

CODE ENFORCEMENT BOARD

A meeting of the Indian River County (IRC) Code Enforcement Board (the Board) was held in the Commission Chambers at the County Administration Building, 1801 27th Street, Building "A", Vero Beach, Florida on Monday, August 24, 2020 at 1:30 p.m. There was sufficient room within the chambers to satisfy recommended social distance measures due to the coronavirus pandemic.

Present were Chairperson **Mr. David Myers II**, Businessman Appointee; Vice-Chairperson **Mr. Stephen Boehning**, Engineer Appointee; **Mr. Joe Petrulak**, Subcontractor Appointee; **Mr. Pete Clements**, General Contractor Appointee; **Mr. James Kordiak**, Member-At-Large Appointee; and **Mr. Karl Zimmermann**, Realtor Appointee.

Let the record show that there is a vacancy for an Architect Appointee.

Also, in attendance was Ms. Jennifer Peshke, Attorney for the Board; IRC staff: Mr. Andy Sobczak, Environmental Planning and Code Enforcement Chief; Mr. Thomas Allred, Ms. Kelly Buck, Ms. Daphne Driskell and Ms. Vanessa Carter Solomon, Code Enforcement Officers, and Ms. Vanessa Desnoyers, Recording Secretary.

00:00:00 **Call to Order**

Chairperson Mr. David Myers II called the meeting to order and led all in the Pledge of Allegiance. The secretary called the roll, establishing that a quorum was present.

00:02:10 **Approval of Minutes**

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Pete Clements, the Board voted unanimously (6-0) to approve the minutes of July 27, 2020 as presented.

00:02:28 **Attorney's Overview of Board Purpose and Procedures**

Ms. Jennifer Peshke, Attorney for the Board, gave a brief overview of the procedures and purpose of the Code Enforcement Board.

00:8:03 **Agenda Additions or Deletions, Consent Items**

Mr. Andy Sobczak advised the Board that there is an addendum to the agenda, and that Code Officer Kelly Buck will present the cases with her normal agenda items. Mr. Sobczak also suggested hearing cases in the order listed in the agenda sequentially, to which the Board agreed.

Mr. Andy Sobczak reported the following cases had either complied, been rescheduled, or were recommended by staff for an extension of time on the Consent Agenda. Cases #2020030045, #2020030011, #2020050002, #2020040115, #2019120034, - **thirty-day extension, until September 25, 2020.** Cases #2019110039, #2019110041, #2020030085, #2020010052, #2019070015, #2019100098 - **sixty-day extension until October 23, 2020.** Cases #2018090159, #2019100111, #2017020017, - **ninety-day extension until November 20, 2020.** In **compliance** were cases #2020060053, #2020060042, #2020070053, #2019020051, 2020030083, #2019120041, #2019110083, #2020040022, #2020010049, 2020040105 and #2020050018. Cases #2020060033, and #202006082, have been rescheduled.

00:13:52

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Stephen Boehning, the Board voted unanimously (6-0) to accept the Consent Agenda as presented.

00:14:13 **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.

EVIDENTIARY HEARINGS

00:14:42 **Case #2020050095 – Heather L. Helton**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered two photographs, a Notice of Violation and an Affidavit of Posting in into evidence and described this case related to an unpermitted enclosed car port. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. This case was referred to Code Enforcement from the Contractor Licensing Division. Ms. Helton has been in contact with Ms. Carter-Solomon and stated that she is in the process of hiring an engineer. Ms. Helton now has an engineer and is currently trying to get energy calculations done to submit to the Building

Department for a permit. Staff recommended a ninety-day extension, until November 20, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:16:18

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Pete Clements, the Board voted unanimously (6-0) to find the violation and grant an extension of ninety days, until November 20, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:16:30 **Case #2020050101 – John M. and Kathleen S. Downing**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered five photographs, and an Affidavit of Posting into evidence and described this case related to overgrown weeds, junk, trash, and debris. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. The property owner (Mr. Downing) has contacted Ms. Carter-Solomon and explained that he was sick and is working on getting the property into compliance. Staff recommended a thirty-day extension, until September 25, 2020, for the property to be brought into compliance or be subject to a \$100 per day fine.

