

**CODE ENFORCEMENT BOARD MINUTES**  
**Wednesday, September 12, 2018 – 2:00 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

**PRESENT:** Chairman, Kirk Noonan; Vice Chairman, Erik Price; Members: Chris Bryant, Stephen McDonald, Frank Pizzichillo, Jeff McGann and Linda Hillman **Also Present:** Assistant City Attorney, Kira Honse; Code Enforcement Officer, Melody Sanderson; Code Enforcement Officer, Thomas Ramsey; Indian River County Contractor Licensing Investigator, David Checchi and Deputy City Clerk, Sherri Philo

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIENCE**

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

Ms. Kira Honse, Assistant City Attorney, explained to the audience present for today's meeting that any neighbors of the properties in question unless they are called as a witness by one (1) of the parties they are not able to testify.

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

**3. PRELIMINARY MATTERS**

**A) Adoption of Minutes –August 8, 2018**

**Mrs. Hillman made a motion to adopt the minutes of the August 8, 2018 Code Enforcement Board meeting. Mr. Bryant seconded the motion and it passed unanimously.**

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

Mr. Thomas Ramsey, Code Enforcement Officer, pulled Case #18-CE-8733 – Barrier Island Management Consultants, Inc., from today's agenda. He reported that the property is in compliance and the civil penalty has been paid.

Ms. Melody Sanderson, Code Enforcement Officer, pulled the following cases from today's agenda: Case #18-CE-8495 – Lambert Commercial Real Estate/1745 Professional Center, LLC/Joseph Gross, Jr., Agent, Case #18-CE-8611 – Susan A. Fields, Case #18-CE-8692 – Christopher and Judy Lee / John Egan, Case #18-CE-8719 – Charr-Nixs Beauty Salon & Supplies, LLC, Gwendolyn Rolle, Agent, Case #18-CE-8741 / Vero Hotel, LLC/George Heaton, Agent, Case #18-CE-8797 – JC Rental and Investment, Inc. / James Schlitt, Agenda and Belinda Banfield, Tenant, Case #18-CE-8788 – Kenneth Tuck, and Case #18-CE-8763 – Charr-Nixs. She reported that these properties are in compliance and the civil penalties have been paid.

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

**4. UNLICENSED CONTRACTORS/CITATIONS**

None

**5. EVIDENTIARY HEARINGS**

**A) Citation Appeals**

**1. a. CASE #18-CE-8795 / 0329**

**VIOLATOR:** Sunrise City Community Housing Development Organization, Inc. / Rod Waller

**VIOLATION:** Uninsured contractor; failure to apply for permit

**VIOLATION ADDRESS:** 1441 Ocean Drive, #209, Vero Beach, Florida 32960

Mr. David Checchi, Indian River County Contractor Licensing Inspector, reported that the Qualifier of the company is Mr. Roderick Waller, who is present for today's hearing. He reported that Sunrise City Community Housing Development Organization, Inc. holds three (3) licenses with the State of Florida, two (2) of which are registered to do work in Indian River County, which are 1) a Certified General Contractor and 2) a Certified Roofing Contractor. The third license, which is not registered in Indian River County, is a license for a Certified Residential Contractor. He reported that the violations relevant to this case occurred under Mr. Waller's Certified General Contractor's license. On July 31, 2018 the Building Department received a complaint of a sunroom being enclosed without a permit. He reported that he arrived on site and observed two (2) workers on the second story porch installing a window and one (1) on the ground who was walking to a truck. He showed on the doc cam photographs showing work that was being done (on file in the City Clerk's office). Staff interviewed all three (3) of the workers who identified themselves as employees of Sunrise City. The first employee identified himself as Luigi and stated that he was an employee of Sunrise City and is paid by company check. The second employee identified himself as Jose and stated that he was an employee of Sunrise City and is paid cash. The third employee identified himself as Esteva and stated that he was an employee of Sunrise City and he too was paid in cash. Mr. Waller was not on site at the time. He contacted the homeowner who was not home at the time and received consent by telephone to enter the home with Luigi and confirmed that no permit was applied for. At that time he issued a Stop Work Order, as well as issued a citation of \$500 for Commercial work without a permit and \$500 for uninsured workers (\$1,000 in fines). He informed Luigi that he would hold the citation for 24 hours in order for him to notify Mr. Waller that if he were to produce a Worker's Compensation Policy that he would rescind that citation. He did not receive any telephone calls from Mr. Waller until August 14, 2018 when he received an appeal from Mr. Waller stating that his employees were covered under Workman's Compensation. Mr. Checchi reported that he responded stating that if he still had the policy the Building Department would be glad to review it. As of today no policy has been submitted.

