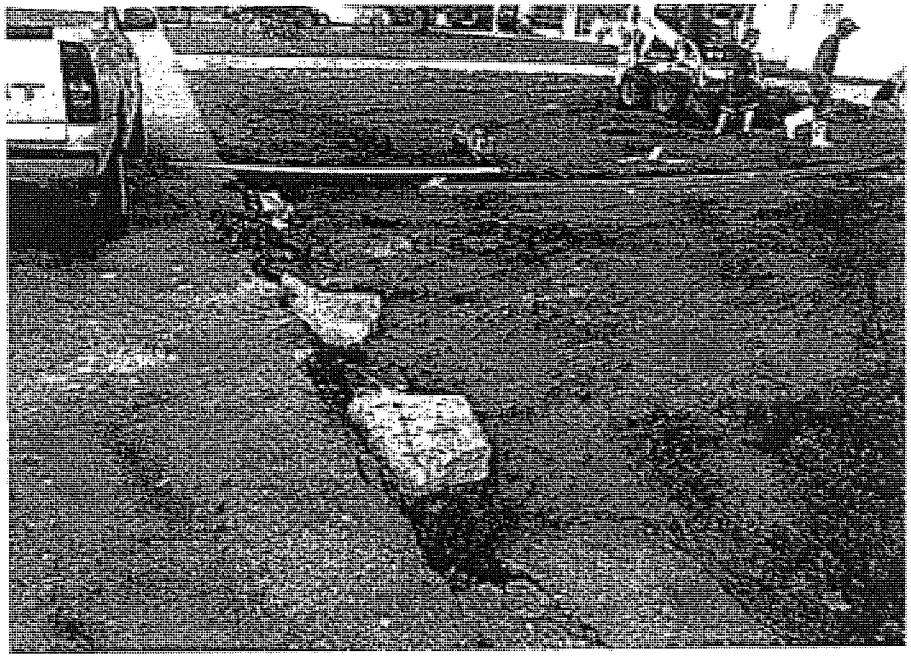
NOTICE OF RIGHT TO APPEAL: Any person or entity having any legal interest in the subject property may appeal this Notice and Order to the Indian River County Construction Board of Adjustments and Appeals or the City of Vero Beach Board of Building Appeals. Such appeal shall be in writing and filed with the Building Official within thirty (30) days from the date of service of this notice and must contain the following information: (1) Identification of the building or structure concerned by street address or legal description; (2) A statement identifying the legal interest of each appellant; (3) A statement identifying the specific order or section being appealed; (4) A statement detailing the issues on which the appellant desires to be heard; and (5) The legal signature of all appellants and their official mailing address.
FAILURE TO APPEAL IN THE TIME SPECIFIED WILL CONSTITUTE A WAIVER OF ALL RIGHTS TO AN ADMINISTRATIVE HEARING.

Further information regarding this Stop Work Order may be obtained by contacting the undersigned Building Official at 772-226-1260 or at the Building Department Office in the Indian River County Administration Building, 1801 27th Street, Vero Beach, Florida 32960.

By Investigator: David Checchi

Scott McAdam, CBO,MCP
Building Official





5-B) 1a

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-1146

FRANCISCO FLORES (GUZMAN)
Violator

Citation No.: 787M

TO: Francisco Flores (Guzman)
3 Lamplighter Lane
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [x] **Other (describe):** Code Officer Report of Compliance

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960**.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 787M / 15-CE-1146

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **November 09, 2015** at **n/a**

CITY OF VERO BEACH UTILITIES NOV 18 2015

ORIGINAL

Name: **Francisco Flores (Guzman)**
3 Lamplighter Lane
of: **Vero Beach, FL 32960**

at (violation address): **3 Lamplighter Ln** in the City of Vero Beach, Florida committed the following civil offense: **Fence installed without Code Compliance from the Planning Department at City Hall or building permit from the IRC Building Department.**

Violation of code provision(s): 22-106, 22-181, 74.82 (d)

Facts constituting violation: Fence installed without Code Compliance from the Planning Department at City Hall or building permit from the IRC Building Department.

CIVIL PENALTY: $50.00 **PAY BY DATE: 11/27/2015** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 11/27/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 11/10/2015
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____ Date:_____
Signature of Individual

CLERK COPY - 15-001533

Certified Mail Receipt: 70150640000696528478

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA

1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

vs.

FRANCISCO FLORES (GUZMAN)
3 Lamplighter Lane
Vero Beach, FL 32960

CASE NO. 15-CE-1146

CITATION NO. 787M

ORDER GRANTING ADDITIONAL TIME TO CORRECT VIOLATION AND SCHEDULING HEARING

VIOLATIONS: City of Vero Beach Code ("Code") sections 22-106, 22-181, 74.82(d), fence installed without code compliance or building permit.
VIOLATION LOCATION: 3 Lamplighter Lane, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board on the 13th day of January 2016 for report by the code enforcement officer on compliance with the Board's Order to Correct Violation entered December 29, 2015, and the Board, having heard the testimony of the officer and the violator, on motion made and approved, found that in light of the circumstances regarding the violator's efforts to correct the violation by obtaining after-the-fact code compliance and a building permit, it would be appropriate to grant the violator additional time for correction.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is granted additional time to correct the violations and this case is rescheduled for hearing on **Wednesday, February 10, 2016 at 2:00 P.M.** for report on the violator's correction of the violations. The imposition of additional penalties and assessment of costs is reserved by the Board at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 28th day of January 2016.

ATTEST:

Sherri Philo, as Board Clerk

CODE ENFORCEMENT BOARD

Kirk Noonan, Chairman

[Seal]

Approved as to form and legal sufficiency:

Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Attendance at Hearing: If you do not appear at the hearing in person or by legal representative to defend this matter, the Code Enforcement Board may proceed to hear the case in your absence and rule against you. This case will be presented to the Board even if the violations are corrected prior to the hearing.

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 to request re-inspection or otherwise confirm compliance in order to avoid imposition of additional civil penalties against you.

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA

1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

vs.

FRANCISCO FLORES (GUZMAN)
3 Lamplighter Lane
Vero Beach, FL 32960

CASE NO. 15-CE-1146

CITATION NO. 787M

ORDER TO CORRECT VIOLATION

VIOLATIONS: City of Vero Beach Code ("Code") sections 22-106, 22-181, 74.82(d), fence installed without code compliance or building permit.
VIOLATION LOCATION: 3 Lamplighter Lane, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December 2015 on a request of the code enforcement officer for a Board order, and the Board, having heard the report of the code enforcement officer regarding payment of the civil penalty but the violator needing additional time to correct the violation, on motion made and approved, found as follows:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator failed to appear.

2. The violator did not appeal issuance of the citation within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of citation, which waiver is deemed an admission of the violations.

3. The civil penalty of $50.00 assessed on the citation has been paid, which is also an admission of the violation.

4. In light of the code enforcement officer's report and request, it would be appropriate for the Board to allow the violator an additional thirty (30) days to correct the violations without imposing continuing civil penalties at this time.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violations as specified above and on the citation, which violations have not been corrected and are continuing. **The violator shall cause correction of the violations within thirty (30) days from date of this hearing. A hearing for report on compliance with this Order and correction of the violations is hereby scheduled for the Board's next regular meeting on Wednesday, January 13, 2016 at 2:00 P.M.** No additional penalties or costs are assessed or imposed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

Sherri Philo, as Board Clerk

CODE ENFORCEMENT BOARD

Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:

Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Attendance at Hearing: If you do not appear at the hearing in person or by legal representative to defend this matter, the Code Enforcement Board may proceed to hear the case in your absence and rule against you. This case will be presented to the Board even if the violations are corrected prior to the hearing.

