CODE ENFORCEMENT BOARD MEETING
Wednesday, June 10, 2020 – 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 –May 13, 2020
B) Agenda Additions, Deletions and Adoption

4. UNLICENSED CONTRACTORS/CITATIONS

5. EVIDENTIARY HEARINGS

A) Citation Appeals

1. CASE #20-CE-10641 / 2794M
VIOLATOR: Charles E. Fitz
VIOLATION: Public nuisance - unsafe structure / Code Section 38.31 (a)(b)(8)
VIOLATION ADDRESS: 766 Fiddlewood Road, Vero Beach, Florida 32963
(Case continued from the May 13, 2020 hearing)

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #20-CE-10628 / 2280M
VIOLATOR: Robert Dechellis
VIOLATION: Failure to obtain stormwater management plan for dirt added to the property / Code Section 64.05
VIOLATION ADDRESS: 525 Banyan Road, Vero Beach, Florida 32963
(Failure to comply; Failure to pay $50 civil penalty)

b. CASE #20-CE-10764 / 2927M
VIOLATOR: Maureen Miller
VIOLATION: Stagnant unsecured swimming pool / Code Section 38.31 (a)(b)(7)
VIOLATION ADDRESS: 3655 Flamingo Drive, Vero Beach, Florida 32963
(Failure to comply; Failure to pay $50 civil penalty)

c. **CASE #20-CE-10761 / 2925M**
VIOLATOR: Mulligan's Vero Acquisition, LLC / George Hart, Manager
VIOLATION: Sea Turtle lighting / Code Sections 46.109 (a)(1)(a)(b)(b)(1)(c)(1)
VIOLATION ADDRESS: 1025 Beachland Boulevard, Vero Beach, Florida 32963
(Failure to pay $150 civil penalty)

d. **CASE #19-CE-10548 / 2236m**
VIOLATOR: James R. Lewis
VIOLATION: Code Compliance Certification and building permit required for vinyl fence / Code Sections 64.05 (9)(b)
VIOLATION ADDRESS: 5 Aero Lane, Vero Beach, Florida 32960
(Failure to comply; Failure to pay $50 civil penalty)

e. **CASE #20-CE-10759 / 2924M**
VIOLATOR: Dolphin Property Holdings, LLC / Michael Buza, Agent
VIOLATION: Oak Tree removed without a permit / Code Section 72.44 (a)
VIOLATION ADDRESS: 2450 Cortez Avenue,, Vero Beach, Florida 32960
(Failure to comply; Failure to pay $50 civil penalty)

f. **CASE #20-CE-10742 / 2919M**
VIOLATOR: Kara A. Schmidt
VIOLATION: Windows installed without a permit from the Indian River County Building Department / Code Sections 22-181; 22-106 (a)
VIOLATION ADDRESS: 1443 and 1445 24th Street, Vero Beach, Florida 32960
(Failure to comply)

g. **CASE #20-CE-10780 / 2933M**
VIOLATOR: Kara A. Schmidt
VIOLATION: Windows installed and enclosure of back of units without permits from the Indian River County Building Department / Code Sections 22-181; 22-106
VIOLATION ADDRESS: 1433 and 1435 24th Street, Vero Beach, Florida 32960
(Failure to comply)

h. **CASE #20-CE-10745 / 2920M**
VIOLATOR: Kara A. Schmidt
VIOLATION: Two (2) protected Oak Trees removed without a permit from the City of Vero Beach Planning and Development Department / Code Sections 72.41 (a); 72.3 (a); 72.44 (a)(b)
VIOLATION ADDRESS: 2356 15th Avenue, Vero Beach, Florida 32960
(Failure to comply)

i. **CASE #20-CE-10779 / 2932M**
VIOLATOR: Kara A. Schmidt
VIOLATION: Windows installed and enclosure of back of units without permits from the Indian River County Building Department / Code Sections 22-181; 22-106
VIOLATION ADDRESS: 2354 and 2356 15th Avenue, Vero Beach, Florida 32960
(Failure to comply)

j. **CAES #20-CE-10760 / 042720-19**
VIOLATOR: Alix M. Norris
VIOLATION: Panhandling / Code Section 316.2045
VIOLATION ADDRESS: 1925 US1, Vero Beach, Florida 32960 (McDonalds)
(Failure to pay $50 civil penalty)

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, May 13, 2020 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

PRESENT: Vice Chairman, Linda Hillman (present via telephone/website); Members: Eric Price, Christopher Bryant, Richard Kennedy (present via telephone/website), Frank Pizzichillo (present via telephone/website); Alternate Member #1, Ken Daige an Alternate Member #2, Sharon Gorry (present via telephone/website) **Also Present:** Code Enforcement Officer, Melody Sanderson; Code Enforcement Officer, Thomas Ramsey; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absences: Kirk Noonan and Stephen McDonald

1. CALL TO ORDER

Today's meeting was called to order at 2:21 p.m.

2. PLEDGE OF ALLEGIENCE

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

3. PRELIMINARY MATTERS

A) Adoption of Minutes – February 12, 2020

Mr. Pizzichillo made a motion to adopt the minutes of the February 12, 2020 Code Enforcement Board meeting. Mr. Daige seconded the motion and it passed unanimously.

The City Attorney swore in staff present for today's meeting en masse.

B) Agenda Additions, Deletions and Adoption

Mr. Tom Ramsey, Code Enforcement Officer, pulled Case #20-CE-10654 – Caleb Seeley from today's agenda. He reported that the property was brought into compliance and the civil penalty has been paid. He then pulled Case #20-CE-10702 – AT&T from today's agenda. He reported that the citation has been rescinded.

Mrs. Hillman asked if she could turn the meeting over to a member who is present in the Chambers to Chair today's meeting.

Mr. John Turner, City Attorney, reported that in the event of the technology being applied is not successful, he would recommend that the Vice Chairman agree that for this meeting alone may be Chaired by one of the Board members present in the Council Chambers for the remainder of the agenda.

Mr. Pizzichillo said that he would put that into a form of a motion that Mr. Eric Price Chair today's meeting having served as Vice Chairman once before and he is present and he believes he (Mr. Price) will get better reception. Mrs. Hillman seconded the motion.

Mr. Turner said if there are no objections they will proceed in that manner.

There were no objections to the motion.

Mrs. Hillman turned the meeting over to Mr. Price to Chair today's meeting.

Ms. Melody Sanderson, Code Enforcement Officer, pulled the following cases from today's agenda: Case #20-CE-10540 – Fred Petrilla, Jr.,; Case #20-CE-10640 – Schlitt Brothers Properties, LLC, William Schlitt, Agent; Case #20-CE-10666 – Schlitt Brothers Properties, LLC, William Schlitt, Agent; Case #19-CE-10548 – James R. Lewis, City of Vero Beach; Case #20-CE-10552 – Pedro Agular Martinez, City of Vero Beach; Case #20-CE-10552 – Pedro Agular Martinez, City of Vero Beach and Case #20-CE-10731 – Cash Money Holdings, LLC, Michael Buza, Agent, Daniel Bowman, Michael Green and Howard Guthrie.

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Citation Appeals

1. CASE #20-CE-10639 / 2792M
VIOLATOR: Michael and Virginia Dones
VIOLATION: Public Nuisance / Unsafe structure on property
VIOLATION ADDRESS: 3502 21st Street, Vero Beach, Florida 32960

The City Attorney swore in Mr. Michael Dones, Property Owner.

Ms. Sanderson reported that the Attorney representing Mr. and Mrs. Dones is present via telephone.

Ms. Sanderson reported that service of the citation was by property posting. The violation of an unsafe structure has not been corrected and the civil penalty has not been paid.

Mr. Ruwan Sugathapala, Attorney, was present today via telephone. He said they are requesting an extension on this case for clarifying and clearing up the violation. He explained that the issue involving the structure, which is the basis of the Code violation, is the pending lawsuit that has been filed. He reported that the structure was damaged as a result of Hurricane Irma. An insurance claim was filed with Mr. Dones' insurance company and it was denied. A case was filed against the insurance company, which is pending Circuit Court. This case was initiated in the Circuit Court in March, 2020. He reported that Mr. Dones was willing to make the repairs to the structure, however it is their position that this is a matter to be dealt with by legal action. He said as soon as they get that case resolved with a

favorable outcome, they will have the proceeds necessary to correct any and all issues both with the structure, as well as their home. He requested an extension in time to correct this.

Ms. Sanderson said it is possible because of the Coronavirus that this could take several months. She asked Mr. Turner if they should give this a finite timeframe to comply or should they delay hearing this case.

Mr. Turner said given the time it takes for litigation, it would probably outlast the Coronavirus. He said the Board needs to be aware of the fact that litigation does take quite a while. It would be up to the discretion of the Board to grant the request. He said that he is not in a position right now to make a recommendation and he doesn't know if staff is in a position to make a recommendation.

Mr. Price asked what is the structure.

Ms. Sanderson reported that it is a shed.

Mr. Daige asked how big is the shed.

Mr. Michael Dones has been sworn in. He reported that it is a two (2) story barn that his grandfather built.

Mr. Turner said this is not a cross examination. What they are going to do is consider the issue of a request for a continuance that the Attorney is filing. They are to take up that issue first. If this is a public health or public safety issue, that is another thing that the Board might want to consider. If the Board feels there is any prejudice or any reason the matter should not be continued they need to state that on the record.

Mr. Daige said in the backup material, the Indian River County Building Department issued their findings, which states that it is an unsafe structure and that it needed to be either repaired or demolished within 30-days of their notice.

Mr. Turner asked Mr. Sugathapala is there anything that he would like to add as to this structure being any kind of public nuisance or hazard. He asked when would he estimate they would be ready to proceed with this case giving the fact that the lawsuit was just filed.

Mr. Sugathapala reported that a number of shingles were blown off during the hurricane. The integrity of the structure is intact. It is more of an issue concerning the roof. There is no real issue concerning the structure that would indicate any safety issues. As far as the lawsuit, everything with the Circuit Court has been done and they should move through it rather quickly. He said that he spoke with the insurance carrier's attorney who indicated that they are inclined to try to resolve this case. He felt that the case should not take any more than three (3) months to try to get to a point of resolution. They are requesting that the Board approves a three (3) month extension on this case.

