

CODE ENFORCEMENT BOARD MEETING
Wednesday, July 8, 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 – June 10, 2020**
 - B) Agenda Additions, Deletions and Adoption**
- 4. UNLICENSED CONTRACTORS/CITATIONS**
- 5. EVIDENTIARY HEARINGS**
 - A) Citation Appeals**
 - B) Non-Compliance / Compliance Reports**
 - 1. Request for Board Order**
 - a. CASE #20-CE-10663 / 1063T**
VIOLATOR: Killinda A. Williams
VIOLATION: Vehicles and trailers parked in front and side yards; non-stored items / Code Sections 38.31 (b)(5); 38.32 (a)(1), 74.82(d)
VIOLATION ADDRESS: 1936 35th Avenue, Vero Beach, Florida 32960
(Failure to comply; Failure to pay \$50 civil penalty)
 - b. 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)
 - c. CASE #20-CE-10796 / 2934M**
VIOLATOR: David L. and Karyn M. Wetter
VIOLATION: Seven Palm Trees removed without a permit from the City of Vero Beach Planning and Development Department / Code Sections 72.41 (a); 72.43, 72.44
VIOLATION ADDRESS: 3605 Eagle Drive, Vero Beach, Florida 32963
(Failure to comply)

- d. **CASE #20-CE-10800 / 2938M**
VIOLATOR: Brandon Blais Electric, LLC / Brandon Blais, Agent and David and Karyn Wetter, Owners
VIOLATION: Generator installed without Code Compliance Certification or building permit / Code Sections 64.05 (a)(b)(5), 22-181, 22.106
VIOLATION ADDRESS: 3605 Eagle Drive, Vero Beach, Florida 32963
(Failure to comply)

- e. **CASE #20-CE-10801 / 2939M**
VIOLATOR: The Fence Company of South Florida, Inc. / Spiegel and Utrera, PA, Agent / 405 Eugenia, LLC, Erin Carr, Agent
VIOLATION: Fence installed without Code Compliance Certification or a building permit / Code Sections 64.05 (a)(b)(7), 22.181, 22.106
VIOLATION ADDRESS: 405 Eugenia Road, Vero Beach, Florida 32963
(Failure to comply; Failure to pay \$50 civil penalty)

- f. **CASE #20-CE-10765 / 2928M**
VIOLATOR: Anita A. Lewis
VIOLATION: Public nuisance / Code Sections 38.31 (a)(b)(5)(6)
VIOLATION ADDRESS: 2645 11th Avenue, Vero Beach, Florida 32960
(Failure to comply; 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, June 10, 2020 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

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

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIENCE

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

The Deputy City Clerk swore in staff and the audience present for today's meeting en masse.

At this time, the Deputy City Clerk called the roll.

3. PRELIMINARY MATTERS

A) Adoption of Minutes –May 13, 2020

Mrs. Gorry referred to page nine (9) of the May 13, 2020, Code Enforcement Board minutes. She noted that the word "*annunciation*" should be "*enunciation*." She then referred to page 23 of the minutes stating that the word "*grates*" should be "*grades*."

Mrs. Hillman made a motion to adopt the minutes of the May 13, 2020 Code Enforcement Board meeting as amended. The motion was seconded and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Ms. Melody Sanderson, Code Enforcement Officer, pulled Case #20-CE-10761 – Mulligan's Vero Acquisition, LLC / George Hart, Manager from today's agenda. She reported that they are in compliance and the civil penalty has been paid. She then pulled Case #19-CE-10548 – James Lewis from today's agenda. She then pulled Case #20-CE-10745 – Kara A. Schmidt from today's agenda. She reported that the property is now in compliance.

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

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)

Ms. Sanderson reported that this case is continued from the May 13, 2020 Code Enforcement Board meeting. The property is still in violation and the civil penalty has not been paid. She said that Mr. Fitz reported to the Board at the May 13, 2020, hearing that he was in the process of doing a deed in lieu of foreclosure.

Mr. Charles Fitz, Property Owner, has been sworn in. He stated that the status on the deed in lieu of foreclosure is still pending. He said they are waiting for the updated title report.

Mrs. Hillman said she reviewed the minutes of the last meeting when his case was heard. She asked was this a vacation rental.

Mr. Fitz said it was his homestead.

Mrs. Hillman said you stated it was a vacation rental and then you went back and stated that it was your homestead.

Mr. Fitz thought it was the Board who stated it was a vacation rental. He said it was his homestead and he had rented it as a vacation rental.

Mrs. Hillman asked when was it a vacation rental.

Mr. Fitz thought it was in 2018.