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

CITY CLERK'S OFFICE

NOV 1 8 2015

PAID

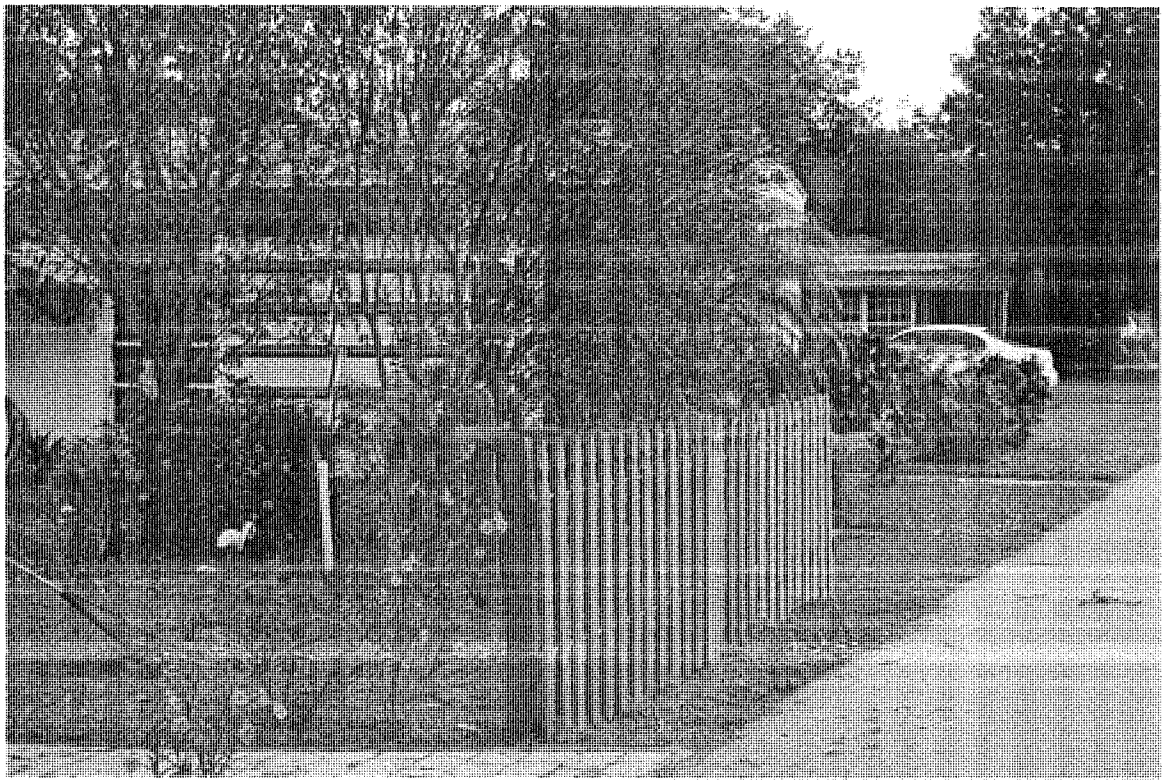
City of Vero CASHIER NO 2

Receipt No: 22705000001
Date: Nov 17, 2015 12:26:28 pm

: :IRILLO=francisco flor
es (guzman(.o?m / 15-ce-1146

CODE ENFORCEMENT FINES	$	50.00-
Payment Due:	$	50.00
CASH Tendered:	$	50.00
Change:	$	0.00

Keep this for your records



11/9/15

BEFORE THE CODE ENFORCEMENT BOARD

5-B)1b

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6189

PHYLLIS F. DUFFEY (COLLINS)
Violator

Citation No.: 0840T

TO: Phyllis F. Duffey (Collins)
2244 4th Avenue
Vero Beach, Florida 32962

AND

1455 15th Avenue
Vero Beach, Florida 32962

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [x] **Other (describe):** Request to Rescind Previous Board Order

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

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LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960**.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0840T / 15-CE-6189

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **November 12, 2015** at **N/A**

ORIGINAL

Name: **Duffey, Phyllis F (collins) ***
2244 4th Ave
of: **Vero Beach, FL 32962**

at (violation address): **1455 15th Av** in the City of Vero Beach, Florida committed the following civil offense: **Grass, Weeds, and Undergrowth in excess of 12"**

Violation of code provision(s): 38-31 (b)(1)

Facts constituting violation: Grass, Weeds, and Undergrowth in excess of 12". Please have corrections made and citation paid on or before 12/28/2015 to avoid possible future code enforcement action.

CIVIL PENALTY: $50.00 **PAY BY DATE: 12/28/2015** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 12/28/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 12/08/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____
Signature of Individual

Date:_____

CLERK COPY - 15-001540

Certified Mail Receipt: 70140150000165020901

ORIGINAL

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960

ORIGINAL

CITY OF VERO BEACH

CASE No.: 15-CE-6189

vs.

Citation No.: 0840T

Phyllis Duffey
1455 15th Avenue
Vero Beach, FL 32960

NOTICE OF WITHDRAWAL OF CITATION

The City of Vero Beach, by and through its undersigned Code Enforcement Officer, enters this Notice of Withdrawal of Citation and hereby withdraws the citation issued against the above-named Violator(s) in the above-entitled action pursuant to section 2-296(h) of the Code of the City of Vero Beach.

DATED this 29th day of January, 2016.

Code Enforcement Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Withdrawal of Citation was furnished to the above-named Violator(s) this 29th day of January, 2016

by: ☐ personal delivery X first class mail to the address indicated above.

Code Enforcement Officer

ORIGINAL

v.2014.11.25

5-B)1c

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6204

BETTY SMITH
Violator

Citation No.: 0818T

TO: Betty Smith
1745 41st Avenue
Vero Beach, Florida 32960-2256

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [X] **Failure to Correct Violation(s).**
- [X] **Failure to Pay Civil Penalty and/or Costs.**
- [X] **Other (describe):** Case continued from January 13, 2016 hearing

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960**.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA

1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

vs.

BETTY SMITH
1745 41st Avenue
Vero Beach, Florida 32960-2556

CASE NO. 15-CE-6204

CITATION NO. 0818T

ORDER FINDING VIOLATION AND TO CORRECT, AND TO PAY COSTS

VIOLATIONS: City of Vero Beach Code sections 22-106(a) and Fla. Building Code (2000); Re-roof and fascia work without a permit.
VIOLATION LOCATION: 1745 41st Avenue, Vero Beach, Florida 32960-2556

The above-styled case having come before the Code Enforcement Board on the 13th day of January 2016 on request of the code enforcement officer for issuance of a Board order and the Board, having heard testimony of the officer and the violator regarding the violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law and the violator appeared and testified at this hearing.

2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violation as specified in the citation. The civil penalty assessed on the citation was paid, which is also an admission of the violation.

3. The violation specified in the citation has not been corrected by the violator obtaining after-the-fact building permits required by law.

4. To date the City has incurred enforcement costs of 51.10, for which the City is entitled to recover, together with all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violation as specified above and on the citation, which violation has not been corrected and is continuing. **The violator shall cause correction of the violation by obtaining after-the-fact building permits and final inspections by February 5, 2016. This case is rescheduled for a hearing on compliance on Wednesday, February 10, 2016 at 2:00 P.M.** Enforcement costs of **$51.10** are assessed against the violator, which costs shall be paid to the City Clerk within thirty (30) days from the date of this Order, together with all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon

payment. Imposition of additional or continuing civil penalties and assessment of additional enforcement costs is reserved by the Board at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 28th day of January 2016.

ATTEST:

Sherri Philo, As Board Clerk

CODE ENFORCEMENT BOARD

Kirk Noonan, Chairman

[Seal]

Approved as to form and legal sufficiency:

Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: **AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER** at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Attendance at Hearing: If you do not appear at the hearing in person or by legal representative to defend this matter, the Code Enforcement Board may proceed to hear the case in your absence and rule against you. This case will be presented to the Board even if the violations are corrected prior to the hearing.

