

CODE ENFORCEMENT BOARD MINUTES
Wednesday, July 8, 2020 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

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

Excused Absences: Richard Kennedy, Kirk Noonan and Sharon Gorry

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIENCE

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

The Deputy City Clerk swore in staff en masse.

3. PRELIMINARY MATTERS

A) Adoption of Minutes – June 10, 2020

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

B) Agenda Additions, Deletions and Adoption

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

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

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Citation Appeals

B) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #20-CE-10663 / 1063T

VIOLATOR: Killinda A. Williams

VIOLATION: Vehicles and trailers parked in front and side yards; non-stored items / Code Sections 38.31 (b)(5); 38.32 (a)(1), 74.82(d)

VIOLATION ADDRESS: 1936 35th Avenue, Vero Beach, Florida 32960

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

This item was pulled from today's agenda.

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

VIOLATOR: Robert Dechellis

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- c. **CASE #20-CE-10796 / 2934M**
VIOLATOR: David L. and Karyn M. Wetter
VIOLATION: Seven Palm Trees removed without a permit from the City of Vero Beach Planning and Development Department / Code Sections 72.41 (a); 72.43, 72.44
VIOLATION ADDRESS: 3605 Eagle Drive, Vero Beach, Florida 32963
(Failure to comply)

This item was pulled from today's agenda.

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

This item was pulled from today's agenda.

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

This item was pulled from today's agenda.

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

VIOLATION: Public nuisance / Code Sections 38.31
(a)(b)(5)(6)
VIOLATION ADDRESS: 2645 11th Avenue, Vero Beach,
Florida 32960
(Failure to comply; Failure to pay \$50 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified mail. She asked that the Board makes a motion finding that the property is not in compliance, that the initial civil penalty in the amount of \$50 has been paid, to allow 21-days from the date of today's hearing to correct the violation or continuing penalties would commence on June 4, 2020. She reported that she is not requesting cost of enforcement. She noted that the property owner, Ms. Anita Lewis, is present for today's hearing and is in agreement that she can bring the property into compliance in 21-days.

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

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

6. OLD BUSINESS

None

7. ADMINISTRATIVE MATTERS

None

8. CLERK'S MATTERS

None

9. ATTORNEY'S MATTERS

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

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

10. CHAIRMAN'S MATTERS

None

11. MEMBER'S MATTERS

None

12. ADJOURNMENT

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

/sp