Mr. Price asked Mr. Dones what is his intention to do with the structure once his court case is resolved.

Mr. Dones said that he intends to fix it. He is not going to tear it down because the structure itself is sound.

Mr. Pizzichillo asked what is unsafe about this structure.

Mr. Dones said the only thing that he could consider in using the terminology of "unsafe" would be the cosmetic appearance of the barn, in that the T1-11 has aged and is basically what they are deeming unsafe.

Mr. Price asked is anyone living in the structure.

Mr. Dones answered no. He said it is a storage shed for his tools and things.

At this time, Ms. Sanderson showed on the screen a picture of the structure (on file in the City Clerk's office).

Mr. Pizzichillo said that he could not hear the answer to his question.

Mr. Sugathapala said they believe the question regarding safety is unfounded in that it is more of a cosmetic issue. The structure's integrity is intact. There is nothing wrong with it. He said there is just a bunch of shingles that were blown off of the roof, which is part of the insurance claim that is pending litigation.

Mr. Price asked Ms. Sanderson in her judgement, what is the Building Department referring to as being unsafe.

Ms. Sanderson said a citation was issued by the Building Department that it is unsafe on different levels based on their assessment. The Notice of Violation from the Building Department states that Mr. Dones' options to cure their violation is to repair or demolish the structure.

Mr. Daige said the Building Department is involved and have issued a notice of an unsafe structure, which was to be repaired or demolished within 30-days. He felt that the Building Department would most likely want to do a building assessment to make sure the building is safe.

Mr. Turner suggested that the Board first address the request for a continuance.

Mr. Bryant said that he would like to give them nine (9) months to resolve their lawsuit, to get the building permit and to complete the work. He asked Mr. Dones if he could do this in nine (9) months.

Mr. Dones answered yes.

Mr. Bryant felt that would be fair.

Mr. Sugathapala felt that would give them enough time to have the case go through the Courts. He noted that the mortgage company for property is usually involved in overseeing the process of making the repairs necessary pursuant to an insurance claim. This means that licensed general contractors will be making the repairs. It would not be a handyman putting a band aid on the issue. It will be fully licensed and insured people making the repairs.

Ms. Pizzichillo asked how could he, without knowing anything more than what is in the backup material, superimpose his judgement upon the judgment of the Building Department who are stating that this is an unsafe structure. His other question is what happens if the court case does not turn out in the best interest of the property owner. His major concern is that he cannot superimpose his judgement over the judgement of the Building Department.

Mr. Price said this is just about how the City is involved, as far as Code Enforcement. He said the Board can assume that Mr. Dones has intent to try to resolve this issue as soon as possible.

Ms. Sanderson asked that the Board continue this case for three (3) or six (6) months and they will have a better idea where they stand with litigation and could have a conceivable plan going forward on what it would take to correct the violation.

Mr. Daige and Mr. Bryant supported Ms. Sanderson's suggestion of allowing an extension on this case of six (6) months.

Mr. Price made a motion for Case #20-CE-10639 that the Board extends it for six (6) months until the November Board meeting. He said that he was not sure how to word the motion.

Mr. Turner said the motion would be for a continuance to the November Board meeting.

Mr. Price made a motion for a continuance to their November Board meeting. Mr. Daige seconded the motion.

Mr. Price asked all in favor.

Ms. Sherri Philo, Deputy City Clerk, asked if they should do a roll call vote (because three (3) Board members were present via telephone).

Mr. Turner said they don't need to do a roll call. He asked are there any objections.

Mr. Pizzichillo said that he abstains.

Mr. Turner told Mr. Pizzichillo that he cannot abstain from the vote.

Mr. Turner said with no objections being heard, the motion is granted and the case is continued to the November Code Enforcement Board meeting.

2. CASE #20-CE-10641 / 2794M
VIOLATOR: Charles E. Fitz
VIOLATION: Public nuisance – unsafe structure
VIOLATION ADDRESS: 766 Fiddlewood Road, Vero Beach, Florida 32963

The City Attorney swore in Mr. Charles E. Fitz.

Ms. Sanderson reported that the violation was first initiated by the Building Department in September, 2019. A citation was issued by the City in March, 2020. Service of the citation was by property posting. The citation has not been corrected and the civil penalty has not been paid. She reported that the property was a short-term rental and the roof was struck by lightning. Currently, the property is going into foreclosure and Mr. Fitz is working with the bank to do a deed in lieu of foreclosure and he is present today to request time to allow that process.

Mr. Charles Fitz, Property Owner, has been sworn in. He reported that the house was hit by lightning and the fire caused a hole in the roof above the master bedroom.

Mr. Bryant asked when.

Mr. Fitz said it was on August 9, 2018. He said that they worked with the insurance company the best they could, but it didn't work out very good. He thought the insurance company gave the bank $136,000 and the cost to do the repairs was probably about $250,000. He said the kitchen is gone, one (1) bedroom is gone, and the entire roof is charred on the inside. He said that he tried to do a short sale and after about seven (7) months the bank decided what the price was going to be and the buyer gave up. He said in order to try to save his credit he applied for a deed in lieu of foreclosure in February, just after the short sale fell through. On May 11, 2020, he signed all the paperwork to give it back to the bank. As they are speaking today, it might not be his property because he signed everything over to the bank.

Mrs. Sanderson asked Mr. Fitz if he has a copy of the paperwork.

Mr. Fitz said that he does not have the signed copy as he sent it back.

Mr. Price said it hasn't been completed.

Mr. Fitz said that his part has been completed, but the bank has not responded in that it has only been two (2) days.

Mr. Price asked Mr. Fitz if he is requesting an extension.

Mr. Fitz answered yes.

Mr. Daige asked what was the home being used for.

Mr. Fitz said it was his homestead at the time. He said that if the lightning had struck the house five (5) minutes later he would have been there.

Mr. Daige asked how long has house been empty.

Mr. Fitz said since August 9, 2018.

Mr. Turner said staff brought it to the attention of the Board that this occurred in August, 2018 and a notice was issued on September 5, 2019, and nothing has been done.

Mr. Fitz said that is correct. He reported that he began the short sale prior to the violation notice.
Mr. Turner questioned the insurance proceeds.

Mr. Fitz reported that the insurance proceeds were given to the bank.

Mr. Turner asked when was the insurance proceeds given to the bank.

Mr. Fitz answered several months ago.

Mr. Turner asked is he correct that no improvements have been made.

Mr. Fitz said that is correct. He said it is so extensive that it is really a tear-down.

Mr. Price asked are they requiring him to fix everything.

Mr. Fitz answered no. He said the bank had an appraiser there a few weeks ago so they are aware of everything.

Mr. Bryant said then essentially he is giving the house back to the bank.

Mr. Fitz said that is correct.

Mr. Price asked how long of an extension is he requesting.

Mr. Fitz answered two (2) or three (3) months.

Ms. Sanderson asked that the Board issues a Board order allowing 30-days to comply.

Mr. Price made a motion for Case #20-CE-10641 that the Board extends this case for 30-days and the Board will address it again at their June meeting.

Mr. Price restated the motion that the Board continues this case to their June meeting. Mr. Bryant seconded the motion and it passed unanimously.

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #19-CE-10540 / 2229M
VIOLATOR: Fred Petrilla, Jr.
VIOLATION: Windows replaced without a permit
VIOLATION ADDRESS: 2671 Country Club Drive, Vero Beach, Florida 32960
(Failure to comply)

This item was pulled from today's agenda.

b. CASE #19-CE-10543 / 2231M
VIOLATOR: Juan Hernandez / City of Vero Beach

VIOLATION: Electrical and plumbing without permits; fence installed without Code Compliance or building permit
VIOLATION ADDRESS: 15 Bonanza Lane, Vero Beach, Florida 32960
(Failure to comply)

The City Attorney swore in Mr. Juan Hernandez.

Ms. Sanderson reported that service of the citation was by certified mail. She reported that the civil penalty has been paid. She requested that the Board finds there is a violation, the violation continues, and the civil penalty has been paid. She asked that the Board issues a Board order to correct the violation within 30-days and if not in compliance that continuing civil penalties shall commence on December 31, 2019.

Mr. Juan Hernandez, Property Owner, has been sworn in. He said it is difficult to pull a permit through the Building Department because they are closed to the public. Another problem is because these are mobile homes and he has been told by the Building Department that he doesn't need permits so there has been some back and forth with them. He purchased the mobile home as it is now five (5) or six (6) years ago and he has been around the mobile home for over 20-years. Now he is in a situation where he doesn't think that he needs to fix it because it has been this way for over 30-years. He feels that when he purchases a mobile home through the City, because the land is owned by the City, that they should protect the buyer. He reported that he also owns the mobile home at 19 Malibu Drive (the next case on today's agenda) that is cited for a shed and he does not have the paperwork to bring to the Building Department for an after-the-fact permit because the shed has been there for over 30-years.

Ms. Sanderson reported that these cases were initiated in December of last year. She explained that the Airport staff requested a sweep be done and they wanted all violations written.

Mr. Daige said the facts on the violation for 15 Bonanza Lane states that gray water discharge from the washing machine must be properly drained. He asked has that been done. He asked is it still pouring water onto the ground.

Mr. Hernandez said that he hasn't done anything with that. He said that he would have to pull permits to get that done. He said it is difficult because the Building Department is closed to the public and everything is being done on-line or on the telephone.

Mr. Daige asked has it been explained to him that you can't have discharge water from a washing machine going out to the ground.

Mr. Hernandez said he knows that, but it has been that way since he purchased the home.

Mr. Price didn't think it is an argument that "it has been like that." He said it needs to be corrected and should have been corrected a long time ago.

Mr. Hernandez felt that the Airport should look at mobile homes before they can be sold.

Mr. Turner said with all due respect, the City does not have that responsibility as the owner of the land. It is up to the owner of the individual units to make sure it complies with all rules, regulations, and building codes.

Mr. Hernandez said if the Board will give him four (4) months he will pull the permits and take care of the violations.

Mr. Bryant felt that four (4) months was fair because of the situation with the Building Department.

Mrs. Hillman asked when were the mobile homes purchased.

Mr. Hernandez said he purchased the home about seven (7) years ago. He noted that when he purchased it, he went to the City and filled out an application and the City accepted him to purchase the home. He felt that City staff should look at the mobile homes before a buyer fills out an application with them.