Payment of Civil Penalties and Costs: **You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien.** Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

City of Vero Beach
Receipt No: 22807000043
Dec 04, 2015 09:00
Acct No:
Amount on Acct: $50.00

No. 0818T / 15-CE-6204

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **November 17, 2015** at **N/A**

ORIGINAL

CITY OF VERO BEACH UTILITIES
DEC 04 2015
PAID
CASHIER NO.

Name: **Smith, Betty ***
1745 41st Ave
of: **Vero Beach, FL 32960-2556**

at (violation address): **1745 41st** in the City of Vero Beach, Florida committed the following civil offense: **(a) Building permit. A permit shall be obtained from the building official before doing any work or construction of any character, whether permanent or temporary, when a permit is required under the building code.**

Violation of code provision(s): 22-106 (a),& 2000 Bldg. Code

Facts constituting violation: Re-roof and Fascia work without a permit. Please proceed to the IRC Building Department for after the fact permitting and inspection. Please remit civil penalty and arrange for permitting on or before 12/4/2015 to avoid possible additional code enforcement action.

CIVIL PENALTY: $50.00 **PAY BY DATE: 12/04/2015** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 12/04/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 11/17/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____
Signature of Individual

Date:_____

CLERK COPY - 15-001567

Certified Mail Receipt: 70140150000165020772

ORIGINAL

5-B)1d

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6009

FIRST CHOICE HEALTHCARE, LLC
DR. NEAL ABARBANELL

Citation No.: 742T

Violator

TO: First Choice Healthcare, LLC
Dr. Neal Abarbanell
9556 Doubloon Drive
Vero Beach, Florida 32963

AND

1867 20th Avenue
Vero Beach, Florida 32962

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [x] **Other (describe):** Request for reduction in civil penalties and costs

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that

appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA

1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

CASE NO. 15-CE-6009

vs.

CITATION NO. 742T

FIRST CHOICE HEALTHCARE, LLC
DR. NEAL ABARBANELL

9556 Doubloon Drive Vero Beach, FL 32963	**AND**	1867 20th Avenue Vero Beach, FL 32960

ORDER FINDING VIOLATIONS AND TO CORRECT; IMPOSING CONTINUING CIVIL PENALTIES; AND TO PAY PENALTIES AND COSTS

VIOLATIONS: City of Vero Beach Code ("Code") sec. 38-31(b)(1), weeds, grass, and undergrowth in excess of 12 inches; and sec. 38-32(a)(1), unlicensed/inoperable vehicle.
LOCATION: 1867 20th Avenue, Vero Beach, Florida 32963

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December 2015 on request of the code enforcement officer for issuance of a Board order, and the Board, having heard testimony of the code enforcement officer regarding the grass and weeds violation being corrected but the inoperable vehicle violation having not been corrected and having reviewed the record in this case, on motion made and approved, found that:

1. The citation and notice of hearing issued in this case were served as provided by law; however the violator did not appear for this hearing.

2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver is deemed an admission of the violations as specified in the citation.

3. The violation of grass, weeds, and undergrowth in excess of 12 inches has been corrected and, while the unlicensed or inoperable vehicle now appears to have a valid license registration tag, the violation is continuing in that the vehicle remains inoperable due to four flat tires.

4. The initial civil penalty of $50.00 assessed on the citation has not been paid.

5. The City has incurred enforcement costs of $50.00 for which the City is entitled to recover pursuant to law and the City is entitled pursuant to law to recover all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violations as specified above and on the citation, however the violation regarding grass and weeds has now been corrected, but the violation regarding the inoperable vehicle has not been corrected and is continuing. **The violator shall immediately cause correction of the violation** of the inoperable vehicle and, within thirty (30) days from the date of this Order, shall pay to the City Clerk the initial civil penalty of **$50.00** and a continuing civil penalty of **$50.00 per day** hereby imposed for each day the violation has remained and continues to remain uncorrected after the date given in the citation for correction (09/28/15), together with enforcement costs of **$50.00** and all costs of recording the Board's orders in the public records and for satisfying and recording release of the resulting liens upon payment. No hearing costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

Sherri Philo, as Board Clerk

CODE ENFORCEMENT BOARD

Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:

Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Payment of Civil Penalties and Costs: **You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien.** Payment may be made in person at the City Clerk's Office located in City Hall, 1053 20th Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order for the verified amount to said address, payable to "City of Vero Beach." Do not mail cash!

Repeat Violation: Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

Notice of Right to Appeal Board Decision: An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board ***and*** with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. *Ref.* F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0742T / 15-CE-6009

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **September 09, 2015** at **N/A**

Name: **First Choice Healthcare Llc, / Dr. Neal Abarbanell**
9556 Doubloon Dr
of: **Vero Beach, FL 32963**

ORIGINAL

at (violation address): **1867 20** Ave. in the City of Vero Beach, Florida committed the following civil offense: **Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle.**

Violation of code provision(s): 38-31 (b)(1), 38-32 (a)(1)

Facts constituting violation: Grass, weeds, and undergrowth in excess of 12". Expired and inoperable vehicle. Please arrange to have property placed on a routine maintenance schedule and vehicle registration brought current and made operable. Compliance date of 9/28/2015.

CIVIL PENALTY: $50.00 **PAY BY DATE: 09/28/2015** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 09/28/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 09/10/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____ Date:_____
Signature of Individual

CLERK COPY - 15-001188

Certified Mail Receipt: 70140150000165020529

ORIGINAL

5-B)1e

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6060

VENETIAN APARTMENTS/KRAIG VANN PYLE
Violator

Citation No.: 752M

TO: Venetian Apartments/Kraig Vann Pyle
P.O. Box 6747
Vero Beach, Florida 32961

AND

2545 Indian River Boulevard
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [ ] **Failure to Correct Violation(s).**
- [ ] **Failure to Pay Civil Penalty and/or Costs.**
- [X] **Other (describe):** Case continued from the January 13th CEB Hearing

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

BEFORE THE CODE ENFORCEMENT BOARD
OF THE CITY OF VERO BEACH, FLORIDA

1053 20TH PLACE
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH **CASE NO. 15-CE-6060**

vs. **CITATION NO. 752M**

VENETIAN APARTMENTS/KRAIG VANN PYLE

P.O. Box 6747 **AND** 2545 Indian River Boulevard
Vero Beach, FL 32961 Vero Beach, FL 32960

ORDER FINDING VIOLATION AND TO CORRECT

VIOLATIONS: City of Vero Beach Code sec 22-106(a) ("Code"); construction without permit.
LOCATION: 2545 Indian River Blvd., Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 9th day of December, 2015 on request for Board order by the code enforcement officer, and having heard testimony of the code enforcement officer and the violator, Mr. Kraig Vann Pyle, and having reviewed the record in this case, on motion made and approved, found as follows:

1. The citation and notice of hearing issued in this case were served as provided by law, and the violator appeared at this hearing and testified on his own behalf, and also presented testimony of Cathy Ergle on his behalf.

2. The violator did not appeal issuance of the citation within the time allowed by law and thereby waived a hearing on the citation, which waiver is an admission of the violation. In addition, the violator paid the initial civil penalty of $50.00 assessed on the citation, which is also an admission of the violation.

3. It would appropriate under the circumstances presented to allow the violator 60 days to correct the violation by obtaining after-the-fact building permits as required.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to have committed the violation as specified above and in the citation. The violator shall correct the violation by obtaining after-the-fact building permits and required inspections by February 5, 2016. This case shall be otherwise continued to the Board's February 10, 2016 meeting for report on compliance with this Order. No additional civil penalties or costs are assessed at this time.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 29th day of December 2015.