Ms. Sanderson recommended that the Board issues a Board order finding that the property is not in compliance, the initial civil penalty has not been paid, and to allow 14-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on March 17, 2020.

Mr. Kennedy asked why two (2) weeks.

Ms. Sanderson said because this has been ongoing, it has been an income producing property and her concern is a deed in lieu of foreclosure is different than the bank taking the certificate of title. If the bank takes the deed in lieu of foreclosure and it is administered in Mr. Fitz's name, there is no recourse. When a bank takes possession and does a certificate of title then the bank is responsible. But, typically the bank doesn't take that next step to put the property in their name. This has been a problem that has been in existence since August, 2018, it is located on central beach, and the neighbors are tired of looking at it.

Mr. Pizzichillo put Officer Sanderson's recommendation in the form of a motion.

Mrs. Hillman explained that they need to actually make a motion and not put someone else's words in the form of a motion. They have to actually state the motion.

Mr. Pizzichillo said that he heard what Ms. Sanderson said, but he didn't write it down. If someone wants to repeat her exact words and make that motion, he would be happy to second it (motion withdrawn).

Mrs. Hillman made a motion that it has not been complete ...

Mr. John Turner, City Attorney, asked Ms. Sanderson to go through her recommendation one (1) by one (1) so that it can be repeated.

Ms. Sanderson said that she would like the Board to find that the property is not in compliance, the civil penalty has not been paid, that they have 14-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on March 17, 2020, for the days the property is not in compliance.

Mrs. Hillman made a motion that the Board finds that the property is not in compliance, the civil penalty has not been paid, that the Board issues a Board order to allow 14-days to bring the property into compliance and if the property is not in compliance within 14-days they would continue the penalty from March 17, 2020.

Ms. Sanderson said that the property owner has 14-days to correct the violation from the date of today's hearing.

Mrs. Hillman added to her motion that the property owner has 14-days to correct the violation from today's hearing.

Ms. Sanderson said that the Board issues an order to pay the initial civil penalty.

Mrs. Hillman added that the Board issues an order to pay the initial civil penalty.

Ms. Sanderson said that continuing civil penalties commencing on March 17, 2020, for the days the property is not in compliance.

Mrs. Hillman added to her motion continued civil penalties from the date the property is not in compliance on March 17, 2020 (that the Board finds there is a violation, the violation continues, that the Board allows 14-days to correct the violation or continuing civil penalties shall commence on March 17, 2020, and to pay the initial civil penalty). Mr. Pizzichillo seconded the motion and it passed unanimously.

*Please note that the cases on today's agenda were not heard in the order listed.

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)

Ms. Sanderson reported that the property owner contacted Mr. Richard Mutterback, City Engineer, on December 16, 2019, regarding ponding and drainage on his property. The owner was advised by Mr. Mutterback if he was interested in proposing a solution for his property to submit a permit for improvements to the drainage pattern. Mr. Mutterback offered to meet with the property owner on site to discuss options, but the property owner never scheduled a follow-up meeting. After a complaint was received on February 11, 2020, fill dirt had been added to the property and additional stormwater runoff was being directed towards the neighboring property, a follow-up inspection was conducted. No permit has been obtained for the fill dirt added or the grading of the property. The property owner needs to restore the site to the previous condition or obtain an after-the-fact permit to meet all applicable codes. To date, no action has been taken by the property owner. She noted that the property is currently for sale. She asked that the Board finds the property is not in compliance, that the civil penalty has not been paid, and that they allow 30-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on March 20, 2020 for the days the property remains in violation.

Mr. McDonald made a motion that the Board finds the property is not in compliance and the civil penalty has not been paid and that they allow 30-days from the date of today's hearing to bring the property into compliance and if not in compliance continuing civil penalties shall commence on March 20, 2020. Mr. Noonan seconded the motion and it passed unanimously.

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)

Ms. Sanderson reported that service of the citation was provided by property posting. She reported that the pool has been cleaned, but remains unsecured. She asked that the Board finds there is a violation, the civil penalty has not been paid and to allow 14-days from the date of today's hearing or continuing penalties shall commence on May 12, 2020 for the days the property remains in violation and to pay the initial civil penalty.

Mr. Noonan made a motion that the Board finds there is a violation, the property remains in violation, and that the Board issues a Board order to bring the property into compliance and pay the civil penalty of \$50 within 14-days of today's date and if not continuing civil penalties shall commence on May 12, 2020. Mr. McDonald seconded the motion and it passed unanimously.

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)

This item was pulled from today's agenda.

- 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)

This item was pulled from today's agenda.

