

extension of time on the Consent Agenda: Cases #2007100136, #2006100066, #2007030014, #2007060007, #2007050057, #2007060047, #2007120073, #2007110041, #2007120064, #2007120116, #2007100217, #2007090111, #2007120036, #2007100178, #2007110074, #2007100141, #2007120080, #2008010049, #2007100160 and #2007100164 - 30 day extension until April 25, 2008. Cases #2006110064 and #2007110055 - 60 day extension until May 16, 2008. Cases #2008010037, #2008020023, #2008020064, #2008010065, #2008020112 and #2007100110 were rescheduled. Case #2007120104 was a duplicate of a case already listed on the agenda

In compliance were Cases: #2007110111, #2007110071, #2007110071, #2008020129, #2008020014, #2008020076, #2008020079, #2008020138, #2008010073, #2008010074, #2008020111, #2008030076, #2008030078, #2007060141, #2007100058, #2007070040, #2007120042, #2007120011, #2007100025, #2008010059 (first tier), #2008010050 and #2007090017.

Chairman Petrulak advised if anyone present had heard their name or case number called for a Consent item and wanted their case to be heard, they should get with their Code Enforcement Officer and the Board would accommodate their request.

1:09:08

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Garone, the Board voted unanimously (6-0) to accept the Consent Agenda with the revisions and recommendations.

1:09:33 **Swearing in of Those Who Will Testify**

The secretary proceeded to administer the testimonial oath to everyone who would be testifying at today's hearings.

1:09:43 **Case #2007120040 – Michael Snodgress**

Mr. Wixon related this Evidentiary hearing had to do with a swimming pool enclosure violation. Mrs. Debbie Clifford, IRC Code Enforcement Officer, submitted photographs and an Affidavit of Service dated March 17, 2008 into evidence, which are on file in the Commission Office.

The Respondent stated he had applied for a permit today. Mr. Wixon recommended a 30 day extension, until April 25, 2008, for him to comply, noting the temporary enclosure was to stay in place until a permanent one was constructed.

hearing.
2:11:09

Case #2007070110 – Lorenzo Catalina Gonzalez

Mr. Wixon related this Compliance hearing was for junk, trash and debris and junk vehicle violations. Inspector Davis submitted a photograph into evidence, which is on file in the Commission Office.

The Respondent testified he had obtained a permit for a wall.

Inspector Davis confirmed the only remaining issue was blocks and wood stored on the property and since a permit had been pulled to build a wall, the property was in compliance. Mr. DeBlois agreed to withdraw the case.

LIEN RELEASE REQUESTS

2:16:49 **Case #2006090007 – Patrick Hollingsworth**

Mr. DeBlois summarized this case originally came to the Board in November, 2006 for junk, trash and debris, junk vehicles, outdoor storage of construction materials and overgrown weeds. The fine was ultimately imposed on March 24, 2007 and now stood at \$36,600.

Inspector Davis explained the property had been cited prior to a fire that had subsequently been set at the home when the owner was out of town. She testified she had visited the site today and did not see any junk vehicles, the debris was gone and the lawn was mowed in the last two or three months. Inspector Davis confirmed the Respondent had obtained a permit and erected a fence with the construction material. She observed there were two box trailers remaining on the property.

The Respondent testified he was in the process of coming into compliance when his home was burglarized and set on fire. He read from a prepared statement outlining what had transpired on his property since he had moved to Vero Beach.

Lengthy discussion ensued to try and ascertain when the case came into compliance.

Mr. DeBlois recommended the Board find compliance and set the fine amount at \$1,500 to cover administrative costs.

3:03:23

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to set the fine at \$9,000.

It is noted for the record the Respondent's representative was present for this hearing.

3:03:51 **Case #2007070023 – Kelly Construction & Development Inc.**

Mr. DeBlois recapped this concerned an Order Finding Violation dated September 24, 2007 for overgrown weeds on a vacant lot in Vero Beach Highlands. In October, 2007, when compliance was not achieved the Board entered an Order Imposing Fine with the start date of the fine being October 20, 2007. Mr. DeBlois noted this case was brought to the Board last month and staff reported after 32 days of accrued fines the property was brought into compliance, so the Board entered an Order Acknowledging Compliance and Setting Fine in the amount of \$3,200. He noted the Respondents had not been present at the February 25, 2008 meeting and wished to address the fine at this time.

The Respondent's representative, Mr. Ryan Kennedy, testified once he found out about the lien he had send a certified letter on November 26, 2007, requesting to appear before the Board, but had not been put on the January, 2008 agenda and had inadvertently missed the February, 2008 meeting date. He related the Respondents owned and maintained over 52 lots in the County and the lot had been mowed as soon as they got the notice.

Inspector Jefferson submitted photographs taken this morning into evidence, which are on file in the Commission Office. Mr. DeBlois noted the Board had previously acknowledged compliance in January, 2008 but now the lot was essentially back to the original condition for which it was cited.

Discussion ensued about the need for ongoing maintenance of the property.

Mr. DeBlois recommended the fine remain at \$3,200.

3:15:56

ON MOTION BY Mr. Owens, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.

which are on file in the Commission Office. Inspector Carter Solomon observed there was junk, trash and debris on the site and the door leading into the utility room was not secure.

Mr. DeBlois noted the trash and open structure was a health and safety issue, and recommended ten days, until April 3, 2008, for compliance 3:45:12

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Garone, to approve staff's recommendation.

Attorney Vitunac suggested the Order should include notification the County might come in and resolve the violations under its new ordinance.

ON AMENDED MOTION BY Mr. Zimmermann, AMENDED SECOND BY Mr. Garone, the Board voted unanimously (6-0) to approve staff's recommendation with the inclusion of language stating the County could resolve the violations under its new ordinance.

It is noted for the record the Respondent was not present for this hearing.

3:45:14 **Case #2008100025 – George Blanton, Jr.**

Inspector Carter Solomon advised there was no service on this case.

3:45:30 **Case #2008020136 – Charles Jones**

Inspector Jefferson advised no service had been received.

3:45:51 **Case #2008010070 – Franklin & Londa McDermott**

Inspector Jefferson stated there was no service on this case.

3:46:08 **Case #2008020055 – Angel & Sheila Brown**

Inspector Jefferson confirmed there was no service.

3:46:31 **Case #2008020067 – Thomas A. Kale**

Mr. DeBlois related this had to do with an unsafe building, overgrown weeds and health and safety issues. Inspector Davis testified the Respondent had told her

3:58:34 **Case #2007060027 – Sarah F. Watson**

Inspector Carter Solomon noted the junk, trash and debris and boat/trailer storage violations were in compliance, but there was still a junk vehicle on the property. Mr. DeBlois recommended a 30 day extension, until April 25, 2008, for compliance on the junk vehicle violation.

3:59:00

ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (6-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

3:59:20 **Case #2007110117 – Choicie L. Williams**

Inspector Jefferson submitted a photograph into evidence, which is on file in the Commission Office, and confirmed the overgrown weeds had not been mowed. Mr. DeBlois recommended the fine be imposed.

3:59:49

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

4:00:03 **Case #2007110044 – Christina Shwed**

Inspector Davis confirmed the property was still not in compliance. Mr. DeBlois noted the Order was against Wells Fargo Bank as Trustee, and recommended a 30 day extension, until April 25, 2008, for compliance in the overgrown weeds violation.

4:00:46

ON MOTION BY Mr. Stetser, SECONDED BY Mr. Suthard, the Board voted unanimously (6-0) to approve staff's recommendation.

It is noted for the record the Respondent was not present for this hearing.

