

**CODE ENFORCEMENT BOARD MEETING**  
**Wednesday, August 12, 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 – July 8, 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-10759 / 2924M**  
**VIOLATOR:** Dolphin Property Holding, 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  
**(Request to find property in compliance and to cease continuing civil penalties – Initial civil penalty of \$50 has been paid)**
      - 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  
**(Case rescheduled from the July 8, 2020 CEB Hearing – Failure to comply; Failure to pay \$50 civil penalty)**

- c. **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 – Code Sections 64.05 (a)(b)(7)(9)(a)(b)  
**VIOLATION ADDRESS:** 2430 16<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply)**
- d. **CASE #19-CE-10548 / 2236M**  
**VIOLATOR:** James R. Lewis  
**VIOLATION:** After-the-fact Code Compliance Certification and building permit required for the vinyl fence – Code Section 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-10826 / 2945M**  
**VIOLATOR:** P. Scott McCracken  
**VIOLATION:** Change in work on structure subsequent to the issuance of certificate of appropriateness without review by the Planning and Development Director / Double windows on south side have been framed for three windows- Code Section 73.38  
**VIOLATION ADDRESS:** 2716 Laurel Drive, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**
- f. **CASE #20-CE-10951 / 2985M**  
**VIOLATOR:** Indian River Sports Complex / Derek Mueller, tenant  
**VIOLATION:** Wood fence installed onsite after a Stop Order was issued and without Code Compliance Certification or a building permit – Code Sections 64.05(a)(b)(7); 22-181; 22-106  
**VIOLATION ADDRESS:** 2665 12<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**

- g. CASE #20-CE-10862 / 2954M**  
**VIOLATOR:** Maureen Schlitt  
**VIOLATION:** School bus parked on front lawn – Code Section 74.82 (a)(d)  
**VIOLATION ADDRESS:** 2040 Delmar Avenue, Vero Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**
- h. CASE #20-CE-10899 / 2973M**  
**VIOLATOR:** The Village Spires Condominium Association, Inc. / AR Choice / Kelly Walsh  
**VIOLATION:** Sea turtle lighting (Repeat Violation) – Section 46-109 (a)(1)(a)(b)(c)  
**VIOLATION ADDRESS:** 3554 Ocean Drive, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$100 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, July 8, 2020 – 2:00 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

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

**Excused Absences:** Richard Kennedy, Kirk Noonan and Sharon Gorry

**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 en masse.

**3. PRELIMINARY MATTERS**

**A) Adoption of Minutes – June 10, 2020**

**Mr. McDonald made a motion to adopt the minutes of the June 10, 2020 Code Enforcement Board meeting. Mr. Bryant seconded the motion and it passed unanimously.**

**B) Agenda Additions, Deletions and Adoption**

Mr. Tom Ramsey, Code Enforcement Officer, pulled Case #20-CE-10663 – Killinda A. Williams from today's agenda. He reported that the civil penalty has been paid and the property is in compliance.

Ms. Melody Sanderson, Code Enforcement Officer, pulled Case #20-CE-10796 – David L. and Karyn M. Wetter from today's agenda. She reported that the property is in compliance. She then pulled Case #20-CE-10800 – Brandon Blais Electric, LLC / Brandon Blais, Agent and David and Karyn Wetter from today's agenda. She reported that they have requested a continuance so this case will be heard next month. She then pulled Case #20-CE-10801 – The Fence Company of South Florida, Inc., / Spiegel and Utrera, PA, Agent / 405 Eugenia, LLC, Erin Carr, Agent from today's agenda. She reported that the property is in compliance and the civil penalty has been paid.

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

**4. UNLICENSED CONTRACTORS/CITATIONS**

None

## 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 35<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Failure to comply; Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

##### 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)**

Ms. Sanderson reported that this case was heard by the Board last month, however she gave the Board the wrong compliance date. The property owner now has been working with the Engineering Department so she would like to request that the Board void their previous order.

Mr. John Turner, City Attorney, explained to the Board that the motion would be to vacate the Board order and adopt an amended or new Board order pursuant to the request of staff.

Ms. Sherri Philo, Deputy City Clerk, noted that staff did not prepare the Board order because the date was incorrect, which was the purpose of bringing this case back before the Board.