00:17:30

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Karl Zimmermann, the Board voted unanimously (6-0) to find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:17:41 **Case #2020040051 – JP Morgan Chase Bank NA**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered three photographs, and an Affidavit of Posting into evidence and described this case related to overgrown weeds, junk, trash, and debris. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. The property is currently occupied, and Ms. Carter-Solomon has been contacted by representatives of the bank, who stated that they are in the process of evicting the tenants and intended

to clean and bring property into compliance. Staff recommended is requesting a thirty-day extension, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:18:55

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:19:11 **Case #2019050017 – Monica J. Wilson**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered three photographs, a Building Permit, and an Affidavit of Posting in into evidence and described this case related to unpermitted structures and unpermitted construction in the right-of-way. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. Ms. Carter-Solomon stated that The property owner (Ms. Wilson) has applied for the right-of-way permit and that permit application has been approved and is now in compliance. The outstanding issue is the unpermitted structure and that permit has been reopened as of August 24, 2020. Ms. Carter-Solomon is still awaiting the final inspection of property. Staff is requesting a sixty-day extension, until October 23, 2020, for the property to be inspected and to close out permits and bring property into compliance or be subject to a \$100 per day fine.

Mr. Clements questioned if there were permits in the past that were never finalized out. Ms. Carter Solomon responded that the previous permit was issued years ago, but never called in for a final inspection on the building. The permit expired, and Code Enforcement received the complaint.

00:21:25

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. James Kordiak, the Board voted unanimously (6-0) to find the violation and grant an extension of sixty days, until October 23, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:22:42 **Case #2019090032 – William Hughes**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered eight photographs, and an Affidavit of Posting in into evidence and described this case related to overgrown weeds, junk, trash and debris and junk vehicle parking / storage. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. Ms. Carter-Solomon stated that the home is occupied and has vehicles stored on site with no distinguishable parking area. Mr. Hughes contacted Ms. Carter-Solomon and stated that he was working on bringing the property into compliance. Staff is requesting a thirty-day extension, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:23:00

ON MOTION BY Mr. Karl Zimmermann, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:23:22 **Case #2020070019 – Reinhard Woelke**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered six photographs, and an Affidavit of Posting in into evidence and described this case related to improper zoning district use, junk, trash and debris and trailer storage. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. Ms. Carter-Solomon stated that since posting the property she learned the owner was deceased and the occupants who represent the estate and are cleaning the property to be sold. Ms. Carter-Solomon stated that she spoke to one of the occupants and explained to Ms. Rivera that they could not have the pigs and roosters on the property.

Ms. Rivera, Respondent, stated that they do not live at the residence, they do travel back and forth. Ms. Rivera stated they now have the authority to put the home up for sale and are working towards bringing the property into compliance. Ms. Rivera stated that her husband is disabled and the person they hired to remove the trash brought in the large trailers and is now incarcerated so they are working to resolve that issue and bring someone new to remove trash. Ms. Rivera stated that she doesn't think thirty days is enough time to bring property into compliance. Ms. Carter-

Solomon asked if that sixty days would be sufficient, and Ms. Rivera agreed. Staff recommended a sixty-day extension, until October 23, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:27:57

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of sixty days, until October 23, 2020, for compliance or a \$100 per day fine would be imposed.

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

00:28:37 **Case #2020070051 – Pamela R & Griffin Senie Kirkland**

Ms. Vanessa Carter Solomon, IRC Code Enforcement Officer, entered seven photographs, and an Affidavit of Posting in into evidence and described this case related to junk, trash, and debris and overgrown weeds. The property was posted August 13, 2020 after attempts at first class and certified mail were unsuccessful. Ms. Carter-Solomon stated that the owners contacted her and relayed that they have COVID-19 and have cut the front yard, and can't physically do it all, so they are looking to hire help. Staff recommended a thirty-day extension, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:29:50

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed.

