

CODE ENFORCEMENT BOARD MEETING
Wednesday, September 9, 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 – August 12, 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-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 pay \$50 civil penalty)
 - b. CASE #20-CE-10951 / 2985M**
VIOLATOR: Indian River Sports Complex / Derek Mueller, Tenant
VIOLATION: Wood fence installed onsite after Stop Order issued and without Code Compliance Certification or a Building Permit / Code Sections 64.05 (a)(b)(7); 22-181; 22-106
VIOLATION ADDRESS: 2665 12th Avenue, Vero Beach, Florida 32960
(Failure to comply; Failure to pay \$50 civil penalty)

- c. **CASE #20-CE-10950 / 2984M**
VIOLATOR: Indian River Sports Complex / Derek Mueller, Tenant
VIOLATION: Failure to obtain site plan approval for the property
VIOLATION ADDRESS: 2665 12th Avenue, Vero Beach, Florida 32960
(Failure to comply; Failure to pay \$50 civil penalty)

- d. **CASE #20-CE-10955 / 2988M**
VIOLATOR: Florida Irish American Society, Inc. / Winnie Thompson, Agent
VIOLATION: Trailer does not have a temporary use permit from the City of Vero Beach Planning and Development Department or permits from the Indian River County Building Department / Code Sections 64.12; 22-181; 22-106 (a)(b)(c)
VIOLATION ADDRESS: 1314 20th Street, Vero Beach, Florida 32960
(Failure to pay \$50 civil penalty)

- e. **CASE #20-CE-10984 / 2995M**
VIOLATOR: Vero Hotel Management, LLC
VIOLATION: Sea Turtle lighting / Code Sections 46-109 (a)(1)(a)(b)
VIOLATION ADDRESS: 3500 Ocean Drive, Vero Beach, Florida 32963
(Failure to comply; Failure to pay \$250 civil penalty)

- f. **CASE #20-CE-11010 / 2993M**
VIOLATOR: Vero Hotel Management, LLC
VIOLATION: Sea Turtle lighting / Code Sections 46-109 (a)(1)(a)(b)
VIOLATION ADDRESS: 3500 Ocean Drive, Vero Beach, Florida 32963
(Failure to comply)

- g. **CASE #20-CE-11011 / 2994M**
VIOLATOR: Vero Hotel Management, LLC
VIOLATION: Sea Turtle lighting / Code Sections 46-109 (a)(1)(a)(b)
VIOLATION ADDRESS: 3500 Ocean Drive, Vero Beach, Florida 32963
(Failure to comply)

- h. CASE #20-CE-10967 / 2992M**
VIOLATOR: Vero Hotel Management, LLC and Paddles by the Sea / Chris Woodruff
VIOLATION: Beach vendor permit expired last year; recreational amenities and trash/debris being left on the beach at the end of the day / Code Sections 64.05 (a)(b)(14)
VIOLATION ADDRESS: 3500 Ocean Drive, Vero Beach, Florida 32963
(Failure to comply)
- i. CASE #20-CE-10961 / 12989M**
VIOLATOR: Gino A. and Terri L. Abbate, Owners and Michael A. Miller, Tenant
VIOLATION: Utilizing the property for boat and trailer storage is not a permitted use of the property and right-of-way encroachment / Code Sections 60.06; 61.05; 61.02; 61.03
VIOLATION ADDRESS: 1260 29th Street, Vero Beach, Florida 32960
(Failure to comply)

- 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, August 12, 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 and Alternate Member #1, Ken Daige **Also Present:** Code Enforcement Officer, Melody Sanderson; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absence: Frank Pizzichillo

1. CALL TO ORDER

Today's meeting was called to order at 2:08 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 Ms. Melody Sanderson, Code Enforcement Officer.

3. PRELIMINARY MATTERS

A) Adoption of Minutes – July 8, 2020

Mr. McDonald made a motion to adopt the minutes of the July 8, 2020 Code Enforcement Board meeting. Mrs. Hillman seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Ms. Melody Sanderson, Code Enforcement Officer, who has been sworn in, pulled from today's agenda, Case #20-CE-10628 – Robert Dechellis, Case #20-CE-10951 – Indian River Sports Complex – Derek Muller, and Case #20-CE-10862 – Maureen Schlitt.