Mrs. Hillman said so you were well aware of what you were buying.

Mr. Hernandez said that is correct. He said they are mobile homes that are over 30-years old and he is not worried that there will be issues. However, he was not aware that he would have to be dealing with this seven (7) years later.

Mr. Price said that he would prefer to look at this as a new issue because it is before this Board as a new issue.

Mr. Pizzichillo said that he is having trouble with annunciation. He asked what is the deal with the washing machine.

Mr. Price thought that it was putting gray water on the ground.

Mr. Hernandez said the washer and dryer is outside in a shed and he thinks the problem is that the City wants the plumbing to go from the shed to the main sewer line.

Ms. Sanderson said this case was initiated in a sweep and there will be several cases coming forward that are in the same position as Mr. Hernandez. She said the City does want to work with Mr. Hernandez and the other tenants of the mobile home park to help them come into compliance.

Mr. Price felt the important thing is that they understand they are not in compliance and there is a safety issue that needs to be corrected.

Ms. Sanderson said Mr. Hernandez is fully aware of that. She reported that from the start Mr. Hernandez has reached out to her and attempted to work with her, with the Planning and Development Department, and with the Building Department. She said that Mr. Hernandez has done nothing but try to work with them. He has shown good faith and has paid the civil penalties. Then the virus came, which has put everyone behind the eight-ball. She agreed with allowing four (4) months to comply.

Mr. Price made a motion for Case #19-CE-10543 / 2231M that they are in non-compliance, but the Board will give Mr. Hernandez another four (4) meetings from today, the September meeting, to come into compliance and if not in compliance by that date continuing civil penalties will apply ($50 per day commencing on January 1, 2020 – the day after the compliance date given on the citation), along with costs. Mr. Daige seconded the motion and it passed unanimously.

c. CASE #19-CE-10557 / 2344M
VIOLATOR: Juan Hernandez / City of Vero Beach
VIOLATION: After-the-fact Code Compliance Certification and after-the-fact building permit required for shed
VIOLATION ADDRESS: 19 Malibu Drive, Vero Beach, Florida 32960
(Failure to comply)

*Please note that this case was discussed together with item b) on today's agenda.

The City Attorney swore in Mr. Juan Hernandez under the previous case.

Mr. Price said Mr. Hernandez will need a permit for this violation as well. He asked Mr. Hernandez if he is requesting four (4) months to comply with this property.

Mr. Juan Hernandez answered yes.

Mr. Price made a motion that for Case #19-CE-10557 / 2344M that the Board finds the property not in compliance and that the violator has until the September Board meeting to comply and if not in compliance by this date continuing civil penalties ($50 per day commencing on January 3, 2020 – the day after the compliance date given on the citation) and costs will be incurred. Mr. Bryant seconded the motion and it passed unanimously.

Mr. Turner said the correct procedure for those attending the meeting via telephone, by not responding would be in essence agreeing with the motion unless they formally say "object."

d. CASE #20-CE-10566 / 2250M
VIOLATOR: Vero Property Investment II, LLC / NRAI Services, Inc., Agent
VIOLATION: Failure to obtain permitting for adjoining parking area on US1
VIOLATION ADDRESS: 864 21st Street, Vero Beach, Florida 32960
(Failure to comply)

The City Attorney swore in Mr. Abel Reese (spelling may be incorrect).

Ms. Sanderson reported that the property address of 864 21st Street is owned by Vero Property Investment II, LLC, Renaissance Senior Living of Vero Beach. A warning citation was issued on January 7, 2020, and a citation was issued on February 11, 2020. Service of the citation was provided by certified mail. The civil penalty has been paid. She reported that due to the expense of making it an after the fact permitting process for a parking lot,

Renaissance decided that their best interest is to remove the milling that was applied and to sod the property and the City is in agreement. She asked that the Board finds there is a violation, the violation continues, the civil penalty has been paid, and that the Board issues a Board order to correct the violation within 14-days and if not in compliance then continuing penalties shall commence on February 25, 2020.

Mr. Turner asked Mr. Reese what is his relationship to the company, Vero Property Investments II, LLC.

Mr. Abel Reese has been sworn in. He said that he is the Administrator at Grace Rehabilitation Center, which is right next door to Renaissance, a common ownership involved with the properties.

Mr. Turner asked are you a member of the LLC.

Mr. Reese answered no.

Mr. Turner asked are you an agent.

Mr. Reese said that he is not sure if he is officially an agent.

Mr. Turner asked are you an attorney.

Mr. Reese answered no. He is the Administrator that manages the property and helps manage the other properties, which is the next building down, the Renaissance, and Grace Rehabilitation Center.

Mr. Turner said that he was not sure if Mr. Reese should be attending this meeting because normally there would be a representative that has authority on behalf of the violator.

Ms. Sanderson felt that Mr. Reese does have some type of authority because he has been the contact and point of reference for all actions in this case since it was initiated and he has worked with the Engineering Department and with the Planning and Development Department.

Mr. Turner explained that he was thinking of if they are instructed to do something and it doesn't occur.

Mr. Reese said that 90% of the work has been done and there is one (1) last little piece that needs to be done.

Ms. Sanderson asked the Board members if they would be more comfortable to extend this case for 30-days so that everything could be completed. She asked Mr. Reese if he felt they could complete everything in that timeframe.

Mr. Reese answered yes.

Mr. Price made a motion for Case #20-CE-10566 / 2250M that the Board finds the property is not in compliance and to allow 30-days to comply and that the civil penalty has been paid. Mr. Daige seconded the motion and it passed unanimously.

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

e. CASE #20-CE-10614 / 2269M
VIOLATOR: P. Scott McCracken
VIOLATION: Commercial trailer parked onsite that is not being used in construction on property that has a valid building permit; dumpster onsite without a valid building permit – Code Sections 74.82 (a); 64-45 (d)(1)
VIOLATION ADDRESS: 2716 Laurel Drive, Vero Beach, Florida 32960
(Failure to pay $100 civil penalty)

Ms. Sanderson reported that service of the citation was provided by property posting. The property is in compliance and the civil penalty has not been paid. There is cost of enforcement in the amount of $46.35. She asked that the Board finds there was a violation, the property is now in compliance and to issue a Board order to pay the civil penalty of $100 and cost of enforcement in the amount of $46.35.

Mr. Price made a motion for Case #20-CE-1014 / 2269M that the Board finds that the property is now in compliance and to pay the civil penalty of $100 and the costs of $46.35. Mr. Daige seconded the motion and it passed unanimously.

f. CASE #20-CE-10626 / 2278M
VIOLATOR: Bryan Fox, owner; Andres Gonzalez, realtor; Coldwell Banker Paradise
VIOLATION: Sign violation
VIOLATION ADDRESS: 917 Bahia Mar Road, Vero Beach, Florida 32963
(Failure to comply; failure to pay $50 civil penalty)

Ms. Sanderson reported that the property came into compliance on May 11, 2020 and the civil penalty has not been paid. She requested that the Board finds there was a violation, the property is now in compliance, and that the Board issues a Board order to pay the civil penalty in the amount of $50. She reported that they did pay the cost of enforcement, but not the initial civil penalty. She sent them an email that they still needed to pay the citation amount, but she has not heard back from them.

Mr. Price made a motion for Case #20-CE-10626 / 2269M that the Board finds that the property is now in compliance, the costs have been paid, but the civil penalties remains unpaid and that the Board issues a Board order to pay (the initial civil penalty of $50). Mr. Bryant seconded the motion and it passed unanimously.

g. CASE #20-CE-10640 / 2793M
VIOLATOR: Schlitt Brothers Properties, LLC / William Schlitt, agent
VIOLATION: Public nuisance – unsafe structure
VIOLATION ADDRESS: 2020 Del Mar Avenue, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

This item was pulled from today's agenda.

h. **CASE #20-CE-10666 / 2803M**
VIOLATOR: Schlitt Brothers Properties, LLC / William Schlitt, agent
VIOLATION: Weeds, grass, or undergrowth at a height of more than 12 inches
VIOLATION ADDRESS: 2020 Del Mar Avenue, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

This item was pulled from today's agenda.

i. **CASE #20-CE-10544 / 2232M**
VIOLATOR: Jason Myers / City of Vero Beach
VIOLATION: Construction without a building permit or Code Compliance Certification
VIOLATION ADDRESS: 18 Bonanza Lane, Vero Beach, Florida 32960
(Failure to comply)

The City Attorney swore in Mr. Jason Myers.

Ms. Sanderson reported that the violation was for the construction on an awning type of carport cover without code compliance or a building permit. The citation was issued on December 17, 2019. Service of the citation was by certified mail and the civil penalty has been paid. She reported that Mr. Myers is in the process of trying to get a building permit.

Mr. Bryant asked Mr. Myers if he is able to take down the awning.

Mr. Jason Myers has been sworn in. He said that he could take the top off. He explained that it is just four (4) posts, a floor, and a roof.

Ms. Sanderson asked Mr. Myers what is in his best interest, to remove it or try to get after the fact permitting.

Mr. Myers said that he wants to keep it because it keeps the rain from going inside. He would like to get the after the fact permit.

Ms. Sanderson said that Mr. Myers is in the process of trying to find someone to sign off on it.

Mr. Bryant said it will probably take about six (6) months to get engineer drawings, etc.
Ms. Sanderson said that Mr. Myers has started the process. She asked Mr. Myers if he felt he needed four (4) months or six (6) months.

Mr. Myers said either four (4) or six (6) months. If he can't get the permitting then he will tear down the structure.

Mr. Price made a motion for Case #20-CE-10544 that the Board finds that the property is not in compliance, the civil penalty has been paid, and that the Board gives the violator until their November meeting to come into compliance. Mr. Daige seconded the motion and it passed unanimously.

j. CASE #19-CE-10548 / 2236M
VIOLATOR: James R. Lewis / City of Vero Beach
VIOLATION: After-the-fact Code Compliance Certification and building permit required for vinyl fence
VIOLATION ADDRESS: 5 Aero Lane, Vero Beach, Florida 32960
(Failure to comply; failure to pay $50 civil penalty)

This item was pulled from today's agenda.

k. CASE #20-CE-10552 / 2240M
VIOLATOR: Pedro Agular Martinez / City of Vero Beach
VIOLATION: Electrical and plumping without a permit and shed installed without Code Compliance Certification or building permit
VIOLATION ADDRESS: 24 Fleetwood Drive, Vero Beach, Florida 32960
(Failure to comply)

This item was pulled from today's agenda.

l. CASE #20-CE-10726 / 2909M
VIOLATOR: Ardeth and Christian Gloetzner
VIOLATION: Public nuisance – wood left on right-of-way
VIOLATION ADDRESS: 3647 21st Street, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

The City Attorney swore in Mr. Christian Gloetzner.