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

EVIDENTIARY HEARINGS

00:30:25 **Case #2020030087 –Janet and Thodore J. Zaniewski Jr.**

Inspector Thomas Allred, entered eight photographs into evidence and described this case related to a junk vehicle, junk, trash, and debris, unpermitted structure, boat/trailer storage. Staff recommended a thirty-day extension, until

September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

00:31:51

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed

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

00:32:06 **Case #2020050119 – Gabriela G. Landa and Phillip Lopez**

Inspector Thomas Allred entered four photographs into evidence and described this case related to overgrown weeds, and an unpermitted fence structure. Mr. Allred stated he found out today, August 24, 2020, that there was a re-roof permit on the property that had expired. The owner cut the grass and brought the overgrown weeds violation into compliance. Mr. Allred stated that the two outstanding violations are the unpermitted roof and fence. Staff recommended a thirty-day extension for Respondent to apply for permits, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine. Once permit applications are submitted the Respondent will be allotted additional time to bring property into compliance.

00:33:10

ON MOTION BY Mr. Karl Zimmerman, SECONDED BY Mr. Stephen Boehning, the Board voted unanimously (6-0) find the violation and grant an extension of thirty days, until September 25, 2020, for compliance or a \$100 per day fine would be imposed

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

00:33:25 **Case #2020020060 – Erica L. Wilson**

Inspector Thomas Allred entered four photographs into evidence and described this case related to overgrown weeds, junk, trash, and debris and an

unsecured vacant structure. Staff recommended a thirty-day extension, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine.

Chairman Myers questioned whose responsibility it is to secure the property if there is an unsecured home in the county. Mr. Sobczak responded that ultimately it is the homeowner's responsibility and could possibly include law enforcement if there were illegal activities taking place. Chairman Myers questioned if it would be considered a hazard, in the same respect as an unsecured pool. Mr. Sobczak responded that it is a potential hazard and we could give the homeowner a shorter amount of time to come into compliance on securing the structure and the thirty-day extension on the rest of the violations.

00:35:46

**ON MOTION BY Mr. Pete Clements, SECONDED
by Mr. Joe Petrulak, the Board voted unanimously
(6-0) to allow the Respondent thirty-days, until
September 25, 2020, for compliance or a \$100 per day
fine would be imposed**

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

00:36:02 **Case #2020030025 – Selvin and Heydi E. Lopez**

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

Inspector Thomas Allred entered seven photographs into evidence and described this case related to overgrown weeds, junk, trash, and debris, alteration of right-of-way without valid permit and unsecured vacant structure. The owner cut the grass and brought the overgrown weeds violation into compliance. Mr. Allred stated that at one time there was a permit application for the right-of-way, but it has expired.

Staff recommended a thirty-day extension, until September 25, 2020, for property to be brought into compliance or be subject to a \$100 per day fine. Once permit applications are submitted the Respondent will be allotted additional time to bring property into compliance. Mr. Clements questioned if the permit can be made active again if it was previously approved. Mr. Allred clarified saying that the permit was applied for and issued, but the Respondent never called to schedule a final inspection. Mr. Petrulak asked if the driveway sat on the Respondents property and if the issue was the access point on the roadway. Mr. Allred confirmed that was correct.

Mr. Petrulak asked if this type of application would normally be approved. Mr. Allred stated that engineering would make that determination based on Building Code.

The Respondent stated that the driveway was done fifteen years prior. Mr. Lopez stated that he inquired as to whether he would need a permit to lay pavers and he was told no. Mr. Lopez stated that he will bring property into compliance and re-apply for permit for driveway. Mr. Allred clarified that Mr. Lopez is accessing the right-of way and had to get a permit and inspection to make sure that the drainage isn't being affected and that he should contact engineering. Mr. Boehning asked Mr. Lopez if thirty days was sufficient to apply for permit. Mr. Lopez said that it was enough time. Mr. Clements suggested that Staff gave the Respondent sixty days to close out case inclusive of permit application, inspection and approval. Mr. Allred agreed.

00:46:23

ON MOTION BY Mr. Pete Clements, SECONDED by Mr. Stephen Boehning, the Board voted unanimously (6-0) to allow the Respondent sixty days, until October 23, 2020 to come into compliance.

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

00:46:50 **Case #2020050065 – Jerry W. and Rita M. Burns**

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

Inspector Thomas Allred entered four photographs into evidence and described this case related to overgrown weeds, junk vehicles, junk, trash, and debris, improper use in zoning district and an unpermitted structure. Mr. Allred stated that the Respondent did unify his lots and comply on the zoning district use violation. Staff recommended a sixty-day extension, until October 23, 2020, for property to be brought into compliance or be subject to a \$100 per day fine. Mr. Petrulak questioned if the zoning district use violation was related to storage without it being unified. Mr. Allred responded that because the property has been unified, that requirement has been satisfied.