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Citation Appeals

None

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)

Ms. Sanderson reported that this case previously came before the Board and the Board issued a Board order to come into compliance or continuing civil penalties would commence. She asked that the Board find the property in compliance and to waive the continuing penalties.

Mr. McDonald made a motion that the Board finds the property is in compliance and to waive all continuing civil penalties. Mr. Noonan seconded the motion and it passed unanimously.

- 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)

This item was pulled from today's agenda.

- 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 16th Avenue, Vero Beach, Florida 32960
(Failure to comply)

Ms. Sanderson reported that this case previously came before the Board and the Board allowed 60-days to come into compliance. She said the violation has not been corrected and the civil penalty has been paid. She asked that the Board finds there is a violation, the violation continues, the civil penalty has been paid, and that the Board issues a Board order

to correct the violation within 10-days of today's hearing (August 22, 2020) and if not in compliance continuing civil penalties shall commence beginning on April 30, 2020.

Mr. Noonan made a motion that the Board finds there is a violation, the violation continues, the civil penalty has been paid, and that the Board issues a Board order to come into compliance within 10-days of today's hearing (August 22, 2020) or continuing civil penalties will commence on April 30, 2020. Mr. McDonald seconded the motion and it passed unanimously.

Mr. John Turner, City Attorney, asked what was the initial civil penalty.

Ms. Sanderson said the initial civil penalty was \$100.

Mr. Noonan added to his motion to include the amount of the continuing penalties at \$100 per day. Mr. McDonald seconded the motion and it passed unanimously.

- 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)

Ms. Sanderson reported that the citation was issued on December 17, 2019, and service was by posting of the property. She asked that the Board finds that the property is not in compliance, the civil penalty has not paid, that they allow 30-days to correct (September 11, 2020) the violation or continuing civil penalties of \$50 shall commence on December 31, 2019.

Mr. Price asked is this a recent fence or an existing fence.

Ms. Sanderson said it is an existing fence.

Mr. Daige asked was the tenant notified of this in writing that he was in violation and that there was going to be a fine.

Ms. Sanderson said the tenant lives out of State and has different tenants who can sublease the trailer so the notice was posted on the property. She said at one (1) point the property owner reached out to her and she tried to work with him because he told her that he could not return to the area because of the Coronavirus. She reported that she sent him the Code compliance paperwork to complete and then she did not have any further contact.

Mr. McDonald made a motion that the Board finds the property is not in compliance, the civil penalty has not been paid and that the Board allows 30-days from today's hearing (September 11, 2020) to come into compliance and if not in compliance continuing civil penalties of \$50 per day shall commence on December 31, 2019. Mr. Daige seconded the motion and it passed unanimously.

- 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)

Ms. Sanderson explained that in order to restore or work on properties that have been designated historic it is required that the property owners obtain a Certificate of Appropriateness through the Planning and Development Department. She reported that Mr. Scott McCracken, property owner, was issued a warning citation on May 28, 2020, for a change in the work on the structure subsequent to the issuance of the Certificate of Appropriateness without review by the Planning and Development Director. A citation was issued on July 14, 2020, with service of the citation by property posting. The violation has not been corrected and the civil penalty has not been paid. She asked that the Board finds there is a violation, the violation continues, the civil penalty of \$50 has not been paid and that the Board issues a Board order to correct the violation within 10-days of today's hearing (August 22, 2020) and if not in compliance continuing civil penalties shall commence on July 28, 2020.

Mrs. Hillman said Mr. McCracken is a repeat offender. She asked is there anything the City can do to stop him from getting a license until all the penalties have been paid and the violations are corrected.

Mr. Turner said the City does not have an Ordinance at this point, however he has discussed with staff the possibility of proposing an Ordinance that would address this type of issue where Code Enforcement violations would have to be taken care of before they would be issued any permits.

Mrs. Hillman said that her husband is a carpenter and has to renew his license with the City every year. She asked why doesn't the City reject Mr. McCracken's license until he pays all his fines.