- 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)

Ms. Sanderson reported that service of the citation was provided by certified mail return receipt. She asked that the Board finds there is a violation, the civil penalty has not been paid, that they have 10-days to correct the violation from the date of today's hearing or continuing civil penalties shall commence on May 11, 2020 for the days the property is not in compliance and to pay the initial civil penalty.

Mr. Noonan made a motion that the Board finds there is a violation, the violation continues, and that the Board issues a Board order to comply within 14-days of today's date and to pay the \$50 initial civil penalty, if not then continuing civil penalties shall commence on May 11, 2020. Mr. Pizzichillo seconded the motion and it passed unanimously.

- 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)

Ms. Sanderson showed on the screen a summary of events and two (2) photographs of the property (on file in the City Clerk's office). She briefly went over the summary with the Board members. She reported that the violation has not been corrected and the civil penalty has been paid.

Ms. Kara Schmidt, Property Owner, who has been sworn in, reported that the property address for this building is 2356 15th Avenue. She said that she made the mistake of installing windows without a permit and by trusting workers who said they knew the Code. She has hired a contractor and an architect, who should have the drawings completed next week and she has contacted an air conditioner man. She said this should all be completed within a month. She said that she has everything lined up to be completed and that she will never do this again without a contractor.

Mr. Daige asked who is the contractor.

Ms. Schmidt answered Bruce Wyman (spelling may be incorrect). She explained that he has not started the work yet because they have not received the permit. She further explained that the architect is in the process of doing the drawings and once that is complete and she receives what she needs for the air conditioner, the contractor will be able to pull the permits and do the work.

Mr. Daige asked who is the architect.

Mrs. Schmidt answered Janet Dunlap.

Mr. Noonan asked is 30-days long enough to get all of this completed.

Mr. Bryant said that she (Ms. Schmidt) is going to have to get permits so 30-days sounds optimistic to him.

Ms. Schmidt said unless there is a problem pulling a permit, she is hoping to get everything done within a month.

Mr. Daige asked is the contractor an engineer as well.

Ms. Schmidt answered yes.

Ms. Sanderson asked who started the work before she received the citation.

Ms. Schmidt said it was a gentleman that she knew who has worked for contractors before and she thought he knew the Code.

Ms. Sanderson said they have had work done on these properties before without permits so she knows that permits are required.

Ms. Schmidt said she will not do it again.

Mr. Daige asked what is a reasonable time to get the permits.

Ms. Sanderson suggested 60-days.

Mrs. Hillman asked Ms. Schmidt if the permits have been applied for.

Ms. Schmidt answered not yet. She explained that once the drawings are complete and the air conditioning work is completed the contractor will pull the permits.

Mr. Kennedy asked does the Board have a meeting in August.

Ms. Sanderson said she is going to ask for a Board order today to allow 60-days to correct the violation.

Mr. Price said she has two (2) other cases. He questioned if the Board is giving her more time for this violation, are they setting precedence for the other two (2) cases.

Mr. Noonan asked Ms. Schmidt if the same people are working on all three (3) cases.

Ms. Schmidt answered yes.

Mrs. Gorry asked what are the addresses.

Ms. Schmidt felt the best address to use is 2356 15th Avenue because that is the whole property address.

Mr. Kennedy asked can't the Board hear all the facts in each case and vote on them separately.

Mr. Turner said that is okay as long as they make sure to vote on each case separately.

Mr. Noonan made a motion that the Board finds there is a violation, the violation continues, and that the Board issues a Board order to comply within 90-days to the day prior to the September Code Enforcement Board meeting or continuing civil penalties will commence...

Mrs. Gorry asked what is the exact address this applies to.

Ms. Schmidt said the property address is 2356 15th Avenue.

Mrs. Gorry asked what is the address of 1443 – 1445 24th Avenue that is shown on the screen.

Ms. Schmidt said that is one (1) of the three (3) buildings.

Mr. Pizzichillo said that Mr. Noonan wants to give Ms. Schmidt until September to correct the violations. He said the Board meeting is scheduled for September 9th. He asked Mr. Noonan if he is correct that he wants to allow to September 8th to comply.

Mr. Noonan answered yes.

Mr. Turner said that is not what the motion was. The motion was for 90-days. He asked the Deputy City Clerk if that is correct.

Ms. Sherri Philo, Deputy City Clerk, read the start of the motion, which was that the Board finds there is a violation, the violation continues and that the Board issues a Board order to come into compliance in 90-days.

