

received a complaint about a shed built without a permit and placed too close to the property line, and concrete in the right-of-way.

The Respondent's tenant, Mr. Paul Warren, promised to obtain the required permits if he could get a next 90 day extension. Mr. Zimmermann expressed concern about allowing so much time when the shed was not tied down during hurricane season.

1:27:58

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Hedin, the Board voted unanimously (6-0) to grant 30 days, until August 22, 2008 for the Respondent to secure and strap down the shed, and 90 days, until October 24, 2008 to obtain permits and inspections on the shed.

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

1:28:15 **Case #2008040215 – Kathleen Bishop**

Inspector Davis submitted photographs into evidence, which are on file in the Commission Office, and related there was a junk vehicle, junk, trash and debris and overgrown weeds.

The Respondent said the weeds had been taken care of and she was working on cleaning up the site, obtaining a tag for the boat and getting rid of the junk vehicle.

Mr. Don Wixon, Code Enforcement Coordinator, recommended an extension of 60 days, until September 19, 2008, to resolve the junk vehicle, junk, trash and debris and remove any remaining overgrown weeds.

1:34:26

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

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

1:52:31 **Case #2008050158 – Tommy Lee Lewis**

Inspector Debbie Clifford, IRC Code Enforcement Officer, submitted an Affidavit of Service dated July 18, 2008 and photographs into evidence, which are on file in the Commission Office. She confirmed the junk vehicle and junk, trash and debris violations had been resolved but there was still the issue of structure exterior maintenance violation and health and safety hazard/public nuisance for the unsecured dwelling.

The Respondent explained he had signed up for funding through the County's SHIP program to repair the house, and said he would board up the residence in the meantime.

Mr. Wixon recommended 30 days, until August 22, 2008, for the Respondent to secure the residence.

1:55:28

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

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

1:55:47 **Case #2008050078 – Gifford Gardens LLC**

Inspector Clifford submitted an Affidavit of Service dated July 18, 2008 and photographs into evidence, which are on file in the Commission Office, and pointed out a lot of junk, trash and debris on the property.

The tenants, Mr. Dexter Jackson and Mr. Lennie Wells, stated they would remove some of the junk, trash and debris, but noted there were some items on the site that did not belong to them.

Discussion followed about who actually owned the property and Inspector Clifford promised to find out that information. Mr. DeBlois recommended the Board grant 60 days, until September 19, 2008, for the Respondent tenants to clean up what they were responsible for and staff would pursue the case with the owner of the property.

a permit. Mr. Kery Jones of the IRC Building Division had explained if the renovations were less than \$1,000 no permit was necessary, but he had told Inspector Clifford there was no way the garage was enclosed for under that amount and the Respondent definitely needed a permit.

The Respondent testified the previous owners had modified the garage and all she had done was put some siding and sheet rock on the garage, closed in the windows and moved the door to the side. Mr. DeBlois noted no permits had been pulled at any time and the \$1,000 exemption was the cumulative value of the improvements.

Attorney Vitunac clarified the Board had already found a violation of the building permit requirements, and it was up to the members to decide whether or not it wanted to rehear the case.

Mr. Zimmermann opined if the violation was not resolved by the Respondent at this time it would have to be faced in the future when she wanted to sell the property, and it might be less expensive to address the issue now than later.

The Respondent's father came forward and a lengthy discussion followed.

Mr. DeBlois said he would check with the County Attorneys and the IRC Building Division to see if there was reason for the Board to rehear the case and recommended a 90 day extension, until October 24, 2008 for compliance.

3:08:57

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

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

Chairman Petrulak called a recess at 3:50 p.m. and reconvened the meeting at 4:00 p.m.

3:13:59 **Case #2008010054 – Audrey Ledford**

Inspector Jefferson submitted a photograph into evidence, which is on file in the Commission Office, and stated the illegal recreational vehicle (RV) was still on the property.

The Respondent's representative, Mr. John Murphy, testified nobody was occupying the RV and asked for an extension of time to sell the vehicle

Mr. Wixon recommended an extension of 30 days, until August 22, 2008, for compliance.

3:16:23

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

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

3:16:41 **Case #2007060120 – Francois Pelletier**

Mr. DeBlois recalled this Compliance hearing had initially come to the Board in July, 2007, at which time the Board had entered an Order directing the Respondent to cease unpermitted commercial storage on the subject property and mow overgrown weeds. He continued at the Compliance hearing in August, 2007 the storage issue was still unresolved and the Board had entered an Order Imposing Fine, and the issue was now whether or not the property was a public nuisance warranting County abatement.

Inspector Davis submitted photographs into evidence, which are on file in the Commission Office, and described debris consisting of lumber, rocks and rebar. She said neighbors were concerned about children being hurt or the debris being blown through their windows in the event of a hurricane.

The Respondent expressed his intention to eventually build a home on the property and said he would take care of the hazardous material and put plastic caps on the rebar.

Mr. Hedin noted the fine was now approximately \$36,500 and wondered why nothing had been done for a year.

Discussion ensued.