Keith Burns spoke on behalf of the Respondent. Mr. Burns clarified that the structure cited is a covered garden and that they have applied for a building permit for the shed and pole barn and are awaiting a response. The building department is backed up and told Respondents it will take upwards of six to eight weeks to receive

a response. Mr. Burns stated that he built the pole barn in 2002, and he built it to code and the structure was moved after the hurricane in 2004, which is why the roof looks closer than it is, but the poles are 12ft from property line. Mr. Burns has hired a surveying company and they informed him that it would take four to eight weeks to complete updated survey of property. Mr. Allred asked if the rest of the junk trash and debris had been cleaned up, and Mr. Burns responded that it was 90% done, there were just a few small things. Mr. Allred stated that he would walk the site with him to make sure it's all cleaned up.

Mr. Clements questioned if the hunting buggy could be stored on their property behind a screen, Mr. Allred responded that yes, it would need to be registered as an off-road vehicle and stored behind a screen or fence and it is permissible. Mr. Boehning asked if the property was fenced, M. Burns responded that what is depicted on the aerials are actually eight-foot berms and there is a cable gate. Mr. Burns inquired if they could build a fence for privacy, if it would help the issue. Mr. Allred confirmed that if the fence is permitted and approved the vehicle could be stored. Mr. Kordiak asked Staff how many vehicles can be parked on residential property. Mr. Sobczak answered that there isn't a clear limit on registered parked vehicles, as they can be parked in the garage or put of sight, but there is a distinction in the code on storage of vehicles on personal property. Once permit applications are submitted the Respondent will be allotted additional time to bring property into compliance.

00:59:49

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Stephen Boehning, the Board voted unanimously (6-0) to find the violation and grant an extension of sixty days, until October 23, 2020, for Respondent to apply for permits and the residence to be brought into for compliance or a \$100 per day fine would be imposed.

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

01:00:30 **Case #2020050084 – Tammy S. Schaeffer**

Inspector Thomas Allred entered four photographs into evidence and described this case related to overgrown weeds, junk, trash, and debris, boat/trailer storage and an unpermitted structure. Mr. Allred stated that Ms. Schaeffer contacted him and informed him that the grass was cut and the junk, trash, and debris has been cleared out and that she will get a permit for the structure. Staff is requesting a sixty-

day extension, until October 23, 2020 for subject property to be brought into compliance, or a \$100 per day fine be imposed.

01:02:10

ON MOTION BY Mr. Peter Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to grant an extension of sixty days, until October 23, 2020, to allow the Respondent to bring property into compliance.

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

COMPLIANCE HEARINGS

01:03:15 **Case #2019100063 – Brattain Property of Indian River Co.**

Inspector Thomas Allred entered four photographs into evidence and described this case related to use established without site plan approval. The property owner has a commercial business and a large fleet of vehicles that she parks on an adjacent vacant lot. This case began on October 14, 2019, and the initial hearing was held on November 25, 2019, and Ms. Brattain was present. Ms. Brattain was given an extension until February 21, 2020 to obtain site plan approval, or stop using the site. After that date, Ms. Brattain was given a thirty-day extension until April 17, 2020 due to COVID-19. Ms. Brattain was given an additional ninety-day extension on May 18, 2020, until August 21, 2020 to comply. Ms. Brattain submitted plans from an engineering firm in April. Mr. Allred spoke to engineering company MBV Engineering and nothing has been resubmitted as of yet, but Mr. McClean did inform him that he will resubmit plans.

The Respondent, Ms. Brattain, stated that she is trying to get the plans resubmitted and is working with engineers to make that happen. Due to COVID-19 she has lost half of her business. Ms. Brattain is hoping to have everything moving within the next four months, she asked for an additional extension of 4-6 weeks.

Mr. McClean of MBV Engineering spoke on behalf of the Respondent. Mr. McClean stated that he has a conceptual site plan and the inability to forecast future finances is where they are having an issue. From today on forward, Mr. McClean stated 4 to 6 months is a fair assessment of the site plan approval process. They are working on alternatives for a temporary solution to compliance as well.