Ms. Sanderson reported that the citation was provided by property posting. The violation has been corrected and the civil penalty remains unpaid.

Mr. Christian Gloetzner has been sworn in. He said that he has the money today to pay the citation.

Mr. Price made a motion for Case #20-CE-10726 / 2909M that it is in compliance and that the Board issues a Board order to pay the $50 civil penalty. Mr. Bryant seconded the motion and it passed unanimously.

m. CASE #20-CE-10731 / 2915M
VIOLATOR: Cash Money Holdings, LLC / Michael Buza, Agent / Daniel Bowman, Michael Green and Howard Guthrie
VIOLATION: Boat, boat/trailer combination and utility trailer stored in the required front yard

VIOLATION ADDRESS: 891 22nd Place, Vero Beach, Florida 32960
(Failure to comply; failure to pay $100 civil penalty)

This item was pulled from today's agenda.

n. CASE #20-CE-10747 / 2921M
VIOLATOR: John David Moore
VIOLATION: After-the-Fact Code Compliance Certification must be obtained from the City of Vero Beach Planning and Development Department for the fence, brick pavers, and shed; building permits must be obtained from the Indian River County Building Department for fence, windows, shed, and ductless Air-conditioning unit
VIOLATION ADDRESS: 2430 16th Avenue, Vero Beach, Florida 32960
(Failure to comply)

The City Attorney swore in Mr. John David Moore.

Ms. Sanderson reported that service of the citation was provided by certified mail. The violation is in the process of being corrected in that Mr. Moore has applied for Code Compliance, which has to be approved before he is able to get a building permit. The civil penalty has been paid. She asked that the Board finds there is a violation, the violation continues, and the civil penalty has been paid. She asked that the Board issues a Board order to correct the violation within 30-days and if not in compliance continuing civil penalties would commence beginning on April 30, 2020.

Mr. Bryant questioned if Mr. Moore would be able to get a permit within 30-days.

Mr. John David Moore has been sworn in. He answered yes. He said that he sent all the information needed to Ms. Gayle Lafferty of the Planning and Development Department and she told him that she will be out of town until May 14th.

Ms. Sanderson suggested that they allow 60-days to comply.

Mr. Bryant made a motion to go with the City's recommendation to allow 60-days versus 30-days (that the Board allow 60-days to come into compliance). Mr. Price seconded the motion and it passed unanimously.

o. CASE #20-CE-10674 / SFS031220-40
VIOLATOR: Kenneth Thomas Amarite, Jr.
VIOLATION: Impeding traffic from business
VIOLATION ADDRESS: 1925 US1, Vero Beach, Florida 32960
(Failure to pay $50 civil penalty)

Mr. Ramsey reported that the citation was written by a Patrol Officer of the Vero Beach Police Department for impeding traffic from a business. He reported that it was a homeless

person who was panhandling at the exit of McDonalds. The civil penalty remains unpaid. He asked that the Board issues a Board order to pay.

Mr. Price made a motion for Case #20-CE-10674 / SFS031220-40 that they pay the civil penalty of $50 (that the Board issues a Board order to pay the civil penalty of $50). Mr. Daige seconded the motion and it passed unanimously.

p. CASE #20-CE-10510 / 2219M
VIOLATOR: Joseph J. Thomas
VIOLATION: Failure to obtain stormwater management plan for dirt added throughout the property and failure to obtain right-of-way permit for dirt added to City right-of-way; irrigation system installed without a permit from the Indian River County Building Department
VIOLATION ADDRESS: 680 Royal Palm Boulevard, Vero Beach, Florida 32960
(Failure to comply; failure to pay $50 civil penalty)

The City Attorney swore in Mr. Joseph Thomas.

Ms. Sanderson reported that the property owner was issued a verbal warning on October 14, 2019 by the Public Works Department that the work involved required permitting. She and Ms. Danessa Chambers, Assistant City Engineer, did a site visit on November 8, 2019 and they spoke with the property owner's wife and advised her that the work being done required permitting. A warning citation was issued on November 25, 2019, and a citation was issued on February 11, 2020, after the property owner was advised that the application that he submitted to the Public Works Department and to the Planning and Development Department for the work on the site had items that needed to be addressed. No request for a hearing on the citation was received so a hearing to contest the citation was waived and the violation is deemed admitted by the violator. The violation has not been corrected and the civil penalty was paid last Friday. She said the City is aware the improvements made to the property were to accommodate the owner's disability and have made every attempt to work with him. The City also recognizes the beauty and the expense of the vegetation and trees added to the property and the berm. However, the property owner was advised several times prior to the landscaping that the berm must be removed and the final condition of the property should not direct stormwater runoff to adjacent properties and slopes at the property lines are not to exceed the maximum allowable slope.

Ms. Danessa Chambers, Assistant City Engineer, has been sworn in.

Ms. Chambers reported that she has been with the City a little over four (4) years and is a Licensed Professional Engineer in the State of Florida.

At this time, Ms. Sanderson showed photographs of the property and Ms. Chambers went over them with the Board members (all photographs shown as evidence are on file in the City Clerk's office).

Ms. Chambers reported that fill was being brought onto the property and that is when the conversations first started about not having a permit. She explained to the Board that part of the reason the City requires a permit is because as shown in the photograph the dirt is in the

roadway and is tracking out into the road, which gets picked up by rainwater and is discharged directly into the Lagoon. The berm in the front of the property is in excess of the four (4) to one (1) requirement. Prior to the plantings, the City notified the homeowner that the berm was not in compliance and that the slopes would need to be decreased to 25% or less. At the time the homeowner was notified the sod was not established yet so it would have been easy to address at that time to lift the sod, make the berm compliant, and then put the sod back down. However, the sod was left in place and eventually did become stabilized and additional plantings were added to the berm. She noted that another important thing to know is the material that is being used around the berm. There is approximately 5,000 square feet of that material that has been left un-stabilized. The homeowner is stating that it is gravel, but she brought a sample of the material so the Board can see there are a lot of fines and sand like particles, which typically the City would not allow a construction site to close out their project and leave that type of material exposed because wind and rainwater picks it up and it is considered a pollutant to the Lagoon (sample on file in the City Clerk's office). She reported that the property owner did rework the berm prior to planting the large trees and does have documentation that someone totally reworked the area, but all the slopes were put back in excess of the 25%, which is what staff has been stressing from the start so unfortunately, all that work did not accomplish the main priority of bringing the berm in compliance and making it to where it doesn't exceed the maximum allowable slope. She reported that because the property owner has been doing work on and off, staff went to the site this past Friday and on Monday. She reported that the back of the berm still exceeds the four (4) to one (1) rule and the gravel material still remains. When she sent the property owner a photograph of how the fill was piled up against his chain link fence, just the area where the photograph was taken was addressed. However, the entire eastern property line has the same issue, as well as some of the western property line. So, even though they addressed that one (1) small section, there is still multiple locations along the fence line that have not been addressed. She said to be sure about the slope of the berm, they went to the site with a smart level and were getting values between 60% and 94%, which the maximum allowable is 25%.

Ms. Sanderson said in between the times they were on site taking pictures, Ms. Chambers had been dialoging with the property owner on what needs to be done so he would not be impacting his neighbors.

Ms. Chambers said that is correct. She said they started with a couple in person meetings, which it didn't seem they were communicating effectively so they sent back comments when Mr. Thomas actually did submit a permit, which those comments were never addressed and the permit was never issued. Staff could see that changes were occurring on the site, but they were not addressing any of staff's concerns so they began sending Mr. Thomas emails that were very black and white, stating the issue with a photograph asking that they be addressed. However, that was not affective either.

Ms. Sanderson reported that Mr. Thomas has explained his disability and expressed that he added the gravel so he can walk his property and do his own rehabilitation, which the City is cognizant of that and appreciates that. However, they need it to meet Code so it does not have any impact on his neighbors. She asked that the Board finds there is a violation, the violation continues, and to allow 45-days to work with the City to get an approved stormwater drainage plan and to complete the project.

Mr. Price asked what is the reason for making the slope only 25%.

Ms. Chambers said it has to do with the ability to stabilize the site. It is very common and normally the maximum you would see is three (3) to one (1) and in the City of Vero Beach it is four (4) to one (1), so it is 25% to 33%. She reported that some areas of the berm are sodded and some areas are mulch, which the mulch is sloughing right off the berm because it is so steep. The intent is to make it where it is easy to maintain and that the velocity of the runoff is low enough so that it doesn't become exposed over time and the vegetation can actually stay.

Mr. Bryant stated as well as safety.

Ms. Chambers said that is correct.

Ms. Sanderson asked Ms. Chambers to explain the color codes shown on the aerial view (Exhibit 1).

Ms. Chambers explained that the red along the sides is the locations where the fill is up against the chain link fence and in some areas leading to the neighboring properties, the green is the berm at the front of the property, the magenta is the 5,000 square feet of material that the property wants to leave exposed (the sand-like material), and the blue in the back is where the filling of the drainage easement occurred.

Mr. Price asked what are the recommendations to fix this.

Ms. Chambers said they would need to rework the side yards so instead of coming right up against the chain link fence, the fill would taper down at a four (4) to one (1) maximum to the bottom of the fence and it would need to be sodded or vegetated in some way to hold the dirt in place so it does not go towards the neighbors. The berm would need to be reworked so that it either is not as high or it takes up a larger area or have some type of retaining wall or retaining system in place so that it doesn't exceed four (4) to one (1). The material to the rear of the property and those slopes should not exceed four (4) to one (1) and then the fill that is currently there could remain if he put a couple of inches of a suitable material over it. If not, he would need to make it gravel, concrete, or asphalt. If he does that there is a retention requirement on site because it is 5,000 square feet. Depending on what material selected, it will trip that he will have to provide some type of stormwater retention on site if it is considered an impervious material.