Mr. Noonan continued with the motion. He said his intent in his motion is to allow to the day before the September Code Enforcement Board meeting to correct the violation, which is the 8th of September, and if the property is not in compliance by that date then the continuing civil penalties shall commence on April 29, 2020 (that the Board finds there is a violation, the violation continues, and that the Board issues a Board order allowing additional time to correct the violation (September 8, 2020) and if not in compliance continuing civil penalties shall commence on April 29, 2020). Mr. McDonald seconded the motion and it passed unanimously.

- 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)

Ms. Sanderson reported that this is a secondary duplex that after a citation was issued for the previous case, they installed windows at this address knowing that the property was under a citation and that they needed a permit for work to be done.

Mr. McDonald asked what is the date of the citation.

Ms. Sanderson reported that the citation was issued on May 7, 2020, as well as a Stop Work Order.

Mr. Kennedy asked was anyone living in these duplexes.

Ms. Sanderson said they are rental duplexes.

Ms. Kara Schmidt, who has been sworn in, answered not at this time.

Ms. Sanderson noted that the property is for sale so they probably are not occupied.

Ms. Schmidt said some of the duplexes are occupied.

Ms. Sanderson said if they were to sell in this 90-day timeframe, she will have to notify the new owner that there is an outstanding violation on the property and they would have to correct it.

Mr. Kennedy said arguably the property will not sell if it's not complete.

Ms. Schmidt said most likely not, but there is a possibility where someone might purchase it and do the work themselves.

Mr. Kennedy asked would the Board order be binding on the purchaser.

Ms. Sanderson answered no. She said the new owner would have to be noticed and cited.

Mr. McDonald asked Ms. Schmidt if he is correct that she was cited at one (1) property for installing windows without a permit and then she installed windows without a permit on this property.

Ms. Schmidt said it is the same property. She thought as long as she was working on getting a permit that she could continue to do the work. Then the Code Officer told her that she could not do the work and issued the Stop Work Order. She said that she did stop doing the work when the Stop Work Order was issued.

Ms. Sanderson explained that there are two (2) duplexes and this duplex is next door to the duplex for the case that the Board just heard.

Mr. Noonan assumed that the circumstances are the same in that she has the same contractor and architect and they are working on getting the after the fact permits.

Ms. Schmidt answered yes. She said it is the same property. There are three (3) buildings on the same parcel of land at 2356 15th Avenue.

Mr. Pizzichillo asked if this property is sold before it is fixed up, would the new owner be responsible.

Ms. Sanderson said if the property sells, Ms. Schmidt is to notify the Code Officer and it will be between Ms. Schmidt and the new owner on who continues to correct the violation.

Mr. Daige asked how is that enforced. He said a citation does not run with the property so there is no way to enforce it.

Mrs. Gorry asked are the citations searchable.

Ms. Sanderson said generally when a property is going to closing, the title company will reach out to the City to find out if there are any outstanding liens or Code violations.

Mr. Noonan suggested that they allow 90-days to correct.

Mr. Daige asked are they going to allow 90-days to correct per building.

Mr. Noonan said 90-days for all three (3) cases.

Mr. Daige clarified that it is a total of 90-days for all the units.

Mr. Noonan made a motion that the Board finds there is a violation, the violation continues, and that the Board issues a Board order to bring the property into compliance by September 8, 2020 or continuing civil penalties shall commence as of May 21, 2020. Mr. McDonald seconded the motion and it passed unanimously.

- 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)

This item was pulled from today's agenda.

- 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)

Ms. Sanderson reported that windows were installed and the back of the unit was enclosed without permits. The violation continues and the civil penalty has been paid. She requested that the Board allows 90-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on May 21, 2020.

Mr. Noonan made a motion that the Board finds there is a violation, the violation continues, and that the Board issues a Board order to bring the property into compliance by September 8, 2020 and if not continuing civil penalties shall commence on May 21, 2020. The motion was seconded and it passed unanimously.

- 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)

Mr. Tom Ramsey, Code Enforcement Officer, reported that this citation was written by a Police Officer of the Vero Beach Police Department for panhandling. He requested a board order to pay the \$50 civil penalty.

Mr. Daige asked how do they handle a case like this since it is about an individual whose address is the Source.

Mr. Ramsey said the individual is homeless.

Mr. Daige said that is his point. Obviously this is an individual who has no way to pay for things. He asked how do they collect this if the Board issues an order to pay. He asked is there something else the Board could do.

Mr. Turner said the Board does not have any other options under the Ordinance.

Mr. Daige said then the Ordinance would have to be changed. He said in some cases people can work off their fine, but the City does not have that option.

Mr. Turner said that is correct.

Mr. McDonald made a motion that the Board upholds the violation and to pay the \$50 civil penalty. Mr. Bryant seconded the motion and it passed unanimously.