ATTEST:

Sherri Philo, as Board Clerk

CODE ENFORCEMENT BOARD

Kirk Noonan, Vice Chairman

[Seal]

Approved as to form and legal sufficiency:

Wayne R. Coment, as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER at Telephone #772-978-4551 or 772-978-4561, or in person at the Code Enforcement Office, Vero Beach Police Department, 1055 20th Street, Vero Beach, FL 32960 in order to request re-inspection to avoid imposition of additional civil penalties against you.

Attendance at Hearing: If you do not appear at the hearing in person or by legal representative to defend this matter, the Code Enforcement Board may proceed to hear the case in your absence and rule against you. This case will be presented to the Board even if the violations are corrected prior to the hearing.

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 752M / 15-CE-6060

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **October 01, 2015** at **n/a**

ORIGINAL

Name: **Venetian Apartments / Kraig Vann Pyle**
PO Box 6747
of: **Vero Beach, FL 32961**

at (violation address): **2545 INDIAN RIVER BLVD** in the City of Vero Beach, Florida committed the following civil offense: **Construction without permit.**

Violation of code provision(s): 22-106 (a)

Facts constituting violation: Railings and second floor balcony railing installed without permit.

CIVIL PENALTY: $50.00 **PAY BY DATE: 10/20/2015** **REPEAT VIOLATION**

✓ **CORRECTION REQUIRED BY: 10/20/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 10/05/2015
Telephone: 7729784561

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____
Signature of Individual

Date:_____

CLERK COPY - 15-001289

Certified Mail Receipt: 70140150000165253149

CITY OF VERO BEACH
UTILITIES

OCT 19 2015

PAID
CASHIER 1007

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 752M / 15-CE-6060

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **October 01, 2015** at **n/a**

Name: **Venetian Apartments / Kraig Vann Pyle**
PO Box 6747
of: **Vero Beach, FL 32961**

at (violation address): **2545 INDIAN RIVER BLVD** in the City of Vero Beach, Florida committed the following civil offense: **Construction without permit.**

Violation of code provision(s): 22-106 (a)

Facts constituting violation: Railings and second floor balcony railing installed without permit.

CIVIL PENALTY: $50.00 **PAY BY DATE: 10/20/2015** **REPEAT VIOLATION**

✓ **CORRECTION REQUIRED BY: 10/20/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD/Code Enforcement

Date Issued: 10/05/2015
Telephone: 7729784561

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Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Cathy Engle
Signature of Individual

Date: 10-09-15

VIOLATOR COPY - 15-001289

Certified Mail Receipt: 70140150000165253149

Venetian apartments

10-8-15

City of Vero Beach

Railing failure

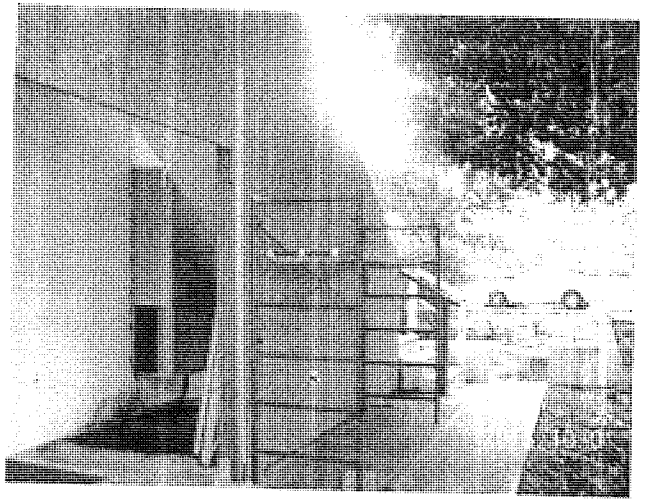
We repaired railing that our insurance co required. It is now safe from failure.

We went over information with Dave Cheechi from building dept. We will be pulling permit when State of Florida gets around to sending our lost or miss mailed license.

Sincerely

Kraig Vann Pyle

772 563 0013



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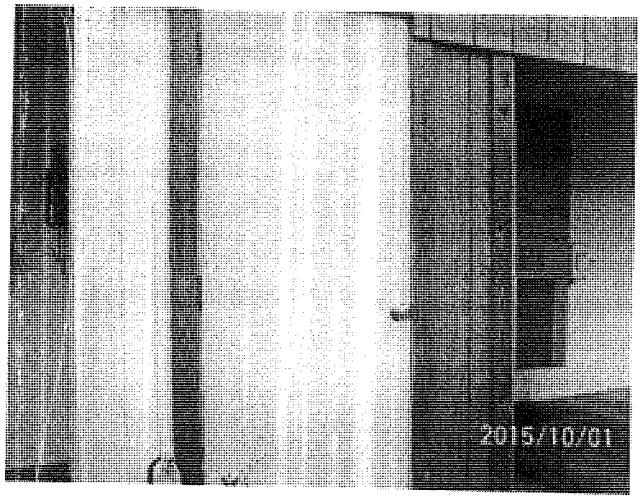
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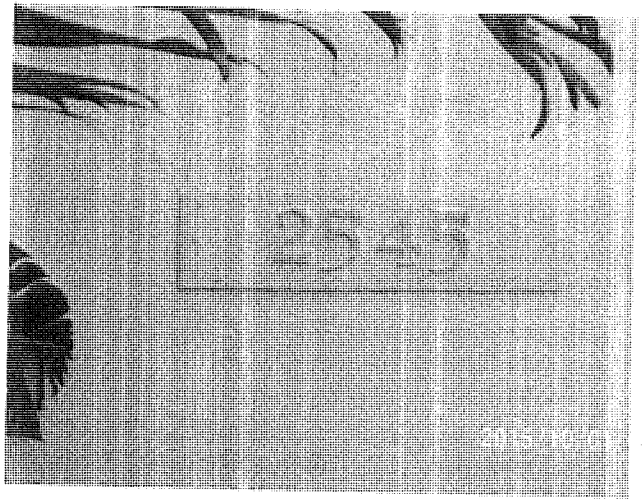

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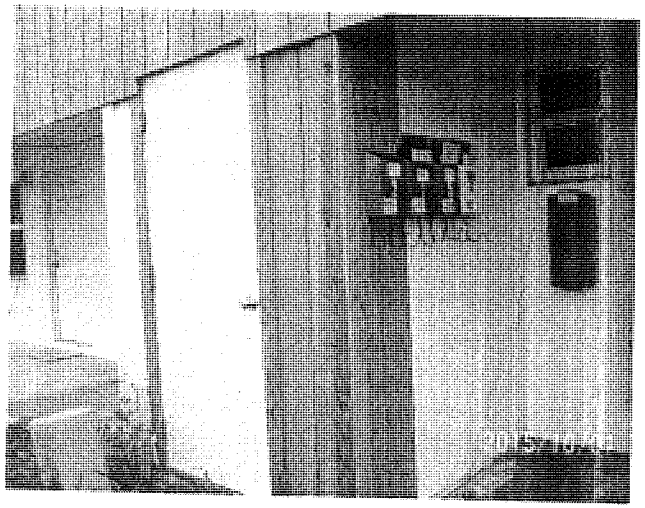
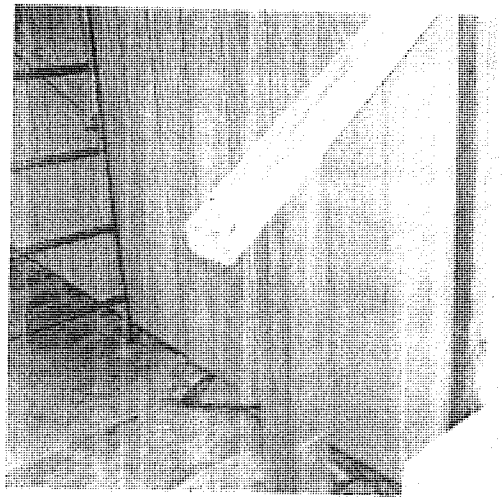
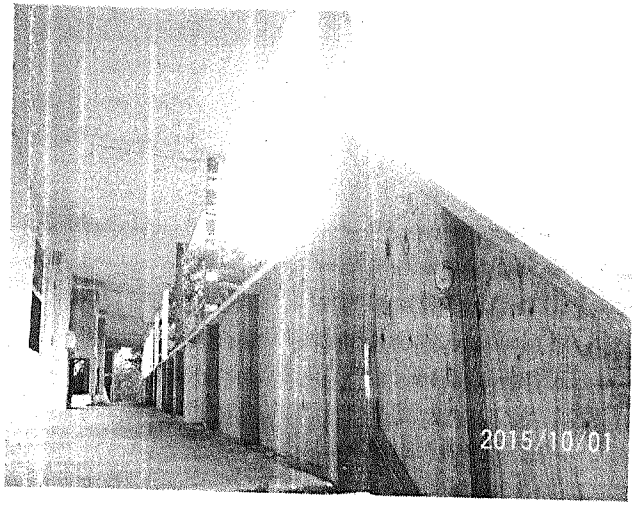