Mr. Daige asked is there a landscape permit.

Ms. Sanderson said a permit is not required.

Ms. Chambers explained that a permit is required to bring in fill.

Mr. Daige asked with what needs to be done, is a permit required.

Ms. Chambers answered yes. She explained that a permit was submitted, but not approved because it was not sufficient.

Mr. Joseph Thomas has been sworn in.

Mr. Price asked is he correct that the material used around the house was not meant for parking, but so that he can walk around the house.

Mr. Joseph Thomas said that he has been a resident of Vero Beach for 30-years and his wife's family has been here for five (5) generations. He was injured two (2) years ago and has one (1) functional leg. His next door neighbor had his neck slashed a few months ago. Another neighbor was hit by a speeding car. There is no sidewalk on his street and he needs the exercise.

Mr. Price asked Mr. Thomas to keep the dialogue specific to this case.

Mr. Thomas said that he is. He said that he was appointed by two (2) Governors and served in a quasi-judicial position so he understands how the system works. When he came to the City he was told that he didn't need a permit. He told the City that he is handicapped and needed a place on the property to walk because the City has not given him a sidewalk or a crosswalk outside his residence.

Mr. Price asked what was the purpose of raising …

Mr. Thomas said they were grading the property. They were moving the sod and the dirt on his property from one (1) area to the other side of the property. His pictures will prove that they did it two (2) feet from the fence line. They put eight (8) inches of plywood all the way around and staked it. After they staked it they moved the dirt to those places and then put the gravel over it. He said the gravel was chosen, and this is where discrimination comes in, right across the street from him the same gravel lines 100 or 150 feet of the property. The same gravel and yet, he is being discriminated against.

Mr. Bryant didn't think that was right for him to say that he is being discriminated against.

Mr. Thomas said that he will show them four (4) properties within 300 yards.

Mr. Price asked Mr. Thomas are the pictures he has different than what have been shown.

Mr. Thomas answered yes. He said that he did include some of staff's pictures as well. He said that he used the eight (8) pictures that the Engineer sent him. He said that she sent a letter stating that he needed to address six (6) areas, which he did. He said in looking at the citation, it claims that he did not seek a permit. If they look at the signature sheet in the lobby of City Hall, they will see that he signs it when he comes here. He said there are permit applications that he turned in and was told that he didn't need a permit for the gravel. He said that he would like to put down pavers, but at this point all he wants is the gravel so he can exercise around his own home. He is not doing anything to affect his neighbors. He said the gravel is not permanent. It is just until the dirt that he reassigned stabilizes in place. He said that he has come into City Hall and his signature in the lobby will prove it.

Mr. Price asked if he told staff that he was bringing in truckloads of fill dirt.

Mr. Thomas said they brought in six (6) loads of gravel. First they skimmed the property and noticed a big wet spot in the yard and found that it was a huge leak on the City's supply line. He called the City and staff came out and opened it up, which the water flowed over the pavement. The next day that was cleaned up and the leak continued. Then the City told him

that the pipe was too close to the surface and they would put the piping in deeper. He said that he is waiting for this to occur and after a few weeks he called the City and he was told that if he was going to add gravel then they don't have to bury the pipe because that thickness will act as a cushion over it. Meanwhile, everything was staked and ready to go. When he moved the dirt, he took the sod from around the entire property and put it around the front to provide that raised planter. It was completely staked and framed so there is no creep. Into that, they put in all the extra dirt that could not be leveled. He said that he spent $600 on the concrete blocks that he put in the back of the property so nothing would go into the ditch. He said they couldn't put dirt along that side because it would fall into the ditch so they put gravel behind it to support it along the entire length. On March 3, 2020, he received the pictures from Ms. Chambers and immediately corrected all six (6) matters that she discussed, which was completed prior to March 14, 2020. The citation also claims that he put in a sprinkler system without a permit. He said they did put in a new timer and a new pump, but that was repair of an old system.

Mr. Bryant said this is not a citation appeal hearing. This case is before the Board as not being in compliance.

Mr. Price felt it was important to allow Mr. Thomas to voice his opinion.

Mr. Thomas said that he brought with him the actual Code that he is being held against.

Mr. Bryant said this is not a citation appeal hearing. That day has come and gone.

Mr. Thomas asked when did he waive that. He said that he called Ms. Sanderson and asked her about paying the $50 civil penalty. He said that he would miss paying for his medication to pay the $50 if he owed it. He said that Ms. Sanderson told him that he could speak with the Building Department because they were the ones who sent her to the property to issue the citation and if the Building Department puts that on hold then he would not have to pay the $50.

Ms. Sanderson thought Mr. Thomas was talking about the irrigation system. She said that when she and Ms. Chambers were on site with his wife the sprinklers were running and they asked her if that was new irrigation and she answered yes so they did issue that on a citation. When she spoke with Mr. Thomas she was told that he was replacing asbestos pipes and so she called the Building Department and they told her to let it be so that became a non-issue. They are here today to address just the stormwater drainage.

Mr. Thomas said that he did apply for a permit and it is on file.

Ms. Sanderson thought there was some miscommunication in that when Mr. Thomas came in and applied for a permit, he spoke with Mr. David Gay, Chief Surveyor, and the way that he (Mr. Thomas) defined the work that was being done, Mr. Gay told him a permit was not required.

Mr. Daige said the citation before them today states *failure to obtain a stormwater management plan for dirt added throughout the property and failure to obtain a right-of-way permit for dirt added to the City right-of-way.* If he understands the Code Enforcement Officer, *irrigation system installed without a permit* is off the record.

Ms. Sanderson said that is correct.

Mr. Daige said so a stormwater management plan needs to be filed and a right-of-way permit is needed. Those two (2) things need to happen in order to bring the property into compliance.

Ms. Chambers said there was some filling and sodding work done within the right-of-way without a permit and since there isn't a swale within the right-of-way and the City is trying hard to work with Mr. Thomas, the City elected to allow the work that occurred within the right-of-way and call that a "wash." What the City is after right now is the permit and the reworking of the areas that are drainage and erosion control concerns of the property.

Mr. Thomas said if the Board could see his presentation …

Mr. Price didn't think that is going to help the Board because the Board does not determine whether staff is correct or not. The Board's concern is to determine if he is out of compliance and to get the property into compliance.

Mr. Bryant told Mr. Thomas that he has to obtain a permit.

Mr. Thomas said that there is no question about that and he applied for a permit.

Mr. Bryant said he needs an approved site plan permit from the City of Vero Beach. If his grades are out of whack, he has to correct them to four (4) to one (1), which means for every four (4) feet he has to drop one (1) foot. He asked is he correct that is what the four (4) to one (1) means.

Ms. Chambers said that is correct.

Mr. Bryant said that he wanted to be sure they all know what four (1) to one (1) means. It is for runoff, safety, etc. They cannot have streams of water going down the gutter system.

Ms. Chambers said that Mr. Thomas did submit a permit and staff sent it back with comments. However, staff has not received a response that is sufficient to address the issues to release the permit.

Mr. Price said the Board has to fine him, if they decide to, because the property is not in compliance. He said this is to encourage him to come into compliance.

Mr. Thomas referred to the Notice of Hearing and read in part, "*You have the right to present witnesses and other evidence … and to cross-examine witnesses against you.*" He said it is on the Notice that the City issued to him. He asked when did he forego that right. He said the City provided evidence against him and you (Mr. Price) want him to accept that. He said that he is giving the Board the evidence that he has so why wouldn't the Board look at it. If they entertain one (1) end in all justice and fairness and without discriminating against him, how can he forego his right that is given to him in attending this hearing.

Mr. Bryant said if they gave Mr. Thomas a notice, he doesn't know why he didn't ask for an appeal hearing.

Ms. Sanderson said that this is not under appeal because Mr. Thomas did not request an appeal.

Mr. Bryant asked Mr. Thomas to go ahead and show his photographs so he doesn't think the Board is discriminating against him.

Mr. Thomas said that he was kidnapped and arrested by the City Police Department and that is on record. He said they came over with guns and badges and put him in handcuffs.

Mr. Daige said it is his understanding that a permit is in the process and comments were sent back to Mr. Thomas. He asked Mr. Thomas if he received them.

Mr. Thomas answered yes. He said that he received them on March 3, 2020 and immediately addressed all six (6) matters over the next two (2) weeks and he has proof of it.

Mr. Daige asked did he address the City's comments in writing.

Mr. Thomas answered yes.

Ms. Sanderson said based on the application that was submitted in December, 2019, comments were provided back with the application on what needed to be addressed by Ms. Chambers on January 2, 2020.

At this time, Mr. Thomas showed photographs of the property on the screen (on file in the City Clerk's office). He reported that the weekend after he met with Ms. Chambers, the following weekend they had the entire center of the berm cored out and the excess dirt was hauled away. The berm then became about 1/3rd of the size. He said it is not truly a berm, but an organic planter.

Mr. Bryant said it is a planter with an extreme slope.

Mr. Thomas said they can see the gravel and mulch by the fence, which the gravel was put up two (2) feet against the fence so there is no dirt against the fence. He said that they graded the exact spot on the property that was shown to him in the photograph by Ms. Chambers.

Mr. Price asked why does his property appear to be two (2) feet above everyone else's property. He asked was it like that before.

Mr. Thomas said that he just moved the dirt and put in the form and put the dirt against it.

Mr. Price said but you did end up raising the elevation of the property.

Mr. Thomas said not really, no.

Ms. Chambers said his property was at the same elevation as the adjacent properties.

Ms. Sanderson said Ms. Chambers sent him a photograph stating that this needs to be addressed and that piece of property was addressed, but not the areas on either side.

Mr. Bryant said just that section was addressed, but not around the perimeter.

Ms. Chambers explained that when she sent Mr. Thomas the email, the items were detailed out of the issues that needed to be addressed. The photographs were to give an example because they were having a hard time communicating. It didn't mean that the issue was isolated to just that photograph. So while this has been corrected, the same issue is still occurring at other locations on the property.

Mr. Price asked will the stormwater management plan correct those issues.