Mr. Turner said it has not been entered as far as a written order is concerned.

Ms. Sanderson said that she did not want to do an amended order because the property owner was at the mercy of the contractor and they are now working with the City so she would like them to complete the process. She is not asking for a new Board order.

Mr. Daige asked Ms. Sanderson if she is asking that they put this case on hold.

Ms. Sanderson answered no. She is asking the Board to vacate the Board order that was to be issued last month because of the error in the date given.

Mr. Turner asked Ms. Sanderson if she is asking that this case be tabled.

Ms. Sanderson answered yes or if it comes into compliance before their next meeting.

Mr. Turner recommended that they continue this case to a date certain.

Mr. Pizzichillo reported that the next meeting of the Board would be August 12, 2020.

**Mrs. Hillman made a motion that the Board vacates the original Board order issued last month and to reschedule this case to the August 12, 2020 meeting. Mr. Bryant seconded the motion and it passed unanimously.**

- 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)**

This item was pulled from today's agenda.

- 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)**

This item was pulled from today's agenda.

- 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)**

This item was pulled from today's agenda.

- f. **CASE #20-CE-10765 / 2928M**  
**VIOLATOR:** Anita A. Lewis

**VIOLATION:** Public nuisance / Code Sections 38.31  
(a)(b)(5)(6)  
**VIOLATION ADDRESS:** 2645 11<sup>th</sup> 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. She asked that the Board makes a motion finding that the property is not in compliance, that the initial civil penalty in the amount of \$50 has been paid, to allow 21-days from the date of today's hearing to correct the violation or continuing penalties would commence on June 4, 2020. She reported that she is not requesting cost of enforcement. She noted that the property owner, Ms. Anita Lewis, is present for today's hearing and is in agreement that she can bring the property into compliance in 21-days.

Mr. Pizzichillo reported that 21-days from tomorrow's date would be July 29, 2020.

**Mrs. Hillman made a motion that the Board finds that the civil penalty has been paid and that the Board issues a Board order that they are not in compliance, to allow 21-days to correct the violation from tomorrow's date and if the violation is not corrected continuing penalties would commence on June 4, 2020. Mr. Pizzichillo seconded the motion and it passed unanimously.**

**6. OLD BUSINESS**

None

**7. ADMINISTRATIVE MATTERS**

None

**8. CLERK'S MATTERS**

None

**9. ATTORNEY'S MATTERS**

Mr. Turner reported that the City received a favorable ruling on an appeal in the Abbassi case to the Circuit Court.

Ms. Sanderson read a prepared statement regarding the history of this property (attached to the original minutes).

**10. CHAIRMAN'S MATTERS**

None

**11. MEMBER'S MATTERS**

None

## **12. ADJOURNMENT**

Today's meeting adjourned at 2:18 p.m.

/sp



**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4640

5B)1a

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  
2450 Cortez Avenue  
Vero Beach, Florida 32960

**NOTICE OF HEARING**

AND

847 20<sup>th</sup> Place  
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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Failure to Correct Violation(s).
- Failure to Pay Civil Penalty and/or Costs.
- Other (describe):** Request that the Board find the property in compliance and to cease continuing penalties

**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: July 30, 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

30<sup>th</sup> day of July 2020.

  
Board Clerk



**BEFORE THE CODE ENFORCEMENT BOARD  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960**

**CITY OF VERO BEACH**

**CASE NO. 20-CE-10759**

vs.

**CITATION NO. 2924M**

**DOLPHIN PROPERTY HOLDINGS, LLC**

**MICHAEL BUZA, AGENT**

2450 Cortez Avenue

*-AND-*

847 20<sup>th</sup> Place

Vero Beach, Florida 32960

Vero Beach, Florida 32960

**ORDER FINDING VIOLATION, TO PAY INITIAL CIVIL PENALTY;  
ALLOWING ADDITIONAL TIME FOR COMPLIANCE AND  
ASSESSING CONTINUING PENALTIES**