Ms. Sanderson said there are people who have outstanding fines for not obtaining their Business Tax Receipt, but that would not stop Mr. McCracken from continuing to work.

Mr. Price asked what designates this property as historic.

Ms. Sanderson explained that it goes through the State to designate the house as historic, which maintains the integrity of the home so any work done on the home has to maintain the initial integrity of the date and time the structure was created.

Mr. Kennedy said there is some tax benefit associated with it. He said the City could advise the State that there are outstanding matters with this property.

Ms. Sanderson felt that Mr. Turner's suggestion would be the best avenue to take.

Mr. Kennedy said that he would like to see that happen because this is affront to the Board.

Mr. Kennedy said there was a violation on a rental house on Ocean Drive that the Board assessed around \$400,000 in penalties. He said that he saw that this house is now for sale. He asked is there any possibility of collecting that money.

Mr. Turner said the previous owner of this property incurred substantial fines and penalties exceeding \$400,000. The house was sold and a substantial amount of funds were escrowed to cover any liens or fines. The case was appealed by the property owner to the Circuit Court and the Circuit Court found in favor and supported the Code Enforcement Board's determination of violations and imposition of liens and penalties. That has been upheld. He said to his knowledge, no appeal has been taken or a request for a rehearing has been filed. He said the City Council will be addressing correction of the amounts at their August 18, 2020 meeting.

Mr. McDonald made a motion that the Board finds the property is in violation, the civil penalty has not been paid, that the violation is and continues to be, and that the Board allow 10-days (August 22, 2020) from today's hearing to comply or continuing civil penalties of \$50 per day shall commence on July 28, 2020. Mr. Noonan seconded the motion and it passed unanimously.

- 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 12th Avenue, Vero Beach, Florida 32960
(Failure to comply; Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

- 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)

This item was pulled from today's agenda.

- 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)

Ms. Sanderson reported that service of the citation was provided by certified mail. The property is in compliance and the civil penalty remains unpaid. She asked that the Board finds there was a violation, the violation has been corrected and to issue a Board order to pay the \$100 civil penalty.

Mrs. Hillman made a motion that the Board finds the violation has been corrected and to issue an order to pay the \$100 civil penalty. Mr. Bryant seconded the motion and it passed unanimously.

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

None

8. CLERK'S MATTERS

None

9. ATTORNEY'S MATTERS

None

10. CHAIRMAN'S MATTERS

None

11. MEMBER'S MATTERS

None

12. ADJOURNMENT

Today's meeting adjourned at 2:26 p.m.

/sp



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

5-B) 1a

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 25th day of August 2020.


Sherri Philo, 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

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

In the Matter of:

Robert Dechellis
Violators

Case Number: 20-CE-10628

525 Banyan Road
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.

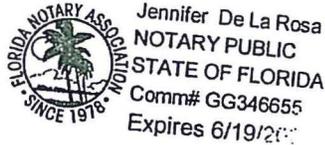

_____, Affiant
Print Name: Melody Sanderson

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 19 day of August 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:



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

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

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

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

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

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

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

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

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

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

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

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

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

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

B) Non-Compliance / Compliance Reports

1. Request for Board Order

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

3 06/10/20 CEB

VIOLATOR: Robert Dechellis

VIOLATION: Failure to obtain stormwater management plan for dirt added to the property / Code Section 64.05

VIOLATION ADDRESS: 525 Banyan Road, Vero Beach, Florida 32963

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

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

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

b. CASE #20-CE-10764 / 2927M

VIOLATOR: Maureen Miller

VIOLATION: Stagnant unsecured swimming pool / Code Section 38.31 (a)(b)(7)

VIOLATION ADDRESS: 3655 Flamingo Drive, Vero Beach, Florida 32963

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

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

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

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

4 06/10/20 CEB

CODE ENFORCEMENT BOARD MINUTES
Wednesday, August 12, 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 and Alternate Member #1, Ken Daige **Also Present:** Code Enforcement Officer, Melody Sanderson; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

Excused Absence: Frank Pizzichillo

1. CALL TO ORDER

Today's meeting was called to order at 2:08 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 Ms. Melody Sanderson, Code Enforcement Officer.

