





had entered an Order Imposing Fine. Mr. DeBlois added when this case originally came to the Board, both regular and certified mail had been returned and the property had finally been posted.

Mr. DeBlois advised neighbors had recently expressed concern about an outbreak of a fly infestation they felt was associated with the subject property, and staff had finally located the Respondent at an address at Lakewood Park in St. Lucie County. He continued the Respondent had given permission for County staff and other agencies to organize a community cleanup of her property, which occurred this past weekend.

Mr. Himanshu Mehta, Managing Director, IRC Solid Waste Disposal District, testified the site had been cleaned up through Keep Indian River Beautiful and its Great American Clean Up campaign. He mentioned the Respondent had a broken ankle along with had other health issues and had stated she had not received any prior notices with regard to her property. Mr. Mehta showed before and after pictures of the site and explained what had been done by volunteers in order to help bring the case into compliance.

Discussion followed.

Mr. DeBlois calculated using the cleanup date of April 26, 2008 the accrued fine would be \$18,900; however staff felt there were some mitigating circumstances. He clarified the interior of the home was not part of the initial Order and the Respondent had promised to retain a lawn service in the future to take care of the mowing. He recommended the Board consider Code Enforcement administrative costs in the amount of \$1,500, with \$2,000 for approximate consideration of the cost of the cleanup, for a total fine of \$3,500.

Mr. Mehta stated since it was a community effort the concerned parties would like to waive any fees related to the volunteer cleanup in an effort to assist the Respondent.

1:07:04

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted unanimously (7-0) to approve staff's recommendation.**

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















dumpster was not there.

Mr. Hedin had a problem with the Respondent knowing he was not supposed to use the dumpsters and was trying to get away with it. Chairman Petrulak asked if the previous citations included a fine and Inspector Zedek confirmed they did.

The Respondent's representative, Mr. Michael Allen, testified the company specifically asked a customer if the dumpster would be placed in the City of Vero Beach or in the unincorporated area, and sometimes it was not clear where they would be located. He mentioned in the future he would check with Inspector Zedek to verify a site was located in the unincorporated County.

Mr. Hedin did not think the answer was for the Respondent to be calling County staff and tying them up while they told him whether or not a dumpster could be placed on a certain spot. Mr. Garone wondered why the Respondent didn't just put two 13 yard dumpsters on sites rather than a 15 cubic yard one.

The Respondent advised the dumpster in question had been picked up on April 8, 2008.

Mr. Zimmermann inquired if it was the Respondent's usual practice to call Code Enforcement to advise a dumpster had been removed when the company got a call about a container being the wrong size. The Respondent confirmed it was.

3:19:07

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Zimmermann, the Board voted (6-1) to find a repeat violation and impose a fine of \$250 per day for three days, for a total of \$750. Mr. Hedin was in opposition.**

Discussion followed.

3:27:18

**ON MOTION BY Mr. Hedin to increase the fine to \$500 per day for any future repeat violations by the Respondent violator.**

The motion died for lack of a second.

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













4:04:21 **Case #2008030100 – Harold Kettles, Jr.**

Inspector Clifford reported she had no service on this case.

4:04:36 **Case #2008020151 – SDG Kings Inc.**

Inspector Carter Solomon related the health and safety and encroachment/obstruction in right-of-way violations were in compliance and the remaining issues were landscape maintenance and overgrown weeds violations. Mr. Wixon recommended a 60 day extension, until June 20, 2008, for compliance.

4:05:50

**ON MOTION BY Mr. Hedin, SECONDED BY Mr. Zimmermann, the Board voted unanimously (7-0) to approve staff's recommendation.**

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

4:05:56 **Case #2008020023 – Dollarwise Investments Inc.**

Inspector Zedek advised this involved the Miami Subs restaurant at the Sunoco gas station on 20<sup>th</sup> Street, and they had put up a sign without a permit. Mr. Wixon recommended a 30 day extension, until May 16, 2008, for compliance.

4:06:37

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (7-0) to approve staff's recommendation.**

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

4:06:44 **Case #2007090010 – Marcia Nettles**

Inspector Carter Solomon reported the Respondent was not in compliance on the overgrown weeds and junk, trash and debris violations, and the situation had actually regressed. Mr. Wixon recommended the fine be imposed.

4:07:11

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (7-0) to approve staff's recommendation.**





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

4:11:41 **Case #2007100188 – Elroy & Kristan Thiel**

Inspector Jefferson submitted a photograph into evidence, which is on file in the Commission Office. She related the property was not in compliance for overgrown weeds and recommended the fine be imposed.

4:11:52

**ON MOTION BY Mr. Hedin, SECONDED BY Mr. Owens, the Board voted unanimously (7-0) to approve staff's recommendation.**

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

4:12:03 **Case #2007110044 – Christina Shwed (Wells Fargo Bank as Trustee)**

Inspector Davis said she had posted the property on April 11, 2008 for an overgrown weeds violation. Mr. DeBlois recommended an extension of 30 days, until May 16, 2008.

4:13:01

**ON MOTION BY Mr. Suthard, SECONDED BY Mr. Hedin, the Board voted unanimously (7-0) to approve staff's recommendation.**

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

4:13:08 **Case #2007100160 – Franklin & Connie Reed**

Inspector Jefferson submitted a photograph into evidence, which is on file in the Commission Office. She reported the overgrown weeds were even higher than before and recommended the fine be imposed.

4:13:26

**ON MOTION BY Mr. Hedin, SECONDED BY Mr. Zimmermann, the Board voted unanimously (7-0) to approve staff's recommendation.**