**VIOLATION:** City of Vero Beach Code, 72.44(a), Oak Tree removed without a permit.

**LOCATION:** 2450 Cortez 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 10<sup>th</sup> day of June, 2020, and the Board having heard testimony of the Code Enforcement Officer and, 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 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 \$50.00 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 have committed the violation as specified above and on the citation. The violator is to pay to the City Clerk's office the initial civil penalty of **\$50.00** within thirty (30) days of the Board order. The violator has 14 days (June 24, 2020) to correct the violation. If the violation is not corrected and the initial civil penalty has not been paid, a continuing penalty will be imposed in the amount of **\$50.00** per day for each day the violations have existed and continue to exist after May 11, 2020 (the date given on the citation for correction), until the date corrected, together with all costs of recording the Board's order in the public records and costs of satisfying and recording release of the resulting lien upon payment.

**DONE AND ORDERED** at Vero Beach, Indian River County, Florida this 23<sup>rd</sup> day of June 2020.

ATTEST:

**CODE ENFORCEMENT BOARD:**

  
\_\_\_\_\_  
Sherri Philo  
as Board Clerk  
(Seal)

  
\_\_\_\_\_  
Kirk Noonan  
as 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 20<sup>th</sup> 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 20<sup>th</sup> 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. 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

1053 20<sup>TH</sup> 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  
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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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.

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: July 30, 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

30<sup>th</sup> day of July 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

7 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**



**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4640

5B)1c

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10747

JOHN DAVID MOORE  
 Violator

Citation No.: 2921M

TO: John David Moore  
454 23<sup>rd</sup> Street  
Vero Beach, Florida 32962

**NOTICE OF HEARING**

AND 2430 16<sup>th</sup> 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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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: July 30, 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

30<sup>th</sup> day of July 2020.

  
Board Clerk



**BEFORE THE CODE ENFORCEMENT BOARD  
OF THE CITY OF VERO BEACH, FLORIDA**  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960

**CITY OF VERO BEACH**

**CASE NO. 20-CE-10747**

vs.

**CITATION NO. 2921M**

**JOHN DAVID MOORE**

454 23<sup>rd</sup> Street SE  
Vero Beach, Florida 32962

-AND-

2430 16<sup>th</sup> Avenue  
Vero Beach, Florida 32960

**ORDER FINDING VIOLATION, ALLOWING ADDITIONAL TIME OF SIXTY (60) DAYS  
(TO THE JULY CODE ENFORCEMENT BOARD MEETING) TO COMPLY**

**VIOLATION:** City of Vero Beach Code, 64.05(a)(b)(7)(9)(a)(b) – Shed, fence, and brick pavers installed without Code Compliance Certification; fence, windows, shed and ductless Air-conditioning unit installed without permits.

**LOCATION:** 2430 16<sup>th</sup> 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 13<sup>th</sup> day of May 2020, 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 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 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 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 sixty (60) days of the hearing held on May 13, 2020 and before the July Code Enforcement Board meeting. The initial civil penalty of \$100.00 has been paid. The City is entitled, pursuant to law, to recover all costs of recording the Board’s order in the public records and for satisfying and recording release of the resulting lien upon payment.

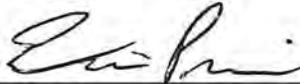
**DONE AND ORDERED** at Vero Beach, Indian River County, Florida this 26<sup>th</sup> day of

May 2020.

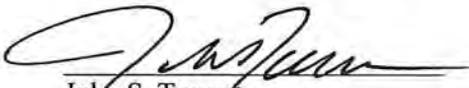
ATTEST:

  
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 20<sup>th</sup> 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 20<sup>th</sup> 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. 2921M / 20-CE-10747

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 8:56 am

Name: **Moore, John David**  
 454 23rd St, SE  
 of: **Vero Ebach, FL 32962**

at (violation address): 2430 16th Avenue in the City of Vero Beach, Florida committed the following civil offense: **Shed, fence and brick pavers installed without Code Compliance Certification from the Vero Beach Planning Department. Fence, windows, shed and ductless AC unit installed without permits from the Indian River County Building Department.**

Violation of code provision(s): 64.05 (a)(b)(7)(9)(a)(b)

Facts constituting violation: After-the-fact Code Compliance Certification must be obtained from the Planning Department in City Hall for the fence, brick pavers and shed. Building permits must be obtained from the IRC Building Department for the fence, windows, shed and ductless AC unit. PLEASE SIGN AND RETURN THIS CITATION WITH THE CODE COMPLIANCE CERTIFICATION APPLICATION TO THE PLANNING DEPARTMENT.