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

None

8. CLERK'S MATTERS

None

9. ATTORNEY'S MATTERS

None

10. CHAIRMAN'S MATTERS

None

11. MEMBER'S MATTERS

Mrs. Hillman asked not acting as a Board member, but as a civilian who is constantly seeing work being done without permits, are they allowed to ask someone if they have a permit. She said her neighborhood is 75% rentals and every weekend there is something being done. She asked how do they approach this.

Mr. Noonan said there is an online form to report Code violations.

Mr. Bryant said she could also call the Indian River County Building Department.

Mrs. Hillman noted that they are not open on the weekend.

Mr. Turner said Code Enforcement can assist with complaints. He would not recommend that she individually approach anyone. She could take down information on the vehicles, take photographs, keep a calendar on what she observes, etc.

12. ADJOURNMENT

Today's meeting adjourned at 2:49 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-B) 1a

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10663

KILLINDA A. WILLIAMS
 Violator

Citation No.: 1063T

TO: Killinda A. Williams
1936 35th 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: July 8th, 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).**
- 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: June 25, 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 25th day of June 2020.


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-10663

vs.

CITATION NO. 1063T

KILLINDA A. WILLIAMS

1936 35th Avenue
Vero Beach, Florida 32960

**ORDER FINDING VIOLATION, ALLOWING ADDITIONAL TIME OF THIRTY (30) DAYS
TO COMPLY, AND TO PAY INITIAL CIVIL PENALTY**

VIOLATION: City of Vero Beach Code sections, 38-31(b)(5); 38-32(a)(1), 74.82(d) – Vehicles and trailers parked in front and side yards; non-stored items.

LOCATION: 1936 35th Avenue, Vero Beach, Florida 32960

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, and the Board having heard testimony of the Code Enforcement Officer and the Property Owner’s representative, 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’s representative did appear.
2. The violator did not appeal issuance of the citation in this case within the time allowed by law and thereby waived the right to a hearing before the Board to contest the issuance of the citation, which waiver of hearing is deemed an admission of the violation specified in the citation.
3. The initial civil penalty of \$100.00 has not been paid.
4. It would be appropriate to allow additional time to come into compliance.
5. 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. The violator is to pay to the City Clerk’s office, within thirty (30) days from the date of this Order, the initial civil penalty of **\$100.00** assessed 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

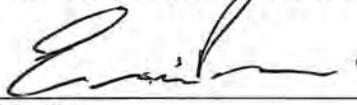
May 2020.

ATTEST:



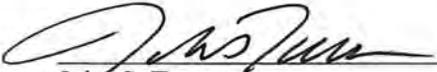
Sherri Philo
as Board Clerk
(Seal)

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. 1063T / 20-CE-10663

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 19, 2020 at 0829

Name: **Williams, Killinda A**
 1936 35th Ave
 of: **Vero Beach, FL 32960**

ORIGINAL

at (violation address): 1936 35th Ave in the City of Vero Beach, Florida committed the following civil offense: 38-31(b) It shall be unlawful for any owner of real property within the city to maintain the real property so that any of the following conditions, which shall be considered to be public nuisances, exist on such real property:

(5) Garbage, rubbish, trash, debris, dead trees, or other unsightly or unsanitary substances or materials, which are not properly enclosed and waiting for normal trash pickup..

38-32(a) In addition to the public nuisances described in section 38-31, the unsheltered storage of the following items is hereby declared to be unlawful and thereby prohibited:

(1) Stripped, junked, inoperable, or unlicensed motor vehicles or boats, trailers of any description, or parts thereof;

74-82(d) In residential districts, no motor vehicle, as defined in F.S. 320.01, shall be parked or stored in the required front yard setback except on a designated driveway or other improved surface approved pursuant to part III, land development regulations of this Code.

Violation of code provision(s): 38-31(b)(5), 38-32 (A)(1), 74-82 (d)

Facts constituting violation: Vehicles to include cars, trucks, trailers, boats, etc parked all over front and sides or property some without visible registration need corrected by virtue of current registration and placing on driveway or removing from the property, many items in need of storage or waste removal placed throughout front or property need either stored or otherwise removed and civil penalty remitted on/or before 3/29/2020.