Mr. Sobczak stated that one of the parameters Code can use for approval is for the respondent to resubmit a site plan that addresses some of the comments, based on the initial submittal and that will address moving forward and working toward compliance with the site plan. Ms. Brattain stated that she wasn't getting responses from Code Enforcement, due to an old address being in the system. Mr. Clements asked Mr. McClean how long a response to original comments from February meeting would take. Mr. McClean responded that he could have a package ready in about 45 days. Staff recommends a sixty-day extension for the resubmittal of the site plan that includes responses to Staffs comments.

01:20:16

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of sixty days, until October 23, 2020, for Respondent to resubmit site plan approval or a \$100 per day fine would be imposed.

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

01:21:12 **Case #2020040116 – Dawn Jividen**

Inspector Thomas Allred entered eight photographs into evidence and described this repeat violation case related to junk, trash, debris, and overgrown weeds. Staff recommends a \$100 per day fine be imposed beginning August 22, 2020, until compliance is achieved.

01:23:00

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Karl Zimmerman, the Board voted unanimously (6-0) to find the violation and impose \$100 per day fine, beginning August 22, 2020 until compliance is achieved.

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

01:23:27 **Case #2020070023– Mark & Brandye Treiling**

Inspector Mr. Thomas Allred entered seven photographs into evidence and provided details of this case related to a repeat violation of boat/trailer storage, overgrown weeds, recreational vehicle storage, alteration of the right-of-way without valid permit, unpermitted fence structure, use established without site plan approval, and illegal vehicle parking in R.O.W. This was a two-part hearing from July 27, 2020 hearing. Mr. Allred stated that no permit applications have been submitted. Staff recommends a \$250 per day fine for the repeat violation of boat/ trailer storage and a \$100 per day fine be imposed for all remaining violations beginning August 22, 2020, until compliance is achieved.

01:28:20

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Karl Zimmerman, the Board voted unanimously (6-0) to find the violation and \$250 per day fine for the repeat violation and a \$100 per day fine be imposed for all remaining violations beginning August 22, 2020, until compliance is achieved.

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

EVIDENTIARY HEARINGS

01:28:53 **Case #2020020027 – Divya Holdings LLC**

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

Inspector Ms. Daphne Driskell entered nine photographs into evidence and described the case relating to a use established without site plan approval. The Respondent made modification to the site to improve parking and did not apply for permit or submit plans. Staff is recommending a ninety-day extension, until November 20, 2020, to submit site plans for approval or a \$100 per day fine would be imposed.

Mr. Tahir Qizilbash, spoke on behalf of the Respondent. Mr. Qizilbash stated that he will be preparing the site plan and appreciates the extension.

01:33:38

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to find the violation and grant an extension of

ninety days, until November 20, 2020, to submit site plans for approval or a \$100 per day fine would be imposed

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

01:33:56 **Case #2020020028 – Amy Marie Swarthout**

Inspector Ms. Daphne Driskell entered four photographs into evidence and described the case relating to an unpermitted shed, carport, and porch enclosure. The property was posted August 12, 2020 after attempts at first class and certified mail were unsuccessful. The homeowner stated that they submitted plans and applied for after-the-fact permit, but as of August 24, 2020 there is no permit application. Staff is recommending a ninety-day extension, until November 20, 2020, to attain an after-the-fact permit bringing the property into compliance or a \$100 per day fine would be imposed.

01:35:45

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Pete Clements, the Board voted unanimously (6-0) to find the violation and grant an extension of ninety days, until November 20, 2020, to attain an after-the-fact permit bringing the property into compliance or a \$100 per day fine would be imposed.

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

01:36:02 **Case #2020050053 – Amy E. Hanlon**

Inspector Ms. Daphne Driskell entered four photographs into evidence and described the case relating to unpermitted porch addition. The property was posted August 12, 2020 after attempts at first class and certified mail were unsuccessful. The owner states that an engineer has the plans and drawings to be submitted to the building department. As of August 24, 2020, there is no permit application. Staff is recommending a ninety-day extension, until November 20, 2020, to attain an after-the-fact permit bringing the property into compliance or a \$100 per day fine would be imposed.