2015/10/01

INDIAN RIVER COUNTY/CITY OF VERO BEACH
BUILDING DIVISION
1801 27th Street, Vero Beach, FL 32960 772 226-1260

2014 5th Edition Florida Building Code Section 115

STOP WORK ORDER

BY ORDER OF THE BUILDING OFFICIAL

Date: 10/7/15
Location: 2555 Indian River Dr Vero Beach FL
Permit Number: Need permit

A STOP WORK ORDER is hereby issued at the above referenced location on this date for the following conditions:

1. **Construction without a permit. Exterior railings and structural posts**

Work may resume at this location upon the following conditions being met:

1. **Work may resume when a permit is issued and all work completed by a licensed contractor**

115.1 Authority.
Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.
115.2 Issuance 8th Ct.
The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
115.3 Unlawful continuance.
Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

NOTICE OF RIGHT TO APPEAL: Any person or entity having any legal interest in the subject property may appeal this Notice and Order to the Indian River County Construction Board of Adjustments and Appeals or the City of Vero Beach Board of Building Appeals. Such appeal shall be in writing and filed with the Building Official within thirty (30) days from the date of service of this notice and must contain the following information: (1) Identification of the building or structure concerned by street address or legal description; (2) A statement identifying the legal interest of each appellant; (3) A statement identifying the specific order or section being appealed; (4) A statement detailing the issues on which the appellant desires to be heard; and (5) The legal signature of all appellants and their official mailing address.
FAILURE TO APPEAL IN THE TIME SPECIFIED WILL CONSTITUTE A WAIVER OF ALL RIGHTS TO AN ADMINISTRATIVE HEARING.

Further information regarding this Stop Work Order may be obtained by contacting the undersigned Building Official at 772-226-1260 or at the Building Department Office in the Indian River County Administration Building, 1801 27th Street, Vero Beach, Florida 32960.

By Investigator:
David Checchi

Scott McAdam, CBO, MCP
Building Official

OCT 19 2015

City of Vero Beach

Receipt No: 22478000082
Date: Oct 16, 2015 4:38:45 pm

20151016163841ACIRILLO=VENETIAN APART
MENTS/KRAIG VANN PYLE 752M 15-CE-606

CODE ENFORCEMENT FINES$		50.00-
Payment Due:	$	50.00
CHECK Tendered:	$	50.00
Change:	$	0.00