**CIVIL PENALTY: \$100.00**

**PAY BY DATE: 04/30/2020**

**REPEAT VIOLATION**

**CORRECTION REQUIRED BY: 04/30/2020. 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 - 20-000323

Certified Mail Receipt: 70181830000119924349





**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> 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

**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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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: July 30, 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 30<sup>th</sup> day of July 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: 7018229000037006368

ORIGINAL

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

In the Matter of:

James Lewis  
Violators

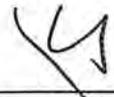
Case Number: 20-CE-10548

5 Aero Lane  
Violation Address  
Vero Beach, FL 32960

**AFFDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION**

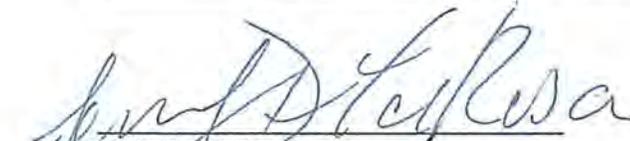
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

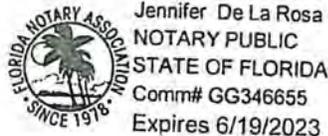
I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the 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 27 day of July 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:



**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

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

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 Aguilar Martinez, City of Vero Beach; Case #20-CE-10552 – Pedro Aguilar 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 21<sup>st</sup> 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 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.



**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4640

5-B)1e

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10826

P. SCOTT MCCRACKEN  
 Violator

Citation No.: 2945M

TO: P. Scott McCracken  
2312 Vero Beach Avenue  
Vero Beach, Florida 32960

**NOTICE OF HEARING**

AND 2716 Laurel Drive  
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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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

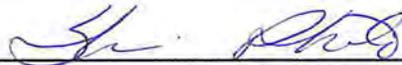
Date: July 30, 2020

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

30<sup>th</sup> day of July 20 20

  
Board Clerk



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

**CODE ENFORCEMENT CITATION**

**No. 2945M / 20-CE-10826**

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 18, 2020 at 1:36 pm

Name: **McCracken, P Scott**  
**2312 Vero Beach Ave**  
 of: **Vero Beach, FL 32960**

at (violation address): 2716 Laurel Drive in the City of Vero Beach, Florida committed the following civil offense: **Change in work on structure subsequent to the issuance of certificate of appropriateness without review by the Planning Director.**

Violation of code provision(s): 73.38

Facts constituting violation: Double windows on south side have been framed for three windows. Please meet with Jason Jeffries, Planning Director, to address change made.

**CIVIL PENALTY: \$50.00**

**PAY BY DATE: 07/28/2020**

**REPEAT VIOLATION**

**CORRECTION REQUIRED BY: 07/28/2020. 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: 07/14/2020  
 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 - 20-000452

Certified Mail Receipt: PROPERTY POSTED

ORIGINAL

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

In the Matter of:

McCracken  
Violators

Case Number: 20-CE-10826

2716 Laurel Drive  
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 July 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 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4640

5B)1F

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10951

INDIAN RIVER SPORTS COMPLEX / DEREK MUELLER, TENANT  
 Violator

Citation No.: 2985M

**TO:** Indian River Sports Complex / Derek Mueller, Tenant  
3285 3<sup>rd</sup> Place  
Vero Beach, Florida 32960

**NOTICE OF HEARING**

AND 2665 12<sup>th</sup> 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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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: July 30, 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

30<sup>th</sup> day of July 2020

  
Board Clerk



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

In the Matter of:

COVB (owner) & IRC Sports Complex / Derek Mueller (tenant) Case Number: 20-CE-10951  
Violators

2665 12<sup>th</sup> 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 July 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 20<sup>TH</sup> PLACE

VERO BEACH, FLORIDA 32960

Telephone (772) 978-4640

5B)1g

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10862

MAUREEN SCHLITT

Citation No.: 2954M

Violator

TO: Maureen Schlitt

**NOTICE OF HEARING**

836 23<sup>rd</sup> Avenue

Vero Beach, Florida 32960

AND

2040 Delmar 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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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.