CIVIL PENALTY: \$100.00

PAY BY DATE: 03/29/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 03/29/2020. 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: Ramsey
 Department: VBPD Code Enforcement

Date Issued: 03/12/2020
 Telephone: 772-978-4551

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

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

ORIGINAL

Date: _____

 Signature of Individual



**VERO BEACH POLICE DEPARTMENT
CODE ENFORCEMENT DIVISION**

1055 20th Street
Vero Beach, FL 32960

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

CODE ENFORCEMENT CITATION

No. 1325T / 18-CE-8230

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 16, 2018 at N/A

Name: **Williams, Killinda A**
1936 35th Ave
of: **Vero Beach, FL 32960**

COPY

at (violation address): 1936 35th Ave in the City of Vero Beach, Florida committed the following civil offense: 38-31 (b)(5) Garbage, rubbish, trash, debris, dead trees, or other unsightly or unsanitary substances or materials, which are not properly enclosed and waiting for normal trash pickup.

38-32 (a)(2) Stripped, junked, or inoperable machinery, furniture, or appliances, or parts thereof;

(d) In residential districts, no motor vehicle, as defined in F.S. § 320.01, shall be parked or stored in the required front yard setback except on a designated driveway or other improved surface approved pursuant to part III, land development regulations of this Code.

Violation of code provision(s): 38-31 (b)(5), 38-32(a)(2), 74-82 (d)

Facts constituting violation: Unstored items, trash or debris throughout the property. Vehicles parked all over the front and side yard. Please correct these violations and remit civil penalty on/or before

CIVIL PENALTY: \$50.00

PAY BY DATE: 03/26/2018

COPY

REPEAT VIOLATION

CORRECTION REQUIRED BY: 03/26/2018. 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: Ramsey
Department: VBPD Code Enforcement

Date Issued: 03/08/2018
Telephone: 772-978-4551

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

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

COPY

Signature of Individual

Date: _____

OFFICER COPY - 18-000164

Certified Mail Receipt: 70151730000072950038

COPY OF ORIGINAL

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.



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)16

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10628

ROBERT DECHELLIS

Citation No.: 2280M

Violator

TO: Robert DeChellis

NOTICE OF HEARING

525 Banyan Road

Vero Beach, Florida 32963

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: July 8th, 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).

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: June 25, 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

25th day of June 20 20.


Board Clerk



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

Mr. Pizzichillo put Officer Sanderson's recommendation in the form of a motion.

Mrs. Hillman explained that they need to actually make a motion and not put someone else's words in the form of a motion. They have to actually state the motion.

Mr. Pizzichillo said that he heard what Ms. Sanderson said, but he didn't write it down. If someone wants to repeat her exact words and make that motion, he would be happy to second it (motion withdrawn).

Mrs. Hillman made a motion that it has not been complete ...

Mr. John Turner, City Attorney, asked Ms. Sanderson to go through her recommendation one (1) by one (1) so that it can be repeated.

Ms. Sanderson said that she would like the Board to find that the property is not in compliance, the civil penalty has not been paid, that they have 14-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on March 17, 2020, for the days the property is not in compliance.

Mrs. Hillman made a motion that the Board finds that the property is not in compliance, the civil penalty has not been paid, that the Board issues a Board order to allow 14-days to bring the property into compliance and if the property is not in compliance within 14-days they would continue the penalty from March 17, 2020.

Ms. Sanderson said that the property owner has 14-days to correct the violation from the date of today's hearing.

Mrs. Hillman added to her motion that the property owner has 14-days to correct the violation from today's hearing.

Ms. Sanderson said that the Board issues an order to pay the initial civil penalty.

Mrs. Hillman added that the Board issues an order to pay the initial civil penalty.

Ms. Sanderson said that continuing civil penalties commencing on March 17, 2020, for the days the property is not in compliance.

Mrs. Hillman added to her motion continued civil penalties from the date the property is not in compliance on March 17, 2020 (that the Board finds there is a violation, the violation continues, that the Board allows 14-days to correct the violation or continuing civil penalties shall commence on March 17, 2020, and to pay the initial civil penalty). Mr. Pizzichillo seconded the motion and it passed unanimously.

*Please note that the cases on today's agenda were not heard in the order listed.

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #20-CE-10628 / 2280M

3 06/10/20 CEB

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)

Ms. Sanderson reported that the property owner contacted Mr. Richard Mutterback, City Engineer, on December 16, 2019, regarding ponding and drainage on his property. The owner was advised by Mr. Mutterback if he was interested in proposing a solution for his property to submit a permit for improvements to the drainage pattern. Mr. Mutterback offered to meet with the property owner on site to discuss options, but the property owner never scheduled a follow-up meeting. After a complaint was received on February 11, 2020, fill dirt had been added to the property and additional stormwater runoff was being directed towards the neighboring property, a follow-up inspection was conducted. No permit has been obtained for the fill dirt added or the grading of the property. The property owner needs to restore the site to the previous condition or obtain an after-the-fact permit to meet all applicable codes. To date, no action has been taken by the property owner. She noted that the property is currently for sale. She asked that the Board finds the property is not in compliance, that the civil penalty has not been paid, and that they allow 30-days to correct the violation from the date of today's hearing or continuing civil penalties will commence on March 20, 2020 for the days the property remains in violation.