Mr. Bryant said the permit criteria will correct the issues because he will have to change the grates.

Mr. Thomas said the lip of the planter is actually the sod, an organic lip to prevent any runoff. In the torrential rain they had over the last few days, there was no runoff that came from his property. He said that he did everything to prevent anything from moving off the property. He said there is a little gravel that is supporting the form along the fence line. It is not dirt.

Mr. Daige said the Board is looking at this and it doesn't meet Code so they will have to rule in favor of what the Engineer is looking for in order to bring the property into compliance. He told Mr. Thomas that he is welcome to talk as much as he wants, but the property still has to come into compliance and it is going to have to be under the rules of the City. He said the County and the City did back up on some things to try to help him get things squared away. A whole bunch of stuff has been wiped off, but there are still two (2) things that have to be done.

Mr. Thomas asked what are the two (2) things.

Mr. Bryant said that he needs an irrigation permit.

Ms. Sanderson said the City conceded the irrigation permit.

Mr. Daige said the issues are, failure to obtain a stormwater management plan for dirt added throughout the property and failure to obtain a right-of-way permit for dirt added to the City right-of-way.

Mr. Thomas thought the right-of-way was off the table.

Ms. Chambers said that is correct as long as the reworking of the areas, the City is agreeable to letting the right-of-way remain. She referred to the photograph showing the berm and the steps.

Mr. Bryant said from the base of the steps out, the berm goes over the City right-of-way.

Mr. Daige said so the Engineering Department on this issue are going to let it go as it is presented in the photograph.

Ms. Chambers said that is correct as long as there is no further encroachment.

Mr. Bryant clarified that is the front berm.

Ms. Chambers said that is correct, but it still needs to not exceed the slope requirement.

Mr. Daige said Mr. Thomas has received a number of passes on issues where there were violations. Now they are down to one (1) thing, which is what the Board will rule on.

Mr. Thomas said that he hoped that he did not come across as not agreeing to come into compliance because he will.

Ms. Sanderson asked that the Board finds there is a violation, the violation continues, and to allow 45-days to complete the permit process and to complete the work that would be required to bring the property into compliance or civil penalties should commence beginning February 25, 2020.

Mr. Bryant made that a motion on the City's recommendation (that the Board issues a Board order finding violation and allowing 45 days to come into compliance and if not in compliance continuing civil penalties of $50 per day shall commence on February 25, 2020). Mr. Daige seconded the motion and it passed unanimously.

r. CASE #20-CE-10663 / 1063T
VIOLATOR: Killinda A. Williams
VIOLATION: Vehicles to include cars, trucks, trailers, boats, etc. parked all over front and sides of property some without visible registration; many items in need of storage or waste removal placed throughout front of property
VIOLATION ADDRESS: 1936 35th Avenue, Vero Beach, Florida 32960
(Failure to comply; failure to pay $100 civil penalty)

The City Attorney swore in Ms. Elizabeth Wilson.

Ms. Elizabeth Wilson said that she is not an attorney. She reported that Mrs. Williams (property owner) fell and is in a rehabilitation center. She said that the yard has been cleaned up.

Mr. Ramsey reported that he inspected the property on February 19, 2020 and there were seven (7) vehicles in the front yard of the property, as well as a considerable amount of unstored items out in the open. This is the fourth violation on this property. As of this morning, there were six (6) vehicles, trailers, a boat, a recliner chair, bicycles, and several other items on the property. He reported that the civil penalty remains unpaid.

Ms. Elizabeth Wilson has been sworn in.

Ms. Wilson explained that they are trying to reconstruct the home to accommodate a wheelchair because Mrs. Williams will be unable to walk. As of this morning, there were three (3) cars and two (2) empty trailers that all have tags on them. She said there is no recliner.

Mr. Ramsey said at 6:02 a.m. this morning there was a black Trans Am without tags in the driveway and the recliner was right in front of it. He said there were at least six (6) vehicles in the front yard, two (2) trailers, and a boat.

Ms. Wilson said there is no boat in the yard.

Mr. Ramsey said that is correct. It is a trailer, not a boat.

Mr. Daige said there are currently six (6) vehicles and two (2) trailers on the property.

Mr. Ramsey said as of this morning that is correct.

Mr. Daige asked are the cars parked in the front yard.

Mr. Ramsey said it would be the yard if there was a yard.

Mr. Daige asked are the trailers parked in the front yard.

Mr. Ramsey answered yes.

Mr. Daige asked if the City has an Ordinance that prohibits parking in the front yard.

Mr. Ramsey answered yes.

Ms. Wilson said that she has always lived in the County so she is new to the City Ordinance. She asked would someone have to rent a space for their trailer that they use every day to go back and forth to work.

Mr. Ramsey said it would depend on if it is a commercial vehicles, multiple axels, if it is in the driveway or in the yard, etc. He said both of the trailers on the property are in the front yard. He said that he would be happy to explain to her on-site what the required front yard is.

Ms. Wilson said because of Mrs. Williams' health, a lot of stuff had to be taken out of the home, which was placed in the blue trailer and that trailer will be removed. The other trailer will be put in the driveway and it does have a tag on it. She said it would probably take a couple of days to move the other trailer and the Trans Am. She said that she personally has three (3) vehicles. She has a tan truck that is tagged, a blue Taurus that is tagged, and her other car is a Honda, which is currently covered and stored in the back yard. The Honda is not tagged, but it is being worked on so she can get it tagged.

Mr. Daige asked if the Code requires vehicles to have a tag.

Mr. Ramsey said that is correct.

Ms. Wilson said even if the vehicle is being stored in the back yard where no one can see it.

Mr. Daige said it is in the Code that the vehicle has to have insurance and a tag.

Ms. Wilson said that she would get the vehicle tagged.

Mr. Daige said the citation also refers to garbage, trash, debris, dead trees, and other unsightly or unsanitary substances. He asked Mr. Ramsey what he means by that.

Mr. Ramsey said there were many cans or jugs of fluids of unknown substances on the site.

Mr. Daige asked has the garbage, trash, debris, etc., been removed from the property.

Mr. Ramsey answered yes. He said the property did look a lot better today than it has been.

Mr. Daige asked Mr. Ramsey what he is asking for.

Mr. Ramsey said that he wants payment of the civil penalty, the vehicles removed from the front yard, and the items to be stored.

Ms. Wilson said that she doesn't know where they can park their vehicles.

Mr. Ramsey said that he would be happy to meet with her.

Mr. Daige suggested that the Board allow 30-days to comply.

Mr. Ramsey said that he would like to have the civil penalty paid within two (2) weeks.

Ms. Wilson said that she will pay the civil penalty tomorrow.

Mr. Price made a motion for Case #20-CE-10663, Killinda Williams, that the property is not in compliance, that they are to comply within 30-days, and the civil penalty needs to be paid. Mr. Daige seconded the motion and it passed unanimously.

At 4:50 p.m., Mrs. Hillman excused herself from today's meeting.

The Board took a break at 4:51 p.m. and the meeting reconvened at 4:57 p.m.

s. CASE #20-CE-10696 / 2068T
VIOLATOR: Jose, Gabriel, and Margarita Barajas
VIOLATION: Commercial business operating out of residential home; many items of either trash, debris or equipment left unstored and placed all about the property; vehicles parked on the required front yard setback area, commercial vehicles on site; no record of Business Tax Receipt found in records search
VIOLATION ADDRESS: 1956 34th Avenue, Vero Beach, Florida 32960
(Failure to comply; failure to pay $50 civil penalty)

Mr. Ramsey reported that the property is in compliance and the civil penalty has not been paid. He requested that the Board issues a Board order to pay the civil penalty of $50.

Mr. Price made a motion for Case #20-CE-10696 that the Board finds the property is in compliance and to issue a Board order to pay the civil penalty of $50. Mr. Daige seconded the motion and it passed unanimously.

t. CASE #20-CE-10702 / 2069T
VIOLATOR: AT&T, property manager; Patricia Coleman
VIOLATION: Fence constructed and installed without either required code compliance or building permit
VIOLATION ADDRESS: 1825 Old Dixie Highway, Vero Beach, Florida 32960
(Failure to comply; failure to pay $50 civil penalty)

This item was pulled from today's agenda.

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

a. CASE #19-CE-9097 / 1808T
VIOLATOR: Vino Royal, LLC
VIOLATION: Dock constructed without approvals from the City of Vero Beach Planning and Development Department or a permit from the Indian River County Building Department
VIOLATION ADDRESS: 97 Royal Palm Pointe, Vero Beach, Florida 32960
(Request for the Board to find the property in compliance as of October 2, 2019, to cease continuing penalties, and to waive all costs associated with this case with the exception of costs due to the City)

Mr. Turner thought that staff had an announcement on this case.

Ms. Philo suggested that they go ahead and swear in Mrs. Patricia Allegretta and allow the Code Officer to speak first and then she would speak.

The City Attorney swore in Mrs. Patricia Allegretta.

Mr. Ramsey reported that Mrs. Allegretta did submit a three (3) page letter, which is actually not germane to the case that is before the Board today. He explained that multiple citations and cases were developed for the same violation. There was some confusion between the Code Enforcement Department and the Building Department and one (1) case went before the Board that shouldn't have and fines were being accrued. Mrs. Allegretta is closing on property unrelated and discovered that she was accruing fines that she was unaware of. Staff would like to remedy the problem by closing out this case and removing the penalties. This case should have been closed and should never had gone before the Board.

Ms. Philo explained that there were two (2) citations issued for the same violation. They complied and paid the first citation and the other citation came before the Board for non-

compliance and non-payment and fines have been accruing. She said staff is requesting that they …

Mr. Bryant said to wipe it clean.

Ms. Philo continued stating except for costs due to the City for recording and City Attorney fees.

Mr. Ramsey said that is correct and that is his recommendation.

Mr. Bryant asked how much are the costs.

Ms. Philo said if the Board chooses to just request costs due to the City, the cost would be $112. That would be if the Board waived the continuing penalties, which amounted to thousands of dollars, as well as the initial $100 civil penalty. What staff is asking the Board is that they find the property in compliance, ceasing the continuing penalties and to pay the costs due to the City in the amount of $112.