Keep this for your records

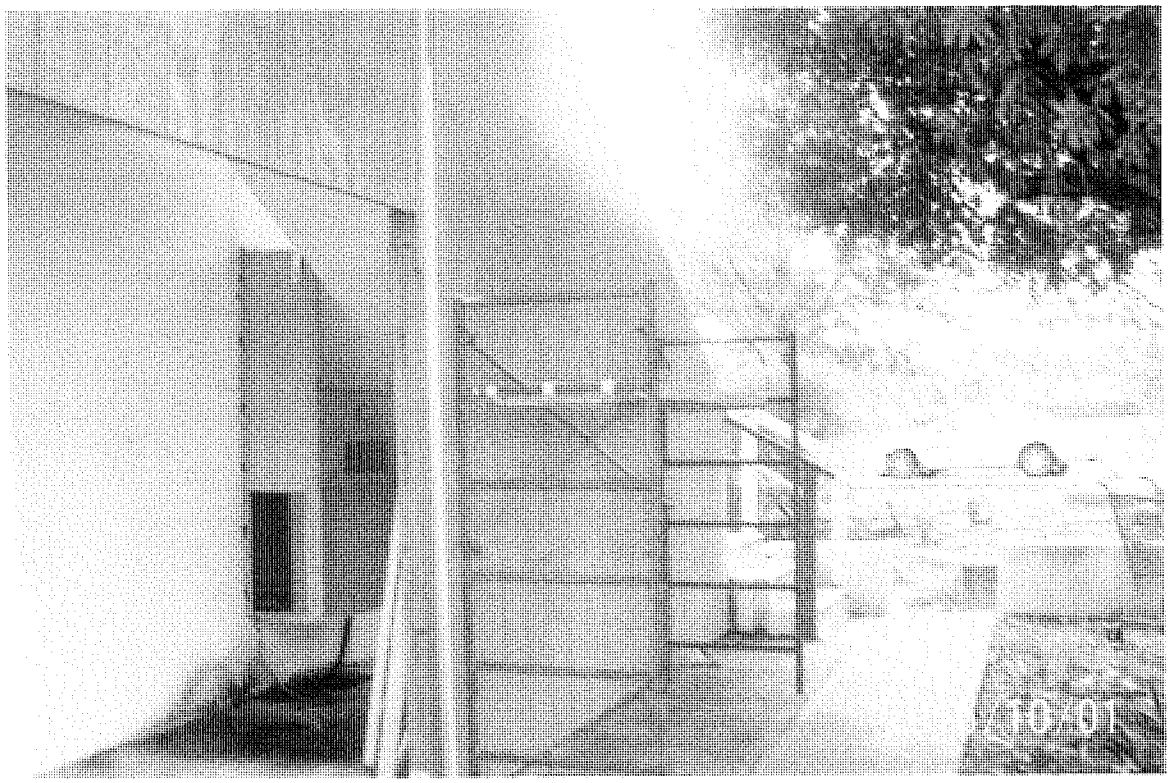
2015/10/01

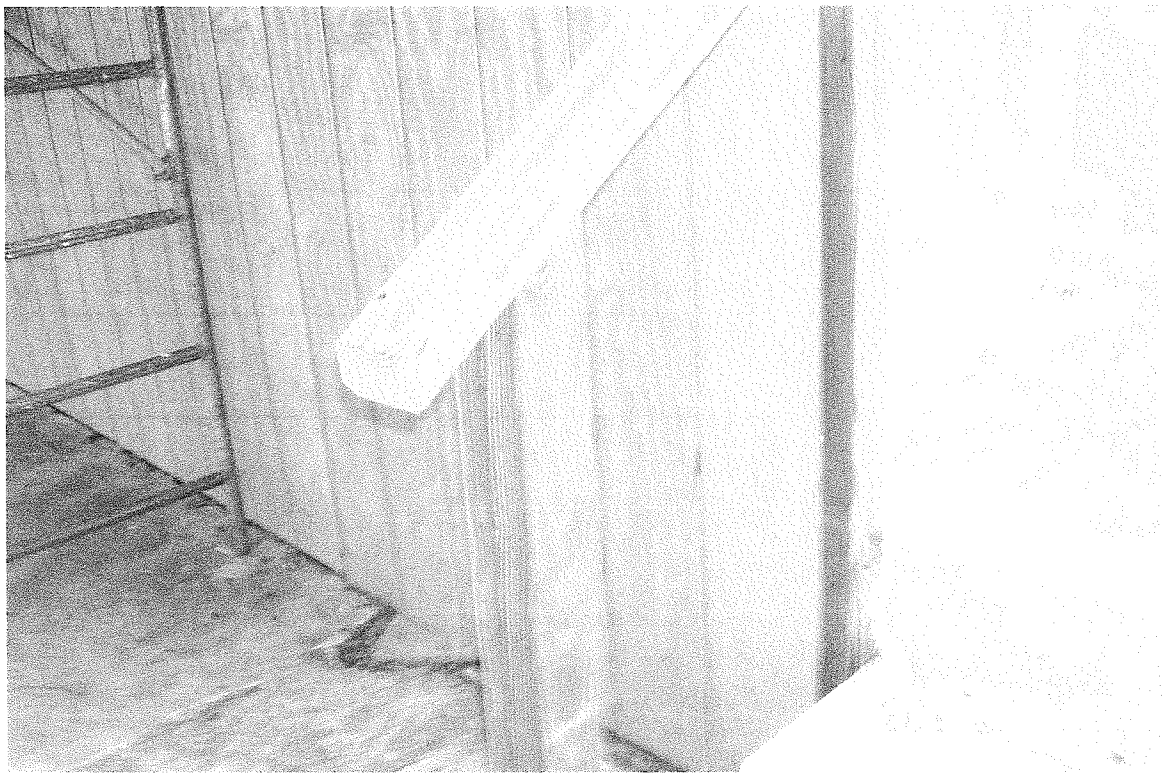
2015/10/01

2015/10/01

2015/10/01

2015/10/01


10/01



2555
2015/10/01

2545
2015/10/01

2015/10/01

BEFORE THE CODE ENFORCEMENT BOARD 5-B)15

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6145

SAMUEL W. OR KIM HIGH
Violator

Citation No.: 0798T

TO: Samuel W. or Kim High
630 S. Spruce Street
Elizabethtown, PA 17022 AND 1925 22nd Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [x] **Failure to Correct Violation(s).**
- [x] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):** _____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0798T / 15-CE-6145

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **October 30, 2015** at **N/A**

ORIGINAL

Name: **High, Samuel W or Kim**
630 S Spruce St
of: **Elizabethtown, PA 17022**

at (violation address): **1925 22nd Av** in the City of Vero Beach, Florida committed the following civil offense: **It shall be unlawful for any owner of real property within the city to maintain the real property so that any of the following conditions, which shall be considered to be public nuisances, exist on such real property:**
(1) Weeds, grass, or undergrowth at a height of more than 12 inches;

(4) Any tree which is dead or contains dead wood in the trunk, branches or limbs so as to constitute a hazard;

Violation of code provision(s): 38-31 (b)(1,4)

Facts constituting violation: Property is overgrown in excess of 12" and has a very large tree which is dead and has fallen onto the lot. Please have tree removed (w/ permit) and property mowed on or before 11/16/2015

CIVIL PENALTY: $100.00 **PAY BY DATE: 11/16/2015** ☑ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 11/16/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 10/30/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____ Date:_____
Signature of Individual

ORIGINAL

CLERK COPY - 15-001478 Certified Mail Receipt: 70140150000165020741

5-B)19

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6246

JUDITH TRAGE
Violator

Citation No.: 793M

TO: Judith Trage
3S255 Cypress Drive
Glen Ellyn, IL 60137-7340

AND

1030 27th Street
Vero Beach, Florida 32960

AND

7753 Van Buren Street, Unit 306
Forrest Park, IL 60130-4802

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [x] ***Failure to Correct Violation(s).***
- [x] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):**

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

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PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 793M / 15-CE-6246

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **December 08, 2015** at **n/a**

ORIGINAL

Name: **Trage, Judith ***
38255 Cypress Dr
of: **Glen Ellyn, IL 60137-7340**

at (violation address): **1030 27th Street** in the City of Vero Beach, Florida committed the following civil offense: **PUBLIC NUISANCE: Weeds, grass or undergrowth at a height of more than 12 inches and dead tree in the back yard, garbage and trash in the back and front yards and non-operable vehicle in the front yard.**

Violation of code provision(s): 38.31 (a) (b) (1) (4) (5), 38.32 (a) (1)

Facts constituting violation: PUBLIC NUISANCE: Weeds, grass or undergrowth at a height of more than 12 inches and dead tree in the back yard, garbage and trash in the back and front yards and non-operable vehicle in the front yard. A TREE REMOVAL PERMIT MUST BE OBTAINED FROM THE PLANNING DEPARTMENT PRIOR TO TREE BEING REMOVED.

CIVIL PENALTY: $50.00 **PAY BY DATE: 12/28/2015** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 12/28/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Melody Sanderson
Department: VBPD/Code Enforcement

Date Issued: 12/11/2015
Telephone: 7729784561

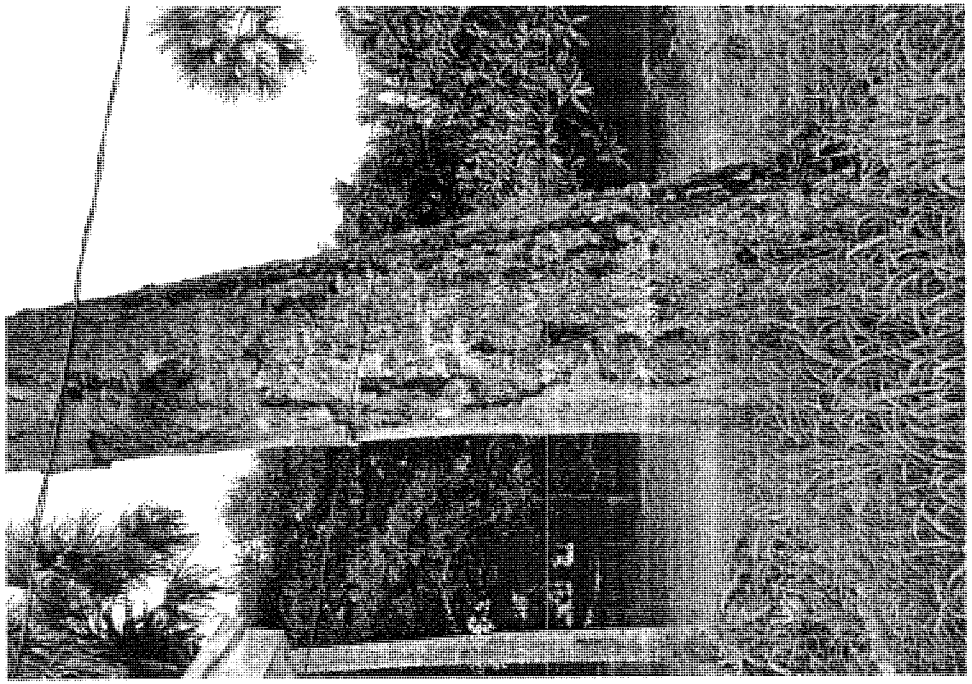
RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