Mr. McDonald made a motion that the Board finds the property is not in compliance and the civil penalty has not been paid and that they allow 30-days from the date of today's hearing to bring the property into compliance and if not in compliance continuing civil penalties shall commence on March 20, 2020. Mr. Noonan seconded the motion and it passed unanimously.

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)

Ms. Sanderson reported that service of the citation was provided by property posting. She reported that the pool has been cleaned, but remains unsecured. She asked that the Board finds there is a violation, the civil penalty has not been paid and to allow 14-days from the date of today's hearing or continuing penalties shall commence on May 12, 2020 for the days the property remains in violation and to pay the initial civil penalty.

Mr. Noonan made a motion that the Board finds there is a violation, the property remains in violation, and that the Board issues a Board order to bring the property into compliance and pay the civil penalty of \$50 within 14-days of today's date and if not continuing civil penalties shall commence on May 12, 2020. Mr. McDonald seconded the motion and it passed unanimously.

c. **CASE #20-CE-10761 / 2925M**

4 06/10/20 CEB



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-10796

DAVID L. AND KARYN M. WETTER
 Violator

Citation No.: 2934M

TO: David L. and Karyn M. Wetter
3605 Eagle Drive
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: July 8th, 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).**
- 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: June 25, 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

25th day of June 20 20.


Board Clerk

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

In the Matter of:

Wetter
Violators

Case Number: 20-CE-10796

3605 Eagle Drive
Violation Address
Vero Beach, FL 32963

AFFIDAVIT 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 16 day of June 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. 2934 / 20-CE-10796

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 14, 2020 at 6:53 am

Name: **Wetter, David L and Karyn M**
3605 Eagle Drive
 of: **Vero Beach, FL 32963**

at (violation address): 3605 Eagle Drive in the City of Vero Beach, Florida committed the following civil offense: Seven Palm trees removed without permit from the City of Vero Beach Planning Department.

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

Facts constituting violation: After-the-fact permit must be obtained from the COVB Planning Department (application attached). Mitigation may be required.

CIVIL PENALTY: \$1,750.00

PAY BY DATE: 05/29/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 05/29/2020. 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: 05/15/2020
 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 - 20-000406

Certified Mail Receipt: 70181830000119924400

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)id

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10800

BRANDON BLAIS ELECTRIC, LLC / BRANDON BLAIS, AGENT
DAVID AND KARYN WETTER, OWNERS
 Violator

Citation No.: 2938M

TO: Brandon Blais Electric, LLC / Brandon Blais, Agent
David and Karyn Wetter, Owners
1056 Old Dixie Highway
Vero Beach, Florida 32960

NOTICE OF HEARING

and 3605 Eagle Drive
Vero Beach, Florida 32963

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: July 8th, 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).**
- 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: June 25, 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

25th day of June 20 20.


Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2938M / 20-CE-10800

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 15, 2020** at **9:48 am**

Name: **Brandon Blais Electric, LLC / Brandon Blais, Agent and David & Karyn Wetter (owners)**
1056 Old Dixie Highway
 of: **Vero Beach, FL**

at (violation address): **3605 Eagle Drive** in the City of Vero Beach, Florida committed the following civil offense: **Generator installed without Code Compliance Certification or building permit.**

Violation of code provision(s): 64.05 (a)(b)(5), 22-181, 22-106

Facts constituting violation: After-the-fact Code Compliance Certification must be obtained from the City of Vero Beach Planning Department and permit obtained from the Indian River County Building Department.

CIVIL PENALTY: \$50.00

PAY BY DATE: 06/01/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 06/01/2020. 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: 05/18/2020
 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 - 20-000411

Certified Mail Receipt: 70181830000119924448

ORIGINAL

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

In the Matter of:

Wetter / Brandon Blais Electric
Violators

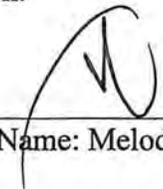
Case Number: 20-CE-10800

3605 Eagle Drive
Violation Address
Vero Beach, FL 32963

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

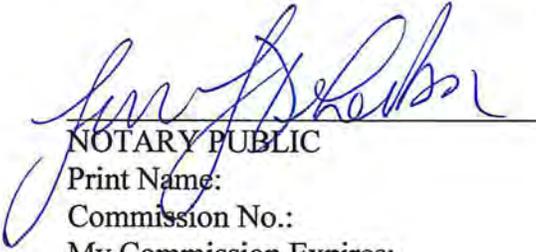
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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 16 day of June 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# GG3466
Expires 6/1-2022



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)1e

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10801

THE FENCE COMPANY OF SOUTH FLORIDA, INC.