3. PRELIMINARY MATTERS

A) Adoption of Minutes – July 8, 2020

Mr. McDonald made a motion to adopt the minutes of the July 8, 2020 Code Enforcement Board meeting. Mrs. Hillman seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Ms. Melody Sanderson, Code Enforcement Officer, who has been sworn in, pulled from today's agenda, Case #20-CE-10628 – Robert Dechellis, Case #20-CE-10951 – Indian River Sports Complex – Derek Muller, and Case #20-CE-10862 – Maureen Schlitt.

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Citation Appeals

None

B) Non-Compliance / Compliance Reports



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

5-B)1b

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10951

INDIAN RIVER SPORTS COMPLEX / DEREK MUELLER, TENANT
 Violator

Citation No.: 2985M

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

NOTICE OF HEARING

and

2665 12th 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

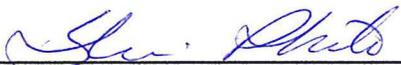
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 2020.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2985M / 20-CE-10951

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 14, 2020 at n/a

Name: **City of Vero Beach (owner) and Indian River Sports Complex/ Derek Mueller (tenant)**
3285 3rd Place
 of: **Vero Beach, FL 32960**

at (violation address): **2665 12th Avenue** in the City of Vero Beach, Florida committed the following civil offense: **Wood fence installed onsite after STOP ORDER issued and 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 Planning Department (application attached) and after-the-fact building permit from Indian River County.

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 - 20-000640

Certified Mail Receipt: 70191640000214457245



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

In the Matter of:

COVB / Indian River Sports Complex / Derek Mueller
Violators

Case Number: 20-CE-10951

3500 Ocean Drive

Violation Address

Vero Beach, FL 32963

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

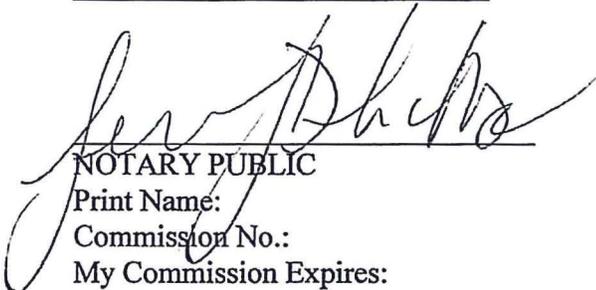
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.


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

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



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

5-B)1c

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10950

INDIAN RIVER SPORTS COMPLEX / DEREK MUELLER, TENANT
 Violator

Citation No.: 2984M

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

NOTICE OF HEARING

and

2665 12th 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

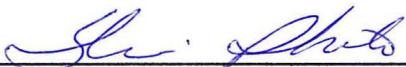
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 20 20.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2984M / 20-CE-10950

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 14, 2020 at n/a

Name: **City Of Vero Beach (owner) and Indian River Sports Complex / Derek Mueller (tenant)**
3285 3rd Place
 of: **Vero Beach, FL 32960**

at (violation address): **2665 12th Avenue** in the City of Vero Beach, Florida committed the following civil offense: **Failure to obtain Site Plan Approval for the property.**

Violation of code provision(s): 64.06 (a)(7)

Facts constituting violation: Failure to obtain Site Plan Approval for the property.

CIVIL PENALTY: \$50.00

PAY BY DATE: 08/11/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 08/11/2020. 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: 07/28/2020
 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 - 20-000639

Certified Mail Receipt: 70191640000214457283

ORIGINAL

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

In the Matter of:

COVB / Indian River Sports Complex / Derek Mueller
Violators

Case Number: 20-CE-10950

3500 Ocean Drive

Violation Address

Vero Beach, FL 32963

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

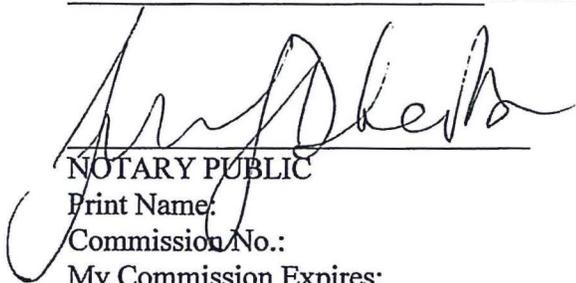
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.