Mr. Rod Waller, of Sunrise City Community Housing Development Organization, Inc., reported that apparently he has been emailing the wrong person at the County. He does have

with him a copy of their Certificate of Liability Insurance, as well as a copy of the paystubs for the employees (on file in the City Clerk's office). He said there was some miscommunication in that work was not to begin until the following day. He reported that he did obtain a permit on that same day.

Mr. Checchi reported that he is seeing this information for the first time today. He said that Mr. Waller has submitted a Workman's Compensation policy that is made out to a different entity and W-2 earning statements for Mr. Luigi Carlo, Mr. Jose Arenas and Mr. Jose Penafiel.

Mr. Waller said that he is Workman's Compensation exempt. His company subs everything out. The insurance policy has his company as the certificate holder and the actual policy is under who they sub it to.

Mr. Pizzichillo asked did the subcontractors have all the necessary paperwork.

Mr. Waller answered yes.

Mrs. Hillman said the paperwork submitted has two people with the name Jose, but Mr. Checchi did not report two (2) employees with the same name.

Mr. Waller said the paystub information submitted is for the three (3) employees. He said that one (1) employee does have several names and he is not sure if Jose is one (1) of them.

Mr. Bryant asked are the employees subcontracted or are they his employees.

Mr. Waller said they are not his employees. He hires the companies to do the work and ensures that he receives the Workman's Compensation Certificates from those companies.

Mr. Bryant questioned then they are leased employees.

Mr. Waller said no, they are not leased employees. He said that company does have a similar name.

Mr. Pizzichillo asked is it a subsidy of his company.

Mr. Waller said his company owns a small portion of the company.

Mr. Pizzichillo asked what percentage.

Mr. Waller answered 10%.

Mr. Pizzichillo asked when was the permit applied for.

Mr. Checchi said the permit was applied for on the same day that he issued the Stop Work Order, which was July 31, 2018.

Mr. McDonald asked Mr. Waller if it is his responsibility to apply for the permit or the company that is doing the work.

Mr. Waller said that he does. He noted that the employees were not to start the work until the following day.

Mr. Checchi asked what is the name of the subcontractor that was hired to do the work.

Mr. Waller answered Sunrise City Concrete Services. He said this company does their windows, pads, and foundations.

Mr. Checchi asked are they a licensed concrete contractor.

Mr. Waller said not that he is aware of.

Mr. Checchi said that is a more egregious violation if he hired an unlicensed contractor to do the work because not only do they have the possible uninsured employees, but an unlicensed contractor as well.

Mr. Waller said that he has not had any concrete work done in this area. He said most of the work that he has done is done in West Palm Beach and he spoke with the Building Official there about being able to do this.

Mr. Checchi asked Mr. Waller if he is aware that his subcontractors need to be licensed in Indian River County and listed on a Subcontractor Affidavit.

Mr. Waller answered no.

Mr. Checchi asked Mr. Waller if he has pulled permits in Indian River County.

Mr. Waller answered yes.

Mr. Checchi questioned and you don't know about the Subcontractor Affidavit.

Mr. Waller said that he hasn't heard of it. However, he mostly does roofing in Indian River County.

Mr. Checchi recommended to the Board that they continue this case to the October Code Enforcement Board meeting in order to give him time to verify some of the information that was submitted today.

**Mr. Pizzichillo made a motion to delay this case to the October Code Enforcement Board meeting. Mr. McDonald seconded the motion and it passed unanimously.**

**B) Non-Compliance / Compliance Reports**

**1. Request for Board Order**

**a. CASE #/ 18-CE-8495 / 1456M**

**VIOLATOR:** Lambert Commercial Real Estate / 1745 Professional Center, LLC – Joseph Gross, Jr. Agent

**VIOLATION:** Prohibited sign

**VIOLATION ADDRESS:** 1745 20<sup>th</sup> Street, Vero Beach,  
Florida 32960  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- b. CASE #18-CE-8611 / 1441M**  
**VIOLATOR:** Susan A. Fields  
**VIOLATION:** Weeds, grass, or undergrowth at a height of more than 12 inches  
**VIOLATION ADDRESS:** 2020 Delmar Avenue, Vero Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- c. CASE #18-CE-8692 / 1465M**  
**VIOLATOR:** Christopher and Judy Lee / John Egan  
**VIOLATION:** Non-operable unlicensed boat trailer stored on right-of-way  
**VIOLATION ADDRESS:** 826 Banyan Road, Vero Beach, Florida 32963  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- d. CASE #18-CE-8702 / 1470M**  
**VIOLATOR:** Tony and F. Lorangel Abbassi  
**VIOLATION:** High wattage floodlights on the house are visible from the beach during turtle nesting (May 1<sup>st</sup> – October 31<sup>st</sup>)  
**VIOLATION ADDRESS:** 3766 Ocean Drive, Vero Beach, Florida 32963  
**(Failure to pay \$50 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by posting of the property. The violation has been corrected and the civil penalty has not been paid. She requested that the Board issues a Board order to pay the initial civil penalty.

**Mr. Noonan made a motion that the Board finds there was a violation, the violation has been corrected, and that the Board issues a Board order to pay the initial civil penalty of \$50. Mr. Pizzichillo seconded the motion and it passed unanimously.**

- e. CASE #18-CE-8697 / 1467M**  
**VIOLATOR:** Joseph Cataldo  
**VIOLATION:** Garbage, rubbish, trash, debris, dead trees, or other unsightly or unsanitary substances or materials which are not properly enclosed and waiting for normal trash pickup or which are accumulated in a building or other structure in such a manner that it would provide food or harborage for rats

**VIOLATION ADDRESS:** 1740 21<sup>st</sup> Street, Vero Beach,  
Florida 32960  
**(Failure to pay \$50 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by posting of the property. The violation has been corrected as of August 2, 2018 and the civil penalty has not been paid. She requested that the Board finds the violation did exist, has since been corrected, and to pay the initial civil penalty.

**Mr. Pizzichillo made that in the form of a motion. Mr. McGann seconded the motion and it passed unanimously.**

- f. CASE #18-CE-8719 / 1483M**  
**VIOLATOR:** Charr-Nixs Beauty Salon and Supplies, LLC /  
Gwendolyn Rolle, Agent  
**VIOLATION:** False alarm  
**VIOLATION ADDRESS:** 3308 Aviation Boulevard, Vero  
Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- g. CASE #18-CE-8733 / 1368T**  
**VIOLATOR:** Barrier Island Management Consultants, Inc.  
**VIOLATION:** Operating a guesthouse and transient quarters  
in a residential zone  
**VIOLATION ADDRESS:** 1301 Indian Mound Trail, Vero  
Beach, Florida 32963  
**(Repeat Violation)**

This item was pulled from today's agenda.

- h. CASE #18-CE-8741 / 1494M**  
**VIOLATOR:** Vero Hotel, LLC / George Heaton, Agent  
**VIOLATION:** Sea turtle lighting violations  
**VIOLATION ADDRESS:** 3500 Ocean Drive, Vero Beach,  
Florida 32963  
**(Paid \$150 civil penalty)**

This item was pulled from today's agenda.

- i. CASE #18-CE-8800 / 1522M**  
**VIOLATOR:** JC Rental and Investment, Inc. / James Schlitt,  
Agent and Michaela Wasdin, Tenant  
**VIOLATION:** Non-operable boat trailer (no tag) on the right-  
of-way  
**VIOLATION ADDRESS:** 1228 24<sup>th</sup> Street, #10, Vero Beach,  
Florida 32960

Ms. Sanderson reported that service of the citation was provided by certified return receipt to the property owner and first class mail to the tenant. The violation has not been corrected as of today and the civil penalty has not been paid. She requested that the Board issues a Board order to correct the violation by September 17, 2018, to pay the initial civil penalty, and if not corrected by September 17, 2018 that a continuing civil penalty of \$50 per day shall commence as of the original compliance date of the citation.

Mr. James Schlitt stated that Michaela Wasdin and her husband have separated and she no longer lives on the property. He said that he asked Mr. Wasdin to move the boat.

Ms. Sanderson said the boat and the trailer need to be removed from the right-of-way.

Mr. Schlitt said it will be moved.

Mr. Pizzichillo asked does the position of the boat and trailer compromise fire safety or emergencies of any kind.

Ms. Sanderson said she cannot answer that. It is beyond her scope of experience.

Mr. Schlitt said that he would say no.

Mr. Noonan thought all the Board can do is follow the advice of the Code Officer.

Mr. Schlitt said he will make sure it is moved by the 17<sup>th</sup> even if he has to do it himself. He said the eviction process takes about 20 days so if the tenant is non-compliant he would have to go that route. He said that he would notify the Code Officer if he decides to go that route, which maybe they could give him the 20 days and then that would guarantee the boat and trailer would be gone.

Ms. Sanderson said that she would still ask the Board to issue a Board order to come into compliance on September 17, 2018 and if not in compliance a continuing penalty commence on the compliance date on the citation. If Mr. Schlitt shows good faith and it comes to him evicting the tenant then they can address it at that time.

Ms. Honse suggested that the Board order allows until the 17<sup>th</sup> to come into compliance, however the Code Officer is given discretion to extend that timeframe if necessary.

**Mr. McDonald made a motion that the Board does that (that the violator is to come into compliance by September 17, 2018, giving the Code Officer discretion to extend that timeframe if necessary, and if not in compliance a continuing penalty shall commence on the compliance date on the citation unless the Code Officer). Mrs. Hillman seconded the motion and it passed unanimously.**

- j. CASE #18-CE-8799 / 1521M**  
**VIOLATOR:** JC Rental and Investment, Inc. / James Schlitt,  
Agent and Florence Bradford, Tenant  
**VIOLATION:** Non-operable Buick (no tag) on the right-of-  
way  
**VIOLATION ADDRESS:** 1228 24<sup>th</sup> Street, #35, Vero Beach,  
Florida 32960

Ms. Sanderson reported that service of the citation was provided by certified return receipt to the property owner and first class mail to the tenant. The violation has been corrected and the civil penalty has not been paid. She requested that the Board issues a Board order to pay the initial civil penalty.

Mr. Schlitt said it was not his vehicle.

Mr. David Rushing said the vehicle had to do with the car lot that is down the street.

Ms. Sanderson said this car was parked off the road against the trailer on lot 35.

**Mr. Pizzichillo made a motion that the Board finds there was a violation and that the Board issues a Board order to pay the civil penalty in the amount of \$50. Mr. McDonald seconded the motion and it passed 6-1 with Mr. Noonan voting no.**

- k. CASE #18-CE-8798 / 1518M**  
**VIOLATOR:** JC Rental and Investment, Inc. / James Schlitt, Agent and Steven Brown, Tenant  
**VIOLATION:** Scrap metal items and other debris on the right-of-way  
**VIOLATION ADDRESS:** 1228 24<sup>th</sup> Street, #31, Vero Beach, Florida 32960

Ms. Sanderson reported that service of the citation was provided by certified return receipt to the property owner and first class mail to the tenant. The violation has not been corrected and the civil penalty has not been paid. She requested that the Board issues a Board order to correct the violation by September 17, 2018, to pay the initial civil penalty, and if not corrected by September 17, 2018 that a continuing civil penalty of \$50 per day shall commence as of the original compliance date of the citation.

Mrs. Hillman asked is there a photograph of the violation.

Ms. Sanderson put on the doc cam photographs of the property (on file in the City Clerk's office). She reported that the first photograph at the bottom of the first page shows the items that were on the right-of-way when the case was initiated and the photograph on the second page was taken this morning.

Mr. Steven Brown, tenant, reported that he presumed they had the right to use that portion of the property. He said they do have a fire pit and had some chairs on the property that they use in the evening.

Ms. Sanderson noted for the record that Mr. Brown was issued a warning citation in August of last year for having stuff in the right-of-way.

Mr. Price said the citation was not about having chairs on the property.

Ms. Sanderson said no, the citation is for wood objects and other items on the property.

Mrs. Hillman said that she has a great concern. She asked Mr. Schlitt if he was not concerned about what his properties look like.

Mr. Brown said he would move the wood and other items off the right-of-way.

Mrs. Hillman asked Mr. Schlitt if he is not concerned with the way that property looks.

Mr. Schlitt said it is industrial property and he is concerned and has been for 20 years. He said that he does his best, but people in a trailer park usually get the reputation they deserve. He says that he tells them to clean it up and then it appears again. It is a revolving door for situations.

**Mr. Noonan made a motion that the Board allows until September 17, 2018 to come into compliance and if not in compliance then they are to pay the \$50 civil penalty and a continuing civil penalty will commence on that day a continuing civil penalty of \$50 a day.**

Ms. Sanderson said for clarification that they uphold the civil penalty assessed on the citation, that the violation be corrected by September 17, 2018 and then the continuing penalties would start.

Mr. Noonan said that is not what he said.

Ms. Sanderson said this property has had a warning citation in August of last year for having stuff all over the right-of-way.

Mr. Noonan said that he is going to cut him some slack since this is his means of earning money.

**Mr. Noonan amended his motion that the Board allows until September 17, 2018 to bring the property into compliance and if not in compliance then the civil penalty in the amount of \$50 shall be assessed and a continuing civil penalty of \$50 a day shall commence. Mr. Price seconded the motion and it passed unanimously.**

- i. CASE #18-CE-8797 / 1520M**  
**VIOLATOR:** JC Rental and Investment, Inc. / James Schlitt, Agent and Belinda Banfield, Tenant  
**VIOLATION:** Non-operable travel trailer (no tag) on the right-of-way  
**VIOLATION ADDRESS:** 1228 24<sup>th</sup> Street, #33, Vero Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- m. CASE #18-CE-8796 / 1519M**  
**VIOLATOR:** JC Rental and Investment, Inc. / James Schlitt, Agent and David Rushing, Tenant  
**VIOLATION:** Non-operable white van (tag expired) and scrap metal and other debris on the right-of-way

**VIOLATION ADDRESS:** 1228 24<sup>th</sup> Street, #32, Vero Beach, Florida 32960

Ms. Sanderson reported that service of the citation was provided by certified return receipt to the property owner and first class mail to the tenant. The violation has not been corrected and the civil penalty has not been paid. She requested that the Board finds the violation does exist, to correct the violation by September 17, 2018, to uphold the initial civil penalty and if the violation is not corrected as of September 17, 2018 a continuing civil penalty of \$50 a day shall commence.

Mrs. Hillman asked has the van been removed.

Ms. Sanderson reported that the van has a legal tag and it has been removed. There are still items stored on the right-of-way. She said if the tenant works with his neighbor and cleans the property by September 17, 2018 she would withdraw the \$50 civil penalty.

Mr. David Rushing said he would take care of it.

Ms. Sanderson said then she would like the same motion as the last case (that the Board allows until September 17, 2018 to bring the property into compliance and if not in compliance then the civil penalty in the amount of \$50 shall be assessed and a continuing civil penalty of \$50 a day shall commence).

**Mrs. Hillman said that she would make that recommendation (as just outlined by Ms. Sanderson). Mr. Price seconded the motion and it passed unanimously.**

**n. CASE #18-CE-8789 / 1516M**

**VIOLATOR:** US Bank Trust NA (TRS)

**VIOLATION:** House is vacant and unsecured, all windows and doors need to be secured; grass must be maintained at a height of less than 12 inches

**VIOLATION ADDRESS:** 2208 Buena Vista Boulevard, Vero Beach, Florida 32960

Ms. Sanderson reported that there are neighbors present for today's hearing that would not be heard, but are present because of their concern.

Ms. Honse explained that Ms. Sanderson would have to call them as a witness.

Ms. Sanderson said they are present just to show their support for this case being resolved.

Ms. Honse explained that this is a quasi judicial hearing and the consensus of the neighborhood is not competent substantial evidence. If Ms. Sanderson wants to call them as witnesses where they can describe what it is that they are seeing and testify as to the condition of the property that can be done. But, there is no public hearing portion of a quasi judicial hearing of this nature.

Ms. Sanderson reported that the service of the citation was provided by posting of the property and by certified return receipt. The violation has not been corrected and the civil penalty has not been paid. She explained where this property is located, which is a main

thoroughfare. She then called Mrs. Thornton as a witness because she lives next door to the property and has had problems with the overgrowth and has seen some transient activity in the house.

Mrs. Nan Thornton said that she has been sworn in.

Ms. Sanderson asked Mrs. Thornton, how long she has lived next to this property. Mrs. Thornton answered a little over 18 years.

Ms. Sanderson asked when was the first time that she was aware that this property was not being maintained or taken care of. Mrs. Thornton said it probably started about 15 years ago.

Ms. Sanderson questioned and you are aware that as of 2014, the City stepped in and mowed the property, secured the property with the windows and doors, and covered the stagnant swimming pool. Mrs. Thornton said they are aware of that and the neighbors at times have gone in and mowed the property because it brings down the entire neighborhood.

Ms. Sanderson said that is true. She reported that in 2014, the City abated it and later that same year the property was mowed, which she assumed it was the neighbors who did it. She reported that this came before the Board in 2015, and the Board issued a Board order to pay, which was taken care of by the servicing company for the mortgage company. Another time the property was mowed by the property owner's husband. She explained that the property owner was in an accident and her husband had Power of Attorney. Currently, the bank owns the property.

Mr. Price asked is the property for sale.

Ms. Sanderson answered no. She noted that the property does have an unsafe structure against it by the Building Department. She said that she asked the Public Work's Department to look at the property with regard to the City abating it. They estimated that mowing and cleaning up the landscaping would cost about \$1,500, boarding the first story windows and doors would cost about \$2,000, and to construct a plywood cover to go over the pool would cost about \$1,000. She noted that the City had placed a plywood cover over the pool in 2014, but it has since been removed and the pool currently has a tarp floating in the stagnant pool.

Ms. Honse explained that at this point the cost is not relative. Once the work is done the cost would go before the City Council as a public nuisance lien against the property.

Ms. Sanderson requested that the Board issues a Board order that the violation does exist, that the violation is a threat to the public health, safety, and welfare, that the violator, US Bank and Trust, has until September 17, 2018 to correct the violation or could face a continuing civil penalty of \$50 a day for each day the violation exists starting from the compliance date listed on the citation, that if the violation is not corrected that the City Manager may correct the violation and all costs and repairs of the work, as well as an administration fee of 10% or \$150 may be assessed by Resolution of the City Council as a Special Assessment Lien, as well as payment of the initial civil penalty of \$50.

Ms. Honse reported that the continuing penalty would start on the day listed on the citation that the property was to come into compliance.

Ms. Sanderson reported that the original compliance date was August 28, 2018.

Ms. Honse clarified that even though this property has had numerous violations, this particular owner is a new owner so a repeat violation does not come into play.

Ms. Sanderson said this property is an eyesore, it is an unsafe structure, and it is impacting the neighbors. She said it is overgrown and she has had two (2) complaints of some type of transient activity in the evening.

Mr. Pizzichillo asked has there been any complaints of rodents.

Ms. Sanderson asked Mrs. Thornton if she has had any problems with rodents.

Mrs. Nan Thornton answered yes. She said they have two (2) vehicles and have never had an issue with rodents until the past two (2) months. She reported that they have spent about \$3,000 in rodent repairs. She noted they park their vehicles in the garage.

Ms. Sanderson reported that Mrs. Thornton had explained to her that the electrical wiring in the vehicles was eaten through and they believe it was caused by rodents.

Mr. Price questioned what the Board does today would be the next step in getting the house demolished.

Ms. Sanderson said no, the City would abate the property by mowing it, securing the house, and securing the pool.

Mr. Noonan said the house is unsound.

Ms. Honse said the home may be unsecure, but still structurally sound.

Mr. Noonan said that is not what was reported.

Ms. Sanderson reported that the Building Department has a case from 2015, as it being an unsafe structure.

Ms. Honse said then the Building Department needs to follow through with it.

Ms. Sanderson said now that the property has a new owner she will ask the Building Department to do another review of it.

Mrs. Hillman asked when did the new owner take ownership.

Ms. Sanderson answered June 6, 2018.

Ms. Sanderson said a gentleman just approached her and she would like him to identify himself.

Mr. George Childers introduced himself to the Board.

Mr. Noonan asked Ms. Sanderson if she is calling Mr. Childers as a witness.

Ms. Sanderson said that she doesn't know. She asked Mr. Childers if he was at the mindset of Mrs. Thornton as weighing in as a neighbor or as a contractor to address the property.

Mr. Childers said that he is present for today's hearing as a concerned neighbor.

Ms. Sanderson explained that Mr. Childers would not be heard at today's hearing. She said that she doesn't have a relationship with him, but does understand that he is impacted by this property. She said that she called Mrs. Thornton as a witness because she has dialogued with her and she wanted to have Mrs. Thornton's testimony. This is the first time that she has met Mr. Childers so she doesn't have any knowledge of what to ask him.

Mr. Pizzichillo said that he would like to hear what Mr. Childers has to say.

Mr. Price asked Ms. Sanderson if she wanted to take a recess in order to give her time to dialogue with Mr. Childers.

Ms. Sanderson asked Mr. Childers if he feels like there is something that he needs to say to her that is any different than the concerns expressed by herself and by Mrs. Thornton.

Mr. Childers said that he has a lot to say.

Ms. Honse explained to Mr. Childers that there is no opportunity for public comments at this time. She said this is a quasi judicial hearing and he has not been called as a witness.

**Mr. Noonan made a motion that the Board finds there are violations, that the violations continue and that the Board issues a Board order setting a compliance date of September 17, 2018 to correct all violations and if not corrected continuing civil penalties of \$50 per day shall commence starting on August 28, 2018, the original correction date, and to pay the initial civil penalty of \$50 and the property is a public nuisance and if the violations are not corrected that the City abate the violations. Mr. McDonald seconded the motion and it passed unanimously.**

- o. CASE #18-CE-8788 / 1514M**  
**VIOLATOR:** Kenneth D. Tuck  
**VIOLATION:** False Alarm  
**VIOLATION ADDRESS:** 3716 Highway A1A, Vero Beach,  
Florida 32963

This item was pulled from today's agenda.

- p. CASE #18-CE-8763 / 1503M**  
**VIOLATOR:** Charr-Nixs Beauty Salon and Supplies, LLC /  
Gwendolyn Rolle, Agent  
**VIOLATION:** False Alarm  
**VIOLATION ADDRESS:** 3308 Aviation Boulevard, Vero  
Beach, Florida 32960  
**(Repeat violation \$100 civil penalty)**

This item was pulled from today's agenda.

- q. CASE #18-CE-8775 / 1508M**  
**VIOLATOR:** Tony and F. Lorangel Abbassi  
**VIOLATION:** Operating a guest house and transient quarters in a residential zone  
**VIOLATION ADDRESS:** 3766 Ocean Drive, Vero Beach, Florida 32963  
**(Repeat violation)**

Ms. Sanderson reported that service of the citation was provided by property posted. She reported that the violation has not been corrected, though the tenants that were originally interviewed have left. The property continues to turn over and be advertised as a short-term rental. She requested that the Board finds the violation exists and to issue a Board order to correct the violation by September 17, 2018, to pay the initial civil penalty and continuing daily penalties of \$500 per day for every day the property is not in compliance starting the original compliance date of the citation.

**Mr. Bryant made a motion that the Board goes with staff's recommendation. Mr. McDonald seconded the motion and it passed unanimously.**

**6. OLD BUSINESS**

None

**7. ADMINISTRATIVE MATTERS**

Ms. Sanderson reported to the Board that half the cases on today's agenda were pulled because properties were brought into compliance after receiving the Notice of Hearings. She said that she would be bringing cases that are brought into compliance after the Notice of Hearing has been sent before the Board to request a cost of enforcement.

**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 3:23 p.m.

/sp