Mr. Bryant made a motion to go with Mr. Ramsey's recommendation (to issue a Board order finding the property in compliance, ceasing the continuing penalties and waiving all accrued civil penalties and the initial civil penalty and to pay costs due to the City in the amount of $112). Mr. Daige seconded the motion and it passed unanimously.

8. CLERK'S MATTERS

None

9. ATTORNEY'S MATTERS

None

10. CHAIRMAN'S MATTERS

None

11. MEMBER'S MATTERS

None

12. ADJOURNMENT

Today's meeting adjourned at 5:08 p.m.

/sp

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-A)1

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10641

CHARLES E. FITZ
Violator

Citation No.: 2794M

TO: Charles E. Fitz
640 Date Palm Road
Vero Beach, Florida 32963

AND

766 Fiddlewood Road
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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

[X] **Continuation of Appeal of code enforcement citation.**

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: May 29, 2020

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 May 20 20.

_____
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. 20-CE-10641**

vs. **CITATION NO. 2794M**

CHARLES E. FITZ
640 Date Palm Road *-AND-* 766 Fiddlewood Road
Vero Beach, Florida 32963 Vero Beach, Florida 32963

ORDER FINDING VIOLATION, ALLOWING ADDITIONAL TIME OF THIRTY (30) DAYS (TO THE JUNE CODE ENFORCEMENT BOARD MEETING) TO COMPLY

VIOLATION: City of Vero Beach Code, 38-31(a)(b)(8) – Public nuisance – unsafe structure
LOCATION: 766 Fiddlewood Road, Vero Beach, Florida 32963

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 13th day of May, 2020, on appeal, and the Board having heard testimony of the Code Enforcement Officer and the Property Owner, and having reviewed the record in this action, 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 did appear.
2. The initial civil penalty of $50.00 has not been paid.
3. It would be appropriate to allow additional time to come into compliance.
4. Costs of enforcement were not requested; however, the City is entitled, pursuant to law, to recover the initial civil penalty, and all costs of recording the Board's order in the public records and for satisfying and recording release of resulting lien upon payment.

IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:

The violator is deemed to be in non-compliance, and is hereby ordered to correct the violation within thirty (30) days of the hearing held on May 13, 2020 and before the June Code Enforcement Board meeting, as well as pay to the City Clerk's office the initial civil penalty of **$50.00**, as specified above and on the citation, and all costs of recording the Board's order in the public records and for satisfying and recording release of the resulting lien upon payment.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 26th day of May 2020.

ATTEST:

Sherri Philo
as Board Clerk
(Seal)

CODE ENFORCEMENT BOARD:

Eric Price
as Acting Board Chairman

Approved as to form and legal sufficiency:

John S. Turner
as Board Attorney

IMPORTANT INFORMATION

Correction of Violations: **AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE CODE ENFORCEMENT OFFICER;** by 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.** Civil penalties and costs may be paid 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 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. 2794M / 20-CE-10641

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 **March 03, 2020** at **n/a**

Name: **Fitz, Charles E**
640 Date Palm Road
of: **Vero Beach, FL 32963**

at (violation address): **766 Fiddlewood Road** in the City of Vero Beach, Florida committed the following civil offense: **Public nuisance: unsafe structure.**

Violation of code provision(s): 38-31 (a) (b) (8)

Facts constituting violation: Structure on the property issued Notice of Violation by the Indian River County Building Department. Unsafe structure was to be repaired or demolished within 30 days of notice issued 9/5/2019 and no permit has been applied for or issued.

CIVIL PENALTY: $50.00 **PAY BY DATE: 03/17/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 03/17/2020. 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: 03/03/2020
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 - 20-000172

Certified Mail Receipt: 70182290000037002391

ORIGINAL

Received
MAR 2020
City Clerk's Office

TO WHOM THIS MAY CONCERN AT THE CITY CLERKS OFFICE OF VERO BEACH.

I, CHARLES FITZ, AM REQUESTIN A HEARING RELATING TO CITATION #2794M/20-CE-10641. VIOLATION ADDRESS: 766 FIDDLEWOOD ROAD, VERO BEACH, FL. 32963

I AM ALSO REQUESTING THE HEARING BE ANYTIME AFTER APRIL 17, 2020. THE REASON BEING IS THAT I INTEND TO DRIVE TO MICHIGAN TO VISIT MY BROTHER WHO LIVES IN MY HOME TOWN AND SHOW HIM MY 14 MONTH OLD SON, FOR THE 1st TWO WEEKS OF APRIL.

THANK YOU FOR YOUR CONSIDERATION,

Charles Fitz MARCH 12, 2020

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1a

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10628

ROBERT DECHELLIS
Violator

Citation No.: 2280M

TO: Robert DeChellis
525 Banyan Road
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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code *Enforcement Ordinance, you will be deemed to be in default and to have waived your right to* appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

DeChellis
Violators

Case Number: 20-CE-10628

525 Banyan Road
Violation Address
Vero Beach, FL 32963

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 20 day of May 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

_____
NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

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

CODE ENFORCEMENT CITATION

No. 2280M / 20-CE-10628

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 **February 26, 2020** at **n/a**

Name: **Dechellis, Robert**
525 Banyan Road
of: **Vero Beach, FL 32963**

at (violation address): **525 Banyan Road** in the City of Vero Beach, Florida committed the following civil offense: **Failure to obtain stormwater management plan for dirt added to the property.**

Violation of code provision(s): 64.05

Facts constituting violation: Please obtain Code Compliance Certification from the Planning Department in City Hall. PLEASE HAVE THE CONTRACTOR THAT BROUGHT THE ADDITIONAL FILL DIRT ON THE PROPERTY BRING THIS CITATION TO THE PLANNING DEPARTMENT IN CITY HALL.

CIVIL PENALTY: $50.00 **PAY BY DATE: 05/08/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/08/2020. 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: 04/24/2020
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 - 20-000150

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1b

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10764

MAUREEN MILLER
Violator

Citation No.: 2927M

TO: Maureen Miller
3655 Flamingo Drive
Vero Beach, Florida 32963

AND

Melvin C. II, and Maureen Miller
401 E. Las Olas Boulevard, Suite 1400
Ft. Lauderdale, Florida 33301

AND

Maureen Miller
c/o Coral Gables Trust Company
Attn: Diana Batchelor
401 E. Las Olas Boulevard, Suite 1510
Ft. Lauderdale, Florida 33301

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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, you will be deemed to be in default and to have waived your right to appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

Received
City Clerk

In the Matter of:

Miller, Melvin and Maureen
Violators

Case Number: 20-CE-10764

3655 Flamingo Drive
Violation Address
Vero Beach, FL 32963

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me / OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

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

CODE ENFORCEMENT CITATION

No. 2927M / 20-CE-10764

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 **April 28, 2020** at **8:37 am**

Name: **Miller Maureen**
3655 Flamingo Drive
of: **Vero Beach, FL 32963**

at (violation address): **3655 Flamingo Drive** in the City of Vero Beach, Florida committed the following civil offense: **Stagnant unsecured swimming pool.**

Violation of code provision(s): 38-31 (a) (b) (7)

Facts constituting violation: Pool needs to be securely covered or continuous filtration provided to restore water clarity. Pool also requires a barrier (Florida Statutes and barrier requirements attached).

CIVIL PENALTY: $50.00 **PAY BY DATE: 05/19/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/12/2020. 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: 05/04/2020
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 - 20-000359

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL

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

CODE ENFORCEMENT CITATION

No. 2927M / 20-CE-10764

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 **April 28, 2020** at **8:37 am**

Name: **Miller Melvin C II (H) & Maureen**
401 E Las Olas Bv, Suite 1400
of: **Ft Lauderdale, FL 33301**

at (violation address): **3655 Flamingo Drive** in the City of Vero Beach, Florida committed the following civil offense: **Stagnant unsecured swimming pool.**

Violation of code provision(s): 38-31 (a) (b) (7)

Facts constituting violation: Pool needs to be securely covered or continuous filtration provided to restore water clarity. Pool also requires a barrier (Florida Statutes and barrier requirements attached).

CIVIL PENALTY: $50.00 **PAY BY DATE: 05/19/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/12/2020. 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: 05/04/2020
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 - 20-000359

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1c

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10761

MULLIGAN'S VERO ACQUISITION, LLC
GEORGE HART, MANAGER

Citation No.: 2927M

Violator

TO: Mulligan's Vero Acquisition, LLC
George Hart, Manager
1025 Beachland Boulevard
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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, you will be deemed to be in default and to have waived your right to appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. 2925M / 20-CE-10761

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 **April 30, 2020** at **6:23 am**

Name: **Mulligan's Vero Acquisition LLC / George Hart, Manager**
1025 Beachland Bv
of: **Vero Beach, FL 32963**

at (violation address): **1025 Beachland Boulevard** in the City of Vero Beach, Florida committed the following civil offense: **Sea Turtle lighting violations.**

Violation of code provision(s): 46-109 (a) (1) (a) (b), (b) (1), (c) (1-4)

Facts constituting violation: String lights around outside seating area and interior television screen lighting is visible from the beach and is prohibited during sea turtle nesting season.

CIVIL PENALTY: $150.00 **PAY BY DATE: 05/15/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/03/2020. 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: 05/01/2020
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 - 20-000356

Certified Mail Receipt: 70181830000119924363

ORIGINAL

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

In the Matter of:

Mulligan's Vero Acquisition, LLC / Hart
Violators

Case Number: 20-CE-10761

1025 Beachland Bv
Violation Address
Vero Beach, FL 32963

AFFIDAVIT OF NON-PAYMENT OF CIVIL PENALTY

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has complied with the code enforcement citation served in this case in that the violator has corrected the cited violation by the date given in the citation and the above-named violator has not filed a request for a hearing to contest the issuance of the citation. The civil penalty assessed on the citation has not been paid.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 28 day of May 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1d

CITY OF VERO BEACH

vs.