Mr. DeBlois recommended the Board find a public nuisance warranting abatement, adding the slab foundation could stay but the rebar had to be capped or

cut down and loose material had to be removed. He noted per the ordinance, this issue would not be addressed by the BCC for 30 days, which would be August 22, 2008.

3:30:27

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

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

LIEN RELEASE REQUESTS

3:35:06 **Case #2008020131 – William Nazco & Mirna Barranzo**

Mr. DeBlois summarized the Board entered an Order Imposing Fine starting on June 21, 2008 for overgrown weeds and staff had confirmed compliance was achieved as of July 14, 2008, for an amount of \$2,300.

Mr. Jim O'Brien of Billero and Billero Realty stated he represented the bank that had foreclosed on the subject property and testified the violation had been taken care of on Monday, June 30, 2008 after the bank took the property over and checked with the County to see if there were any liens on the property.

Mr. DeBlois recognized June 20, 2008 as the date of compliance and refigured the flat accrued fine at \$900. Inspector Jefferson confirmed the bank was never a party in the notification of the violation.

3:41:13

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (5-1) to rescind the fine. Mr. Hedin in opposition.

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

3:42:27 **Case #2002040001 – Oscar Ross**

Mr. DeBlois related this case dated back to a Board Order on May, 2002 requiring an unpermitted shed to either be permitted after-the-fact or removed and also required verification the shed not be used as living quarters, along with

4:20:11 **Case #2008050190 – Salvatore & Mary Ann Digregorio**

Inspector Davis explained this case had been referred by the IRC Building Division for a house built without permits. Mr. DeBlois recommended 60 days, until September 19, 2008, for the Respondents to obtain after-the-fact building permits, and 60 days thereafter, until November 21, 2008, to complete the structure and obtain final inspections.

4:21:41
ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Stetser, 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.

4:21:53 **Case #2008060048 – Pablo Almanza**

Inspector Davis advised this case was in compliance.

4:22:01 **Case #2008060103 – Lots of St. Lucie LLC**

Inspector Davis submitted an Affidavit of Service dated July 28, 2008 into evidence, which is on file in the Commission Office. She described an overgrown weeds violation and Mr. DeBlois recommended 30 days, until August 22, 2008, for compliance.

4:23:12
ON MOTION BY Mr. Hedin, SECONDED BY Mr. Owens, 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.

4:23:21 **Case #2008050215 – Gloria's Kiddie Land**

Inspector Zedek explained this had been turned over by the IRC Health Department for child care being run out of the home with too many children. She said the Respondent told her at this time she has only five children; however she intended to proceed with the site plan process in order to be legal when the economy got better and she would hopefully have more children in her care. Mr. DeBlois recommended 60 days, until September 19, 2008, for the Respondent to either verify

4:32:59 **Case #2008050195 – Jessica & Jesse Hatmaker**

Inspector Carter Solomon submitted a photograph into evidence, which is on file in the Commission Office, and confirmed she had received service from Sun Trust Mortgage on July 17, 2008 and posted the property on the same date. She related the Respondent had telephoned last week and promised to take care of the overgrown weeds, but as of this morning nothing had been done. Mr. DeBlois recommended an extension of 30 days, until August 22, 2008, for compliance.

4:34:07

ON MOTION BY Mr. Owens, SECONDED BY Mr. Hedin, 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.

4:34:16 **Case #2008060020 – David Hill**

Inspector Carter Solomon submitted a photograph into evidence, which is on file in the Commission Office. She stated she had posted the property on July 17, 2008 and the junk vehicle violation was in compliance, but there was still an overgrown weeds violation. She mentioned when she posted the property she had met a person from a landscape company who was doing a bid for the bank to clean up the property. Mr. DeBlois recommended an extension of 30 days, until August 22, 2008, for compliance.

4:35:01

ON MOTION BY Mr. Owens, SECONDED BY Mr. Hedin, 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.

4:35:05 **Case #2008060021 – Amber Taylor**

Inspector Carter Solomon submitted photographs into evidence, which are on file in the Commission Office. She confirmed she had received service on the Respondent on July 21, 2008 and on the bank July 17, 2008, and described a pool maintenance and enclosure violation. Mr. DeBlois recommended 10 days, until August 7, 2008, to secure the pool and 30 days, until August 22, 2008, to fully resolve the issue once it was secured.

Mr. DeBlois summarized the Board had entered an Order Imposing Fine for a subdivision ordinance violation involving creation of an unauthorized parcel, and the Respondent had appealed the case to circuit court. He explained the court had found the record was not sufficient to support the finding of violation and the Board's Order had been overturned. Mr. DeBlois recommended the fine be rescinded based on the court's decision.

4:54:58

ON MOTION BY Mr. Hedin, SECONDED BY Mr. Owens, 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.

4:55:10

Authorization for Notices to Appear

ON MOTION BY Mr. Zimmermann, SECONDED BY Mr. Owens, the Board voted unanimously (6-0) to approve Authorization for Notices to Appear for August, 2008.

There being no further business, the meeting was adjourned at 5:43 p.m.