Citation No.: 2939M

SPIEGEL & UTRERA, PA, AGENT AND 405 EUGENIA, LLC / ERIN CARR, AGENT

Violator

TO: The Fence Company of South Florida, Inc.

NOTICE OF HEARING

Spiegel & Utrera, PA, Agent and 405 Eugenia, LLC

Eric Carr, Agent

343 Almeria Avenue

and

405 Eugenia Road

Coral Gables, Florida 33134

Vero Beach, Florida 32963

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: July 8th, 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).

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: June 25, 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

25th day of June 2020.


Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2939M / 20-CE-10801

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 15, 2020 at 7:29 am

Name: **The Fence Company of S Florida, Inc / Spiegel & Utrera, PA, Agent and 405 Eugenia, LLC / Erin Carr, Agent**
343 Almeria Avenue
 of: **Coral Gables, FL 33134**

at (violation address): 405 Eugenia Road in the City of Vero Beach, Florida committed the following civil offense: **Fence installed without Code Compliance Certification or building permit.**

Violation of code provision(s): 64.05 (a)(b)(7), 22-181, 22-106

Facts constituting violation: After-the-fact Code Compliance Certification must be obtained from the City of Vero Beach Planning Department and building permit obtained from the Indian River County Building Department.

CIVIL PENALTY: \$50.00 PAY BY DATE: 06/01/2020 REPEAT VIOLATION

CORRECTION REQUIRED BY: 06/01/2020. 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: 05/18/2020
 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 - 20-000412

Certified Mail Receipt: 70181830000119924431

ORIGINAL

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

In the Matter of:

The Fence Company of S FL / 405 Eugenia LLC
Violators

Case Number: 20-CE-10801

343 Almeria Avenue
Violation Address
Coral Gables, FL 33134

AFFIDAVIT 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 12th day of June 2020 by
Melody Sanderson, who is personally known to me OR n/a produced
_____ as identification.

Julianne Poteat
NOTARY PUBLIC
Print Name: Julianne Poteat
Commission No.: GG350726
My Commission Expires: 7/19/23



Julianne Poteat
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG350726
Expires 7/19/2023



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)1f

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10765

ANITA A. LEWIS

Citation No.: 2928M

Violator

TO: Anita A. Lewis

NOTICE OF HEARING

2645 11th Avenue

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: July 8th, 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).

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

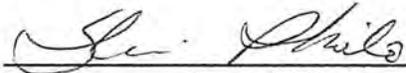
Date: June 25, 2020

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

25th day of June 20 20.


Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2928M / 20-CE-10765

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 04, 2020 at 7:59 am

Name: **Lewis, Anita A**
2645 11th Avenue
 of: **Vero Beach, FL 32960**

at (violation address): 2645 11th Avenue in the City of Vero Beach, Florida committed the following civil offense: **Public nuisances.**

Violation of code provision(s): 38-31 (a) (b) (5) (6)

Facts constituting violation: Garbage, rubbish, trash, debris or other unsightly or unsanitary substances or materials, which are not properly enclosed and waiting for normal trash pickup, or which are accumulated in a building or other structure in such a manner that it would provide food or harborage for rats. Any areas that are active breeding grounds for mosquitoes.

CIVIL PENALTY: \$50.00 PAY BY DATE: 06/04/2020 REPEAT VIOLATION

CORRECTION REQUIRED BY: 06/04/2020. 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: 05/21/2020
 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 - 20-000360

Certified Mail Receipt: 70181830000119924509

ORIGINAL

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

In the Matter of:

Lewis, Anita
Violators

Case Number: 20-CE-10765

2645 11th Avenue
Violation Address
Vero Beach, FL 32960

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

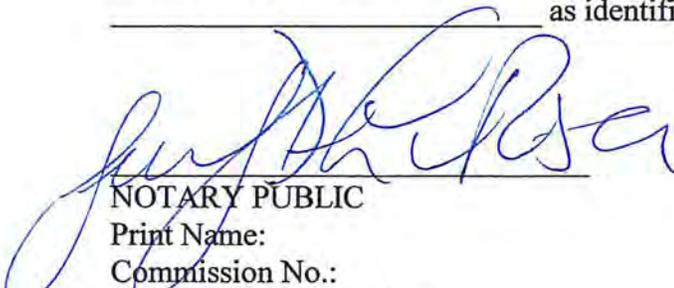
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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 15 day of June 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