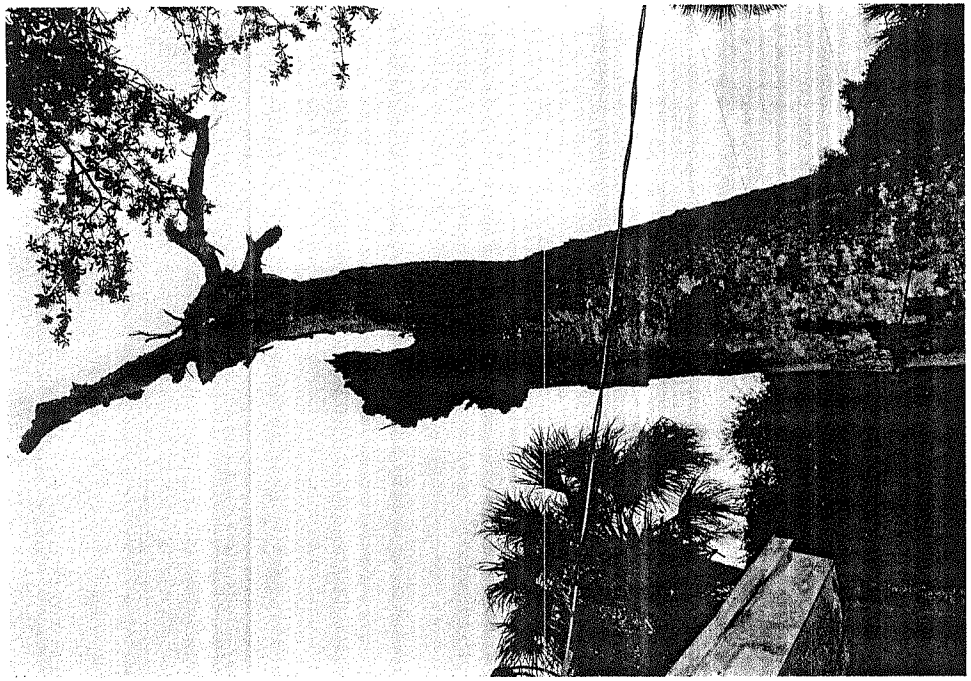
_____ Date:_____
Signature of Individual

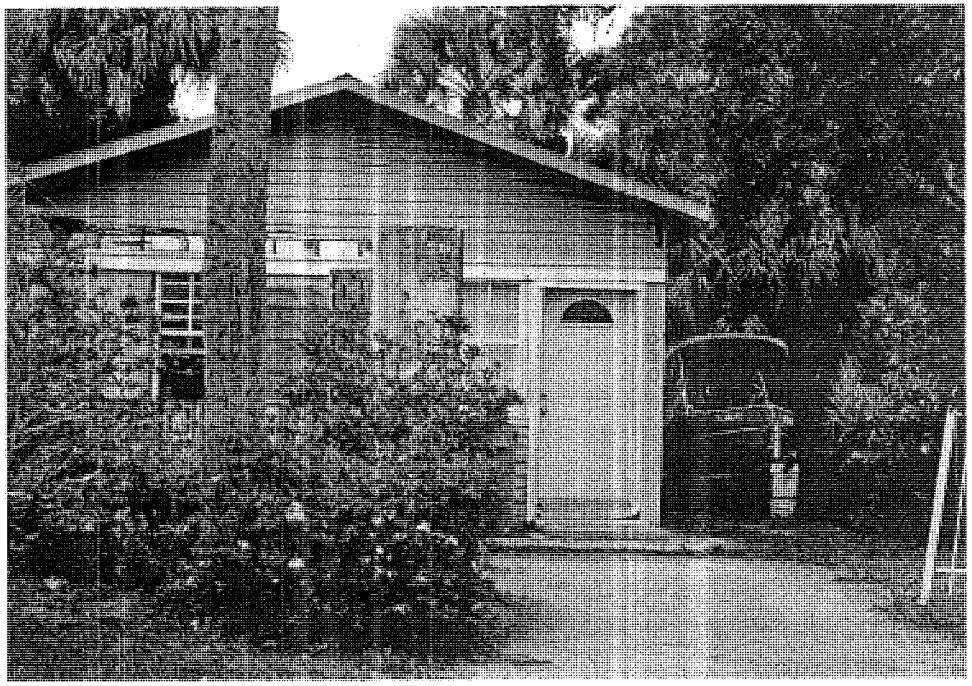
CLERK COPY - 15-001660

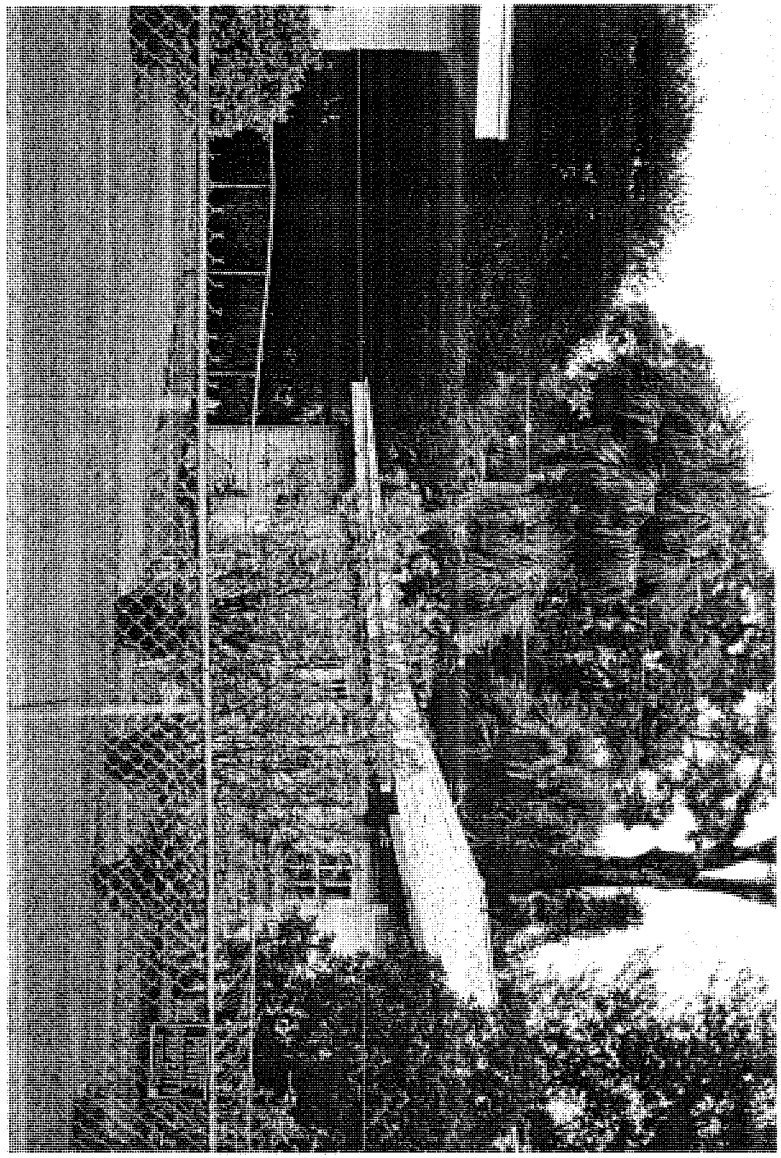
Certified Mail Receipt: 70140150000165021366