NOTARY PUBLIC

Print Name:

Commission No.:

My Commission Expires:



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



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

5-BJ1d

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10955

FLORIDA IRISH AMERICAN SOCIETY, INC. /
WINNIE THOMPSON, AGENT
 Violator

Citation No.: 2988M

TO: Florida Irish American Society, Inc.
Winnie Thompson, Agent
100 Nieuport Drive
Vero Beach, Florida 32968

NOTICE OF HEARING

AND 1314 20th Street
Vero Beach, Florida 32960

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

DATE and TIME: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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PLEASE GOVERN YOURSELF ACCORDINGLY.

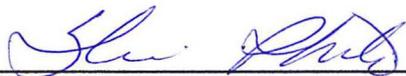
FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 25th day of August 2020.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2988M / 20-CE-10955

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 01, 2020 at 9:52 am

Name: **Florida Irish American Society Inc / Winnie Thompson, Agent**
100 Nieuport Drive
 of: **Vero Beach, FL 32968**

at (violation address): 1314 20th Street in the City of Vero Beach, Florida committed the following civil offense: **Trailer does not have Temporary Use permit from the Planning Department in City Hall or permits from the Indian River County Building Department.**

Violation of code provision(s): 64.12,22-181, 22-106 (a),(b),(c)

Facts constituting violation: Trailer does not have Temporary Use permit from the Planning Department in City Hall. Permits for the electric and water to the trailer are also required from the Indian River County Building Department.

CIVIL PENALTY: \$50.00 PAY BY DATE: 08/12/2020 REPEAT VIOLATION

CORRECTION REQUIRED BY: 08/12/2020. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
 Department: VBPD Code Enforcement

Date Issued: 07/29/2020
 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 - 20-000644

Certified Mail Receipt: 70191640000214457306



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

In the Matter of:

Florida Irish American Society, Inc / Winnie Thompson
Violators

Case Number: 20-CE-10955

1314 20th Street
Violation Address
Vero Beach, FL 32960

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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

MS

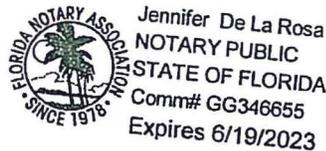
_____, Affiant
Print Name: Melody Sanderson

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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

Jennifer De La Rosa

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





BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA

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

5-B)1e

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10984

VERO HOTEL MANAGEMENT, INC.
Violator

Citation No.: 2995M

TO: Vero Hotel Management, Inc.
3500 Ocean 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

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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: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 2020.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2995M / 20-CE-10984

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 25, 2020 at

Name: **Vero Hotel Management LLC**
3500 Ocean Drive
of: **Vero Beach, FL 32963**

at (violation address): 3500 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 (a0 (1)(a)(b)

Facts constituting violation: Disorientation of sea turtle hatchlings caused by hotel lighting.

CIVIL PENALTY: \$250.00 **PAY BY DATE: 07/31/2020** **REPEAT VIOLATION**

CORRECTION REQUIRED BY: 08/03/2020. This is a correctable violation and must be corrected by the date specified. Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Sanderson
Department: VBPD Code Enforcement

Date Issued: 07/31/2020
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 - 20-000701

Certified Mail Receipt: 70191640000214457313

ORIGINAL

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

In the Matter of:

Vero Hotel Mgmt LLC
Violators

Case Number: 20-CE-10984

3500 Ocean Drive
Violation Address
Vero Beach, FL 32963

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

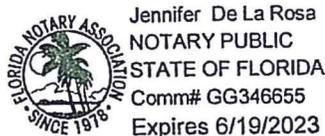
I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the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

Melody Sanderson, 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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.