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**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: July 30, 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

30<sup>th</sup> day of July 2020.

  
Board Clerk



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

**CODE ENFORCEMENT CITATION**

**No. 2954M / 20-CE-10862**

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 **June 12, 2020 at 8:01 am**

Name: **Schlitt, Maureen**  
**836 23rd Ave**  
of: **Vero Beach, FL 32960**

at (violation address): **2040 Delmar Avenue** in the City of Vero Beach, Florida committed the following civil offense:  
**School bus parked on front lawn.**

Violation of code provision(s): 74.82 (a),(d)

Facts constituting violation: Buses, mobile homes, trailers, trucks over 5,000 pounds, and truck tractors shall not be parked on private property, in residential districts, for more than one time in any one day and not to exceed one hour except in a closed garage and except for those vehicles directly related to a use for which a conditional use has been granted in a residential area.

**CIVIL PENALTY: \$50.00**

**PAY BY DATE: 07/08/2020**

**REPEAT VIOLATION**

**CORRECTION REQUIRED BY: 07/08/2020. 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: 06/24/2020  
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 - 20-000507

Certified Mail Receipt: 70181830000119924547



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

In the Matter of:

Schlitt, Maureen  
Violators

Case Number: 20-CE-10862

2040 Delmar Avenue  
Violation Address  
Vero Beach, FL 32960

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 16 day of July 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 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4640

5-BJ/h

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10899

THE VILLAGE SPIRES CONDOMINIUM ASSOCIATION, INC.  
C/O AR CHOICE, KELLY WALSH AND SCHLITT MANAGEMENT  
 Violator

Citation No.: 2973M

**TO:** The Village Spires Condominium Association, Inc.

**NOTICE OF HEARING**

c/o AR Choice, Kelly Walsh

100 Vista Royal Boulevard

AND

3554 Ocean Drive

Vero Beach, Florida 32960

Vero Beach, Florida 32963

AND

Schlitt Management

1209 US Highway 1

Sebastian, Florida 32958

**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:** August 12<sup>th</sup>, 2020 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, COUNCIL CHAMBERS, 1053 20<sup>th</sup> 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: July 30, 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 30<sup>th</sup> day of July 20 20.

  
Board Clerk



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

**CODE ENFORCEMENT CITATION**

No. 2973M / 20-CE-10899

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 July 10, 2020 at 6:14 am

Name: **The Village Spires Condo Assoc Inc c/o Schlitt Management**  
**1209 US Highway 1**  
of: **Sebastian, FL 32958**

at (violation address): 3554 Ocean Drive in the City of Vero Beach, Florida committed the following civil offense: Sea turtle lighting violation.

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

Facts constituting violation: Exterior lights of clubhouse are visible from the beach. Lights must be shielded, replaced with 25 watt amber light or turned off at 9pm during turtle nesting season (3/1/2020-10/31/2020).

**CIVIL PENALTY: \$100.00**

**PAY BY DATE: 07/27/2020**

**REPEAT VIOLATION**

**CORRECTION REQUIRED BY: 07/17/2020. 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: 07/13/2020  
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 - 20-000552

Certified Mail Receipt: 70181830000119924578



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

In the Matter of:

The Village Spires Condo Assn, Inc  
Violators

Case Number: 20-CE-10899

3554 Ocean Drive  
Violation Address  
Vero Beach, FL 32963

**AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION**

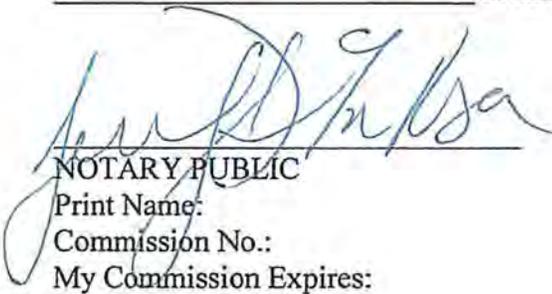
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

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 27 day of July 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