

**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 35<sup>th</sup> 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 11<sup>th</sup> 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.



**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) 1a*

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10663

KILLINDA A. WILLIAMS  
 Violator

Citation No.: 1063T

TO: Killinda A. Williams  
1936 35<sup>th</sup> 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 8<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: 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 25<sup>th</sup> day of June 20 20.

  
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-10663**

vs.

**CITATION NO. 1063T**

**KILLINDA A. WILLIAMS**  
1936 35<sup>th</sup> 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 35<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’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.

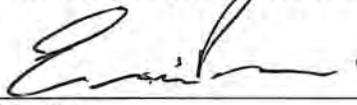
**DONE AND ORDERED** at Vero Beach, Indian River County, Florida this 26<sup>th</sup> day of

May 2020.

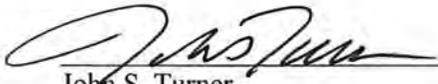
ATTEST:

  
\_\_\_\_\_  
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. 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 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

CODE ENFORCEMENT CITATION

No. 1325T / 18-CE-8230

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 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 35<sup>th</sup> 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 34<sup>th</sup> 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 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

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 8<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: 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

25<sup>th</sup> 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**



**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)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 8<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.

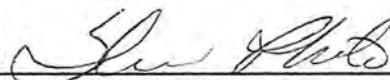
**HEARING RECORD:** This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

**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: 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

25<sup>th</sup> 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**

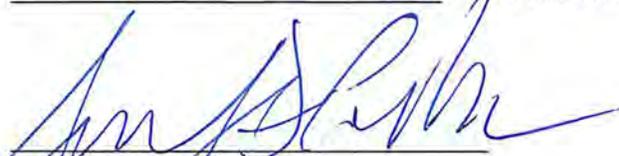
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

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 20<sup>TH</sup> 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 8<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

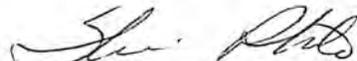
Date: June 25, 2020

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

25<sup>th</sup> day of June 2020.

  
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



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

In the Matter of:

Wetter / Brandon Blais Electric  
Violators

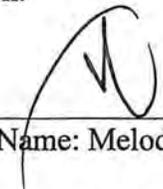
Case Number: 20-CE-10800

3605 Eagle Drive  
Violation Address  
Vero Beach, FL 32963

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

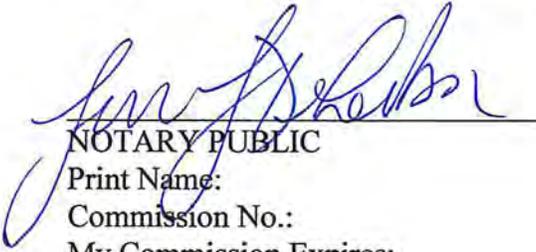
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

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 6/1-2023



**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-B)1e*

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10801

THE FENCE COMPANY OF SOUTH FLORIDA, INC.  
SPIEGEL & UTRERA, PA, AGENT AND 405 EUGENIA, LLC / ERIN CARR, AGENT  
 Violator

Citation No.: 2939M

**TO:** The Fence Company of South Florida, Inc.  
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

**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 8<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: 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

25<sup>th</sup> 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

Case Number: 20-CE-10801

Violators

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 12<sup>th</sup> 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 20<sup>TH</sup> 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 11<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:** July 8<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

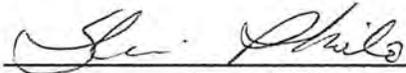
Date: June 25, 2020

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

25<sup>th</sup> 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 11<sup>th</sup> Avenue  
Violation Address  
Vero Beach, FL 32960

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

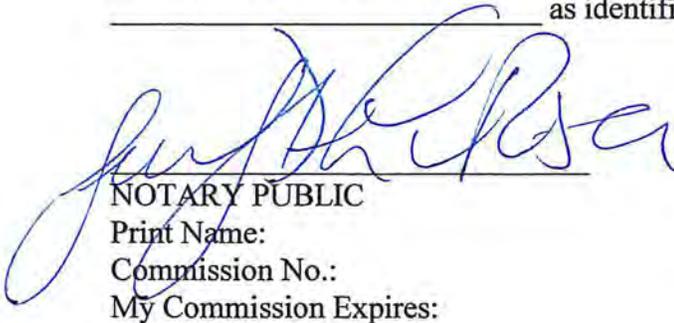
STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

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\_\_\_\_\_, 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