Jennifer De La Rosa
NOTARY PUBLIC
Print Name:
Commission No.:
My Commission Expires:





BEFORE THE CODE ENFORCEMENT BOARD

OF THE CITY OF VERO BEACH, FLORIDA

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

5-B)1f

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-11010

VERO HOTEL MANAGEMENT, INC.
Violator

Citation No.: 2993M

TO: Vero Hotel Management, Inc.
3500 Ocean 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 20 20.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2993M / 20-CE-11010

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 **August 10, 2020** at

Name: **Vero Hotel Management LLC**
3500 Ocean Drive
of: **Vero Beach, FL 32963**

at (violation address): **3500 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)

Facts constituting violation: Disorientation of sea turtle hatchlings caused by hotel lighting.

CIVIL PENALTY: \$250.00

PAY BY DATE: 08/28/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 08/19/2020. 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: 08/14/2020
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 - 20-000740

Certified Mail Receipt: 70191640000214457337



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

In the Matter of:

Vero Hotel Mgmt LLC
Violators
3500 Ocean Drive
Violation Address
Vero Beach, FL 32963

Case Number: 20-CE-11010

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

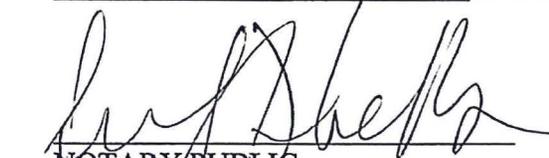
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced _____ as identification.



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



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



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

5-B)1g

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-11011

VERO HOTEL MANAGEMENT, INC.
 Violator

Citation No.: 2994M

TO: Vero Hotel Management, Inc.
3500 Ocean 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

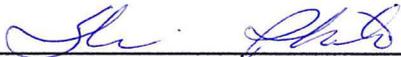
Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 20 20.


Sherri Philo, Board Clerk

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

In the Matter of:

Vero Hotel Mgmt LLC
Violators
3500 Ocean Drive
Violation Address
Vero Beach, FL 32963

Case Number: 20-CE-11011

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 19 day of August 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. 2994M / 20-CE-11011

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 **August 12, 2020** at

Name: **Vero Hotel Management LLC**
3500 Ocean Drive
 of: **Vero Beach, FL 32963**

at (violation address): **3500 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)

Facts constituting violation: Disorientation of sea turtle hatchlings caused by hotel lighting.

CIVIL PENALTY: \$250.00

PAY BY DATE: 08/28/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 08/20/2020. 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: 08/14/2020
 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 - 20-000741

Certified Mail Receipt: 70191640000214457344

ORIGINAL



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

5-B)lh

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10967

VERO HOTEL MANAGEMENT, INC. AND
PADDLES BY THE SEA / CHRIS WOODRUFF

Citation No.: 2992M

Violator

TO: Vero Hotel Management, Inc. and
Paddles by the Sea / Chris Woodruff
3500 Ocean 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: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

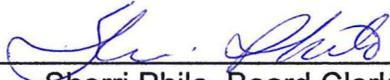
HEARING RECORD: This hearing involves non-criminal code enforcement matters. You are responsible for insuring, at your own expense, that a verbatim record of the hearing is made by a Florida certified court reporter should you desire to appeal an adverse decision of the Board to the Circuit Court.

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

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

25th day of August 2020.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2992M / 20-CE-10967

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 20, 2020 at 6:21 am

Name: **Vero Hotel Management LLC and Paddles by the Sea / Chris Woodruff**
3500 Ocean Dr
 of: **Vero Beach, FL 32963**

at (violation address): 3500 Ocean Drive in the City of Vero Beach, Florida committed the following civil offense:
Hotel/Paddles by the Sea does not have current permit. Permit must be obtained immediately to continue rentals. All conditions of the permit must be followed.

Violation of code provision(s): 64.05 (a)(b)(14)

Facts constituting violation: Beach vendor permit expired last year. Recreational amenities and trash/debris being left on the beach at the end of day.