CASE No's.: 19-CE-10548

JAMES R. LEWIS
Violator

Citation No.: 2236M

TO: James R. Lewis
5 Aero Lane
Vero Beach, Florida 32960 AND Property Posting

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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code *Enforcement Ordinance, you will be deemed to be in default and to have waived your right to* appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. / 19-CE-10548 #2236

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 05, 2019** at **n/a**

Name: **Lewis, James R and City of Vero Beach**
5 Aero Lane
of: **Vero Beach, FL 32960**

at (violation address): **5 Aero Lane** in the City of Vero Beach, Florida committed the following civil offense: **After-the-fact Code Compliance Certification and building permit required for the vinyl fence.**

Violation of code provision(s): 64.05 (9) (b)

Facts constituting violation: After-the-fact Code Compliance Certification for the fence must be obtained from the Planning Department in City Hall. Once that has been obtained an after-the-fact building permit must be obtained from the Indian River County building Department.

CIVIL PENALTY: $50.00 **PAY BY DATE: 12/31/2019** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 12/31/2019. 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: 12/17/2019
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 - 19-001773

Certified Mail Receipt: 70182290000037006368

ORIGINAL

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

James Lewis
Violators

Case Number: 20-CE-10548

5Aero Lane
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me / OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)le

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10759

DOLPHIN PROPERTY HOLDINGS, LLC / MICHAEL BUZA, AGENT
Violator

Citation No.: 2924M

TO: Dolphin Property Holdings, LLC/Michael Buza,, Agent
847 20th Place
Vero Beach, Florida 32960 AND 2450 Cortez 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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code *Enforcement Ordinance, you will be deemed to be in default and to have waived your right to* appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. 2924M / 20-CE-10759

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 **April 21, 2020** at **13:34 pm**

Name: **Dolphin Property Holdings LLC / Michael Buza, Agent**
847 20th Place
of: **Vero Beach, FL 32960**

at (violation address): **2450 Cortez Avenue** in the City of Vero Beach, Florida committed the following civil offense: **Oak tree removed without permit.**

Violation of code provision(s): 72.44 (a)

Facts constituting violation: After-the-fact tree removal permit must be obtained (application attached). Please return application and this citation to the Planning Department in City Hall.

CIVIL PENALTY: $50.00 **PAY BY DATE: 05/11/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/11/2020. 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: 04/27/2020
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 - 20-000348

Certified Mail Receipt: 70181830000119924356

ORIGINAL

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

Dolphin Property Holdings LLC / Buza
Violators

Case Number: 20-CE-10759

2450 Cortez
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me / OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1f

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10742

KARA A. SCHMIDT
Violator

Citation No.: 2919M

TO: Kara A. Schmidt
1356 15th Avenue
Vero Beach, Florida 32960 AND

AND

1445 24th Street
Vero Beach, Florida 32960

NOTICE OF HEARING

1443 24th Street
Vero Beach, Florida 32960

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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, you will be deemed to be in default and to have waived your right to appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. 2919M / 20-CE-10742

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 **April 08, 2020** at **8:53 am**

Name: **Schmidt, Kara A**
2356 15th Avenue
of: **Vero Beach, FL 32960**

at (violation address): **1443 1445 24th Street** in the City of Vero Beach, Florida committed the following civil offense: **Windows installed without permit from the Indian River County Building Department.**

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

Facts constituting violation: After-the fact permit must be obtained from the Indian River County Building Department.

CIVIL PENALTY: $50.00 **PAY BY DATE: 04/29/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 04/29/2020. 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: 04/15/2020
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 - 20-000319

Certified Mail Receipt: 70181830000119924325

ORIGINAL

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

Schmidt, Kara
Violators

Case Number: 20-CE-10742

1443 1445 24th St
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)19

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10780

KARA A. SCHMIDT
Violator

Citation No.: 2933M

TO: Kara A. Schmidt
2356 15th Avenue
Vero Beach, Florida 32960 AND

AND

1435 24th Street
Vero Beach, Florida 32960

NOTICE OF HEARING

1433 24th Street
Vero Beach, Florida 32960

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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, you will be deemed to be in default and to have waived your right to appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. 2933M / 20-CE-10780

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 **May 07, 2020** at **6:56 am**

Name: **Schmidt, Kara A**
2356 15th Avenue
of: **Vero Beach, FL 32960**

at (violation address): **1433 1435 24th Street** in the City of Vero Beach, Florida committed the following civil offense: **Windows installed and enclosure of back of units without permits from the Indian River County Building Department.**

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

Facts constituting violation: After-the-fact permits must be obtained from the Indian River County building Department.
CIVIL PENALTY: $100.00 **PAY BY DATE: 05/21/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 05/21/2020. 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: 05/07/2020
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 - 20-000378

Certified Mail Receipt: 70181830000119924387

ORIGINAL

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

Schmidt, Kara
Violators

Case Number: 20-CE-10780

1433 1435 24th Street
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me / OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)1h

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10745

KARA A. SCHMIDT
Violator

Citation No.: 2920M

TO: Kara A. Schmidt
2356 15th 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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, you will be deemed to be in default and to have waived your right to appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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.

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)ii

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10779

KARA A. SCHMIDT
Violator

Citation No.: 2932M

TO: Kara A. Schmidt
2356 15th Avenue
Vero Beach, Florida 32960 AND

2354 15th 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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code *Enforcement Ordinance, you will be deemed to be in default and to have waived your right to* appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

CODE ENFORCEMENT CITATION

No. 2932M / 20-CE-10779

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 **May 07, 2020** at **6:56 am**

Name: **Schmidt, Kara A**
2356 15th Avenue
of: **Vero Beach, FL 32960**

at (violation address): **2354 2356 15th Avenue** in the City of Vero Beach, Florida committed the following civil offense: **Windows installed and enclosure of back of units without permits from the Indian River County Building Department.**

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

Facts constituting violation: After-the-fact permits must be obtained from the Indian River County building Department.
CIVIL PENALTY: $100.00 **PAY BY DATE: 05/21/2020** ✓ **REPEAT VIOLATION**

✓ **CORRECTION REQUIRED BY: 05/21/2020. 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: 05/07/2020
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 - 20-000377

Certified Mail Receipt: 70181830000119924387

ORIGINAL

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

Received
MAY 2020
City Clerk's
Office

In the Matter of:

Schmidt, Kara
Violators

Case Number: 20-CE-10779

2354 2356 15th Avenue
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 21 day of May 2020 by Melody Sanderson, who is personally known to me / OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

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

Received
MAY 2020
City Clerk's Office

In the Matter of:

Schmidt, Kara
Violators

Case Number: 20-CE-10745

2356 15th Avenue
Violation Address
Vero Beach, FL 32960

AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the code enforcement citation served in this case in that the violator has failed to correct the cited violation by the date given in the citation and has not filed a request for a hearing to contest the issuance of the citation.

_____, Affiant
Print Name: Melody Sanderson

Before me, the undersigned authority, personally appeared the Affiant, Melody Sanderson, who was duly sworn, and who states that he/she has read the foregoing Affidavit of Non-Compliance and that the contents are true and correct.

Sworn to and subscribed before me this 27 day of May 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:

Jennifer De La Rosa
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG346655
Expires 6/19/2023

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

CODE ENFORCEMENT CITATION

No. 2920M / 20-CE-10745

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 **April 08, 2020** at **8:52 am**

Name: **Schmidt, Kara A**
2356 15th Avenue
of: **Vero Beach, FL 32960**

at (violation address): **2356 15th Avenue** in the City of Vero Beach, Florida committed the following civil offense: **Two protected oak trees removed without permit from the Planning Department in City Hall (application attached).**

Violation of code provision(s): 72.41 (a), 72.43 (a) 72.44 (a0 (b)

Facts constituting violation: After-the-fact permitting must be obtained from the Planning Department in City Hall. Mitigation may be required. PLEASE SIGN AND RETURN THIS CITATION WITH THE TREE REMOVAL PERMIT.

CIVIL PENALTY: $500.00 **PAY BY DATE: 04/29/2020** **REPEAT VIOLATION**

✓ **CORRECTION REQUIRED BY: 04/29/2020. 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: 04/15/2020
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 - 20-000321

Certified Mail Receipt: 70181830000119924332

ORIGINAL

BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA
1053 20TH PLACE
VERO BEACH, FLORIDA 32960
Telephone (772) 978-4640

5-B)15

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10760

ALIX M. NORRIS
Violator

Citation No.: 042720-19

TO: Alix M. Norris
c/o The Source
1015 Commerce 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: June 10th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

HEARING: You have the right to appear before the Code Enforcement Board on the date and time noted above. Please be informed that failure to appear may result in additional penalties and a lien filed against your properties. If you do not appear at the hearing in person or by your attorney to address the Code Enforcement Board pursuant to provisions of City's Code Enforcement Ordinance, *you will be deemed to be in default and to have waived your right to* appear and the Code Enforcement Board may take necessary and appropriate action in the matter(s) and enter an order(s) accordingly.

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: May 29, 2020

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 May 20 20.

_____
Board Clerk

20-CE-10760

CITY OF VERO BEACH, FLORIDA
Code Enforcement
1053 20th Place, Vero Beach, Florida 32960

CODE ENFORCEMENT CITATION

No. 042720-19

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 the 27 day of April 2020, at 7:28 (✓) AM ( ) PM

Alix (First Name) M. (Middle) Norris (Last) 09/11/1991 (DOB) M (Sex) W (Race)

of 1925 US1 (Street) Vero Beach (City) FL. (State) 32960 (Zip Code) at (Telephone)

Mcdonals (Location of Violation) in the City of Vero Beach, Florida committed the following civil offense: Panhandling

in violation of code provision(s): 3.16.2045

Facts constituting violation: On 04/27/20 I responded to 1925 US1 in reference to panhandling. On scene I observed Alix Norris panhandling outside the Mcdonalds business.

CIVIL PENALTY: $ 50.00 **PAY BY DATE:** 30 days ☐ **REPEAT VIOLATION**

☐ **WARNING**. This is a warning notice and no civil penalty is assessed. If correction of the violation is required, it must be corrected by the date specified below. Failure to correct the violation by the date specified, or a repeat of the same violation, even if the violation occurs at a different location, will result in issuance of a citation assessing civil penalties against you.

☐ **CORRECTION REQUIRED BY:** _____, 2____. **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: [signature] (Officer Signature)
VBPD / Patrol (Department/Division)

Date Issued: 04/27/2020
Telephone: 772-978-4600

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] (Signature of Individual) Date: 4-27-20

V.06-08 WHITE – CLERK YELLOW – VIOLATOR PINK – CLERK GOLD – DEPARTMENT/DIVISION