01:37:02

ON MOTION BY Mr. Pete Clements, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously

(6-0) to attain an after-the-fact permit bringing the property into compliance or a \$100 per day fine would be imposed.

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

EVIDENTIARY HEARINGS

01:41:40 **Case #2020050016– Ezekiel Fennell**

Inspector Ms. Kelly Buck entered two photographs into evidence and described the case relating to overgrown weeds and a junk vehicle. The property was posted August 15, 2020 after attempts at first class and certified mail were unsuccessful. This property is a vacant lot with an untagged junk vehicle in the far back of the property. The vehicle was on another vacant lot and was moved onto the subject property. There has been no contact with owner. Staff is recommending a thirty-day extension until September 25, 2020, to bring property into compliance, or a \$100 per day fine would be imposed.

01:42:28

ON MOTION BY Mr. Karl Zimmermann, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) a thirty-day extension until September 25, 2020, to bring property into compliance, or a \$100 per day fine would be imposed.

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

01:42:51 **Case #2020070066 – Willie F. and Rose Lee Williams**

Inspector Ms. Kelly Buck entered three photographs and an aerial map into evidence and described the case relating to corner visibility requirement. The hedges on the subject property are blocking traffic visibility and is a potential hazard. Staff is recommending thirty-day extension, until September 25, 2020, to bring property into compliance, or a \$100 per day fine would be imposed.

The Board discussed the potential hazards and questioned the foot traffic in the area. Ms. Buck provided an aerial map to explain. Mr. Kordiak questioned if there was a policy on the sightlines for homeowners to maintain for roadways. Mr. Sobczak stated that there is a measure that they use to calculate line of sight area based on the stop bar.

Mr. Clements revised the motion and granted seven days to bring property into compliance by cutting overgrown hedges, because of life safety issues. Staff and Board members agreed to adjustment.

01:48:03

ON MOTION BY Mr. Petrulak, SECONDED BY Mr. Karl Zimmermann, the Board voted unanimously (6-0) revised the motion and granted seven days, until August 31, 2020 to bring property into compliance by cutting overgrown weeds, because of life safety issues.

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

LIEN RELEASE REQUESTS

01:51:19 **Case #2013010111 – MACWCP III Corp**

Mr. Andy Sobczak entered four photographs into evidence and described the case relating to overgrown weeds. This site was previously known as Gifford Gardens Apartment Complex. This property was recently acquired by the county for the purpose of developing affordable housing in the area. The Board imposed a fine on March 23, 2013, and the property came into compliance on April 25, 2016 for the total of 1,129 days out of compliance. The Board set the fine at \$11,010.00. The County owns the property and it has been brought into compliance. Staff is requesting that the Board release the lien and rescind the fines accrued.

01:51:48

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Karl Zimmerman, the Board voted unanimously (6-0) to rescind the fine of \$11,010.00 and release the Lien on property at 4730 40th Ave. Vero Beach, FL.

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

01:52:18 **Case #2010090175 – A to Z Home Management LLC, MNMB, LLC and City National Bank**

Mr. Andy Sobczak entered two photographs into evidence and described the case relating to unsecured vacant structures, junk vehicles, junk, trash, and debris, and overgrown weeds. Mr. Sobczak stated that this case is similar in relation to the case above and predates it to 2010 (Case #2013010111). The fine for this case was imposed on

November 20, 2010, and it came into compliance on June 22, 2011, for a total of 244 days out of compliance. Similarly, as the case above it came into compliance and the Board set the fine at \$2,140.00. Staff is requesting that the Board release the lien and rescind the fines accrued.

01:54:38

ON MOTION BY Mr. Karl Zimmermann, SECONDED BY Mr. Joe Petrulak, the Board voted unanimously (6-0) to rescind the fine of \$2,140.00 and release the Lien on property at 4730 40th Ave. Vero Beach, FL.

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

1:55:39

Authorization for Notices to Appear

ON MOTION BY Mr. Joe Petrulak, SECONDED BY Mr. Karl Zimmermann, the Board voted unanimously (6-0) to authorize the Notices to Appear for cases leading up to the September 28, 2020 meeting.

01:57:20

Adjournment

There being no further business, the meeting was adjourned at 3:27p.m.