CIVIL PENALTY: \$50.00

PAY BY DATE: 08/03/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 07/22/2020. 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: 07/20/2020
 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 - 20-000662

Certified Mail Receipt: 70191640000214457276

ORIGINAL

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

In the Matter of:

Vero Hotel Mgmt, LLC and Paddles by the Sea / C Woodruff
Violators
3500 Ocean Drive
Violation Address
Vero Beach, FL 32963

Case Number: 20-CE-10967

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

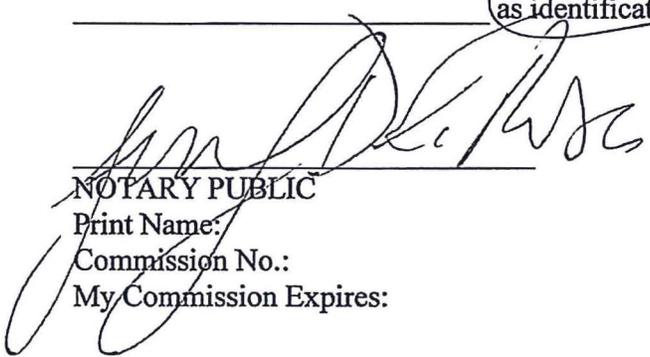
I, Melody Sanderson, being first duly sworn, upon personal knowledge and information, depose and state that I am a Code Enforcement Officer for the Vero Beach Police Department Code Enforcement Division and I have personal knowledge of and certify that the above-named violator has not complied with the 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 19 day of August 2020 by Melody Sanderson, who is personally known to me OR n/a produced as identification.



NOTARY PUBLIC

Print Name:
Commission No.:
My Commission Expires:



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



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

5-B)11

CITY OF VERO BEACH

vs.

CASE No's.: 20-CE-10961

GINO A. AND TERRI L. ABBATE AND MICHAEL A. MILLER
Violator

Citation No.: 2989M

TO: Gino A. and Terri L. Abbate and Michael A. Miller
244 Willow Street
Port Reading, NJ 07064

NOTICE OF HEARING

AND 1260 29th Street
Vero Beach, Florida 32960

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

DATE and TIME: September 9th, 2020 at 2:00 P.M.

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

PURPOSE OF HEARING:

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

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

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

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

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

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: August 25, 2020

By: 
Sherri Philo, Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 25th day of August 20 20.


Sherri Philo, Board Clerk



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

CODE ENFORCEMENT CITATION

No. 2989M / 20-CE-10961

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 17, 2020** at **6:28 am**

Name: **Abbate, Gino A & Terri L owners) and Miller, Michael A (tenant)**
244 Willow St
 of: **Port Reading, NJ 07064**

at (violation address): **1260 29th Street** in the City of Vero Beach, Florida committed the following civil offense: **Not a permitted use of the property.**

Violation of code provision(s): 60.06, 61.05, 61.03, /1.03

Facts constituting violation: Utilizing the property for boat and trailer storage is not a permitted use of the property and right-of-way encroachment.

CIVIL PENALTY: \$150.00

PAY BY DATE: 07/31/2020

REPEAT VIOLATION

CORRECTION REQUIRED BY: 07/31/2020. 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: 07/17/2020
 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 - 20-000653

Certified Mail Receipt: 70191640000214457252

ORIGINAL

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

In the Matter of:

Abate (Owner) and Miller (tenant)
Violators

Case Number: 20-CE-10961

1260 29th Street
Violation Address
Vero Beach, FL 32960

AFFIDAVIT OF NON-COMPLIANCE – CONTINUING VIOLATION

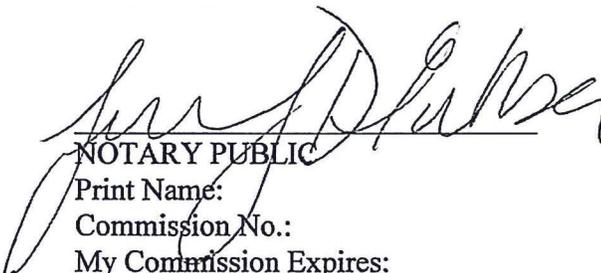
STATE OF FLORIDA
COUNTY OF INDIAN RIVER

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


_____, Affiant
Print Name: Melody Sanderson

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

Sworn to and subscribed before me this 20 day of August 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: