

CODE ENFORCEMENT BOARD MINUTES
Wednesday, October 10, 2018 – 2:00 p.m.
City Hall, Council Chambers, Vero Beach, Florida

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

Excused Absences: Kirk Noonan and Chris Bryant

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIENCE

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

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

3. PRELIMINARY MATTERS

A) Adoption of Minutes – September 12, 2018

Mrs. Hillman made a motion to adopt the minutes of the September 12, 2018 Code Enforcement Board meeting. Mr. McDonald seconded the motion and it passed unanimously.

B) Agenda Additions, Deletions and Adoption

Ms. Melody Sanderson, Code Enforcement Officer, pulled the following cases from today's agenda: Case #18-CE-8860 – United Against Poverty, Inc. / Austin Hunt, Agent, Case #18-CE-8833 – Kimley-Horn and Associates, Inc., Case #18-CE-8844 – Kelly P. Kite, Jr. and Jennifer Matesic, Case #18-CE-8865 – JC Rental and Investment, Inc. / James Schlitt, Agent and Mary Hoover, tenant; Case #18-CE-8864 – JC Rental and Investment, Inc. / James Schlitt, Agent and William Youngblood, tenant, Case #18-CE-8863 – JC Rental and Investment, Inc. / James Schlitt, Agent, Case #18-CE-8866 – JC Rental and Investment, Inc. / James Schlitt, Agent and Eduardo Caban, tenant, Case #18-CE-8751 - Joyce B. Brown, Case #18-CE-8917 – The Patio Seafood Tavern, Case #18-CE-8918 – Ocean Drive Jewelers, Inc. / Anastasios Zafiris, Agent, and Case #18-CE-8870 – PUB 2019, LLC / Sean Ryans Pub. She reported that these properties are in compliance and the civil penalties have been paid.

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

4. UNLICENSED CONTRACTORS/CITATIONS

None

5. EVIDENTIARY HEARINGS

A) Non-Compliance / Compliance Reports

1. Request for Board Order

a. CASE #18-CE-8795 / 0329

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

VIOLATION: Unlicensed contractor; failure to apply for permit

VIOLATION ADDRESS: 1441 Ocean Drive, #209, Vero Beach, Florida 32963

(Request for Board Order finding compliance and civil penalty paid)

Ms. Sanderson reported that this case is back before the Board for an order finding compliance and the civil penalties paid.

Ms. Kira Honse, Assistant City Attorney, explained that this case was continued from the last Code Enforcement Board meeting and since that time they came into compliance and the civil penalties have been paid so they are asking for a Board order finding compliance and to direct the Clerk to close the case.

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

b. CASE #18-CE-8627 / 1425M

VIOLATOR: Becki Lynn Raymond

VIOLATION: Porch enclosed without Code Compliance Certification or building permit

VIOLATION ADDRESS: 1745 34th Avenue, Vero Beach, Florida 32960

(Paid \$50 civil penalty)

Ms. Sanderson reported that the service of the citation was provided by posting of the property. The violation has not been corrected as of today and the civil penalty has been paid. She is not asking for any enforcement costs. She requested that the Board issues a Board order finding the violation exists, allowing 60-days to correct the violation or a continuing civil penalty of \$50 per day would commence on September 17, 2018. She reported that Ms. Raymond is present for today's hearing and they have come to an agreement that within the 60-days she would pull an Owner/Builder permit to do the demolition and restore it back to a porch.

Mr. Pizzichillo asked what is that date.

Ms. Honse reported that 60 days would be Sunday, December 9, 2018 so the correction date would be Monday, December 10, 2018.

Mr. Pizzichillo made a motion that the Board extends this for 60 days to December 10, 2018.

Ms. Honse explained that they are not asking to continue this case. They are asking that the property is found not in compliance, that they have until December 10, 2018 to come into compliance or a continuing penalty would accrue from the date the citation originally was issued for compliance.

Mr. Price made a motion that the Board finds that the property is not in compliance, the \$50 civil penalty has been paid, to allow until December 10, 2018 to bring the property into compliance or daily continuing civil penalties beginning September 17, 2018. Mr. McDonald seconded the motion and it passed unanimously.

Ms. Sanderson noted that the porch was enclosed prior to Ms. Raymond being the sole owner of the home and since she has been noticed she has done nothing but try to work with the City and the Building Department. She said they just came to an agreement today that it would be in the best interest of Ms. Raymond that rather than doing after the fact permits for the enclosure Ms. Raymond will do a demolition.

- c. CASE #18-CE-8860 / 1547M**
VIOLATOR: United Against Poverty, Inc / Austin Hunt,
Agent
VIOLATION: Failure to register alarm and had false alarm
VIOLATION ADDRESS: 1400 27th Street, Vero Beach,
Florida 32960
(Paid \$50 civil penalty)

This item was pulled from today's agenda.

- d. CASE #18-CE-8833 / 1538M**
VIOLATOR: Kimley-Horn and Associates, Inc.
VIOLATION: False alarm
VIOLATION ADDRESS: 445 24th Street, Vero Beach,
Florida 32960
(Repeat violation: \$100 civil penalty)

This item was pulled from today's agenda.

- e. CASE #18-CE-8844 / 1515M**
VIOLATOR: Kelly P. Kite, Jr. and Jennifer Matesic
VIOLATION: Failure to register alarm
VIOLATION ADDRESS: 2735 Carissa Drive, Vero Beach,
Florida 32960
(Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

- f. CASE #18-CE-8839 / 1539M**
VIOLATOR: Cunningham's Pool and Darts / James Capps
VIOLATION: False alarm

VIOLATION ADDRESS: 736 21st Street, Vero Beach,
Florida 32960
(Failure to pay \$50 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. She requested that the Board issues a Board order to pay the initial civil penalty.

Mr. Price made a motion that the Board finds there was a violation and that the \$50 civil penalty be paid. Mr. Pizzichillo seconded the motion and it passed unanimously.

- g. CASE #18-CE-8919 / 1573M**
VIOLATOR: Cunningham's Pool and Darts / James Capps
VIOLATION: False alarm
VIOLATION ADDRESS: 736 21st Street, Vero Beach,
Florida 32960
(Failure to pay \$50 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. She requested that the Board issues a Board order to pay the initial civil penalty.

Mr. Pizzichillo put that in the form of a motion. Mrs. Hillman seconded the motion and it passed unanimously.

- h. CASE #18-CE-8865 / 1552M**
VIOLATOR: JC Rental and Investment, Inc. / James Schlitt,
Agent and Mary Hoover, tenant
VIOLATION: Fence installed without Code Compliance
Certification or building permit
VIOLATION ADDRESS: 1228 24th Street, #22, Vero Beach,
Florida 32960

This item was pulled from today's agenda.

- i. CASE #18-CE-8864 / 1551M**
VIOLATOR: JC Rental and Investment, Inc. / James Schlitt,
Agent and William Youngblood, tenant
VIOLATION: Fence installed without Code Compliance
Certification or building permit
VIOLATION ADDRESS: 1228 24th Street, #41, Vero Beach,
Florida 32960

This item was pulled from today's agenda.

- j. CASE #18-CE-8863 / 1550M**
VIOLATOR: JC Rental and Investment, Inc. / James Schlitt,
Agent
VIOLATION: Public Nuisance: non-operable white Saturn
and enclosed contractor utility trailer
VIOLATION ADDRESS: 1228 24th Street, #27, Vero Beach,
Florida 32960

This item was pulled from today's agenda.

- k. CASE #18-CE-8866 / 1553M**
VIOLATOR: JC Rental and Investment, Inc. / James Schlitt, Agent and Eduardo Caban, tenant
VIOLATION: Public Nuisance: non-operable silver Honda
VIOLATION ADDRESS: 1228 24th Street, #20, Vero Beach, Florida 32960

This item was pulled from today's agenda.

- l. CASE #18-CE-8851 / 1543M**
VIOLATOR: PNC Bank
VIOLATION: False alarm
VIOLATION ADDRESS: 958 20th Place, Vero Beach, Florida 32960
(Failure to pay \$50 civil penalty)

Ms. Sanderson reported that service of the citation was provided by certified return receipt. She requested that the Board issues a Board order to pay the initial civil penalty.

Mr. Pizzichillo put that in the form of a motion. Mrs. Hillman seconded the motion and it passed unanimously.

- m. CASE #18-CE-8751 / 1499M**
VIOLATOR: Joyce B. Brown
VIOLATION: Public nuisance: two (2) dead Palm Trees in front yard
VIOLATION ADDRESS: 2160 Cordova Avenue, Vero Beach, Florida 32960
(Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

- n. CASE #18-CE-8884 / 1562M**
VIOLATOR: William and Ruth Eyre
VIOLATION: Public nuisance: doors, wood, and other debris awaiting trash pickup not properly enclosed and placed curbside; non-operable vehicles parked on right-of-way
VIOLATION ADDRESS: 2666 11th Court, 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 in that the certified return receipt was unclaimed. She reported that 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. Pizzichillo put that in the form of a motion. Mr. McDonald seconded the motion and it passed unanimously.

- o. CASE #18-CE-8917 / 1571M**
VIOLATOR: The Patio Seafood Tavern
VIOLATION: False alarm
VIOLATION ADDRESS: 1103 21st Street, Vero Beach, Florida 32960
(Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

- p. CASE #18-CE-8918 / 1572M**
VIOLATOR: Ocean Drive Jewelers, Inc. / Anastasios Zafiris, Agent
VIOLATION: False alarm
VIOLATION ADDRESS: 3225 Ocean Drive, Vero Beach, Florida 32963
(Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

- q. CASE #18-CE-8870 / 1574M**
VIOLATOR: PUB 2019, LLC / Sean Ryans Pub
VIOLATION: Failure to register alarm
VIOLATION ADDRESS: 2019 14th Avenue, Vero Beach, Florida 32960
(Failure to pay \$50 civil penalty)

This item was pulled from today's agenda.

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 2:16 p.m.

/sp