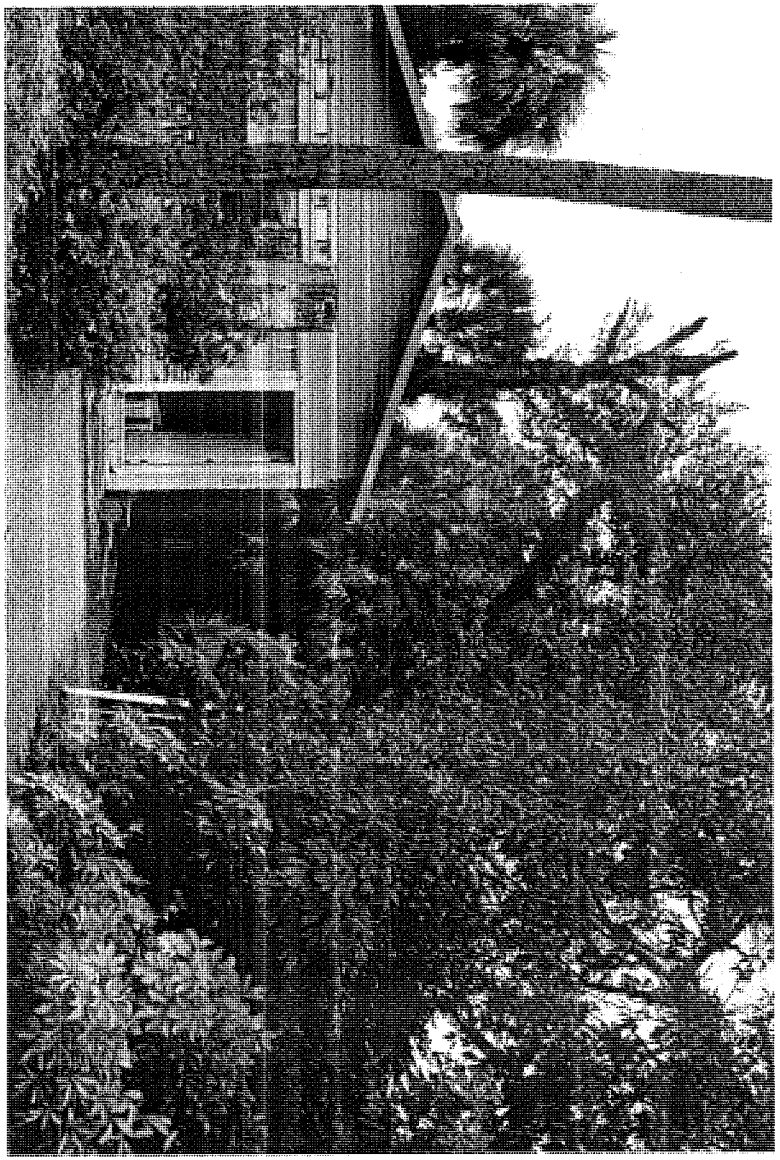
1030 27th ST
12/11/16







GRASS CUT/COMPLETED
1/27/16



DEAD TREE | 1/27/16

5-B)1h

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6227

DAVID M. MILLNER
Violator

Citation No.: 0851T

TO: David M. Millner
726 Hibiscus Lane
Vero Beach, Florida 32963

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [x] **Failure to Correct Violation(s).**
- [x] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):**_____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0851T / 15-CE-6227

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **November 30, 2015** at **N/A**

ORIGINAL

Name: **Millner, David M**
726 Hibiscus Ln
of: **Vero Beach, FL 32963**

at (violation address): **726 Hibiscus Ln** in the City of Vero Beach, Florida committed the following civil offense: **Sec. 70-62. - Business tax receipt required.**

(a) A business tax for the privilege of engaging in or managing any business, profession or occupation within the city is hereby imposed and levied upon:

(1) Any person who maintains a permanent business location or branch office within the city for the privilege of engaging in or managing any business within its jurisdiction;

Violation of code provision(s): 70-62(a)(1)

Facts constituting violation: Operation of a business entity without issuance of a BTR. Please meet with staff at COVB Planning Department to apply for a Business Tax Receipt on or before 1/4/2016 to avoid possible future Code Enforcement action.

CIVIL PENALTY: $50.00 **PAY BY DATE: 01/04/2016** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 01/04/2016. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 12/15/2015
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Date:_____

_____
Signature of Individual

CLERK COPY - 15-001613

ORIGINAL

Certified Mail Receipt: 70140150000165020925

5-B)1i

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No's.: 15-CE-6276

TITONE PROPERTIES, LLC/MARK TITONE
Violator

Citation No.: 0871T

TO: Titone Properties, LLC/Mark Titone
608 Dahlia Lane
Vero Beach, Florida 32963

AND

1926 40th Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and TIME: February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [x] **Failure to Correct Violation(s).**
- [x] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):**_____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960**.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0871T / 15-CE-6276

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **December 29, 2015** at **N/A**

ORIGINAL

Name: **Titone Properties LLC - Mark Titone**
606 Dahlia Lane
of: **Vero Beach, FL 32963**

at (violation address): **1926 40th Ave** in the City of Vero Beach, Florida committed the following civil offense: **(5) Garbage, rubbish, trash, debris, dead trees, or other unsightly or unsanitary substances or materials, which are not properly enclosed and waiting for normal trash pickup**

Violation of code provision(s): 38-31(b)(5)

Facts constituting violation: Extensive trash and debris accumulated along rear property line and drainage area. Please have all items of trash, appliances, tires, etc. removed on or before 1/28/2016 to avoid possible future code enforcement action.

CIVIL PENALTY: $50.00 **PAY BY DATE: 01/28/2016** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 01/28/2016. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 01/12/2016
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

_____
Signature of Individual

Date:_____

CLERK COPY - 15-001733

Certified Mail Receipt: 70140150000165021014

ORIGINAL

5-13-15

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

ANDREW F. ZALESKI
Violator

CASE No's.: 15-CE-3315

Citation No.: 0864T

TO: Andrew F. Zaleski
1912 26th Avenue
Vero Beach, Florida 32960

NOTICE OF HEARING

YOU ARE HERBY NOTIFIED that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach ("Board") regarding the above-styled code enforcement case as follows:

DATE and **TIME:** February 10th 2016 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20th PLACE, VERO BEACH, FL

PURPOSE OF HEARING:

- [ ] **Appeal of code enforcement citation.**
- [x] **Failure to Correct Violation(s).**
- [x] **Failure to Pay Civil Penalty and/or Costs.**
- [ ] **Other (describe):**_____

YOUR HEARING RIGHTS: You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

CITATION APPEALS: Pursuant to COVB Code sec. 2-303, the Board's authority on appeal of a citation is limited to fact-finding only. If your appeal of the citation is to contest the interpretation or application of the Code provision(s) cited as being violated, such appeal must be made in writing to the designated administrative authority of the City as defined in sec. 2-303 or that appeal is waived. If such administrative appeal is taken, it must be finally decided before the Board may hear appeal of the citation.

IF YOU FAIL TO APPEAR: If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter an order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation(s) cited if the hearing is for appeal of the citation.

LATE CORRECTION OF VIOLATION OR LATE PAYMENT: This case may be presented to the Board even if all cited violations have been corrected and civil penalties and costs have been paid prior to the hearing.

HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

POSTPONEMENTS: No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: January 29, 2016

By: _____
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 29th day of January 2016.

_____
Board Clerk

VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION
1055 20th Street
Vero Beach, FL 32960

CODE ENFORCEMENT CITATION

No. 0864T / 15-CE-3315

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on **December 11, 2015** at **N/A**

ORIGINAL

Name: **Zaleski, Andrew F &**
1912 26th Ave
of: **Vero Beach, FL 32960**

at (violation address): **1912 26th Ave** in the City of Vero Beach, Florida committed the following civil offense: **(b)(3) No sign is displayed which would be visible from a street, and no vehicle displaying the business name shall be parked so that the sign is visible from a street or adjacent residential properties.**

(b)(7) No home occupation shall displace or impede the use of parking spaces required for the principal residential use.

a) A business tax for the privilege of engaging in or managing any business, profession or occupation within the city is hereby imposed and levied upon:

(a)(1) Any person who maintains a permanent business location or branch office within the city for the privilege of engaging in or managing any business within its jurisdiction;

Violation of code provision(s): 64.13 (b)(3)(7), 60.62 (a)(1)

Facts constituting violation: Home occupation without active BTR(Business Tax Receipt), parking and signage of vehicles prohibited. Please make all necessary corrections and remit payment on or before 1/20/2016 to avoid possible future code enforcement action.

CIVIL PENALTY: $50.00 **PAY BY DATE: 01/20/2016** ☐ **REPEAT VIOLATION**

☑ **CORRECTION REQUIRED BY: 01/20/2016. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey
Department: VBPD/Code Enforcement

Date Issued: 01/04/2016
Telephone: 772-978-4551

RIGHT TO HEARING OR TO PAY REDUCED PENALTY: You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to $500 ($1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

Date:_____

_____
Signature of Individual

CLERK COPY - 15-001695

Certified Mail Receipt: 70140150000165020994

ORIGINAL