

**CODE ENFORCEMENT BOARD MEETING**  
**Wednesday, August 12, 2020 – 2:00 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIENCE**
- 3. PRELIMINARY MATTERS**
  - A) Adoption of Minutes – July 8, 2020**
  - B) Agenda Additions, Deletions and Adoption**
- 4. UNLICENSED CONTRACTORS/CITATIONS**
- 5. EVIDENTIARY HEARINGS**
  - A) Citation Appeals**
  - B) Non-Compliance / Compliance Reports**
    - 1. Request for Board Order**
      - a. CASE #20-CE-10759 / 2924M**  
**VIOLATOR:** Dolphin Property Holding, LLC / Michael Buza, Agent  
**VIOLATION:** Oak Tree removed without a permit / Code Section 72.44 (a)  
**VIOLATION ADDRESS:** 2450 Cortez Avenue, Vero Beach, Florida 32960  
**(Request to find property in compliance and to cease continuing civil penalties – Initial civil penalty of \$50 has been paid)**
      - b. CASE #20-CE-10628 / 2280M**  
**VIOLATOR:** Robert Dechellis  
**VIOLATION:** Failure to obtain stormwater management plan for dirt added to the property / Code Section 64.05  
**VIOLATION ADDRESS:** 525 Banyan Road, Vero Beach, Florida 32963  
**(Case rescheduled from the July 8, 2020 CEB Hearing – Failure to comply; Failure to pay \$50 civil penalty)**

- c. **CASE #20-CE-10747 / 2921M**  
**VIOLATOR:** John David Moore  
**VIOLATION:** After-the-Fact Code Compliance Certification must be obtained from the City of Vero Beach Planning and Development Department for the fence, brick pavers, and shed; building permits must be obtained from the Indian River County Building Department for fence, windows, shed, and ductless air-conditioning unit – Code Sections 64.05 (a)(b)(7)(9)(a)(b)  
**VIOLATION ADDRESS:** 2430 16<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply)**
- d. **CASE #19-CE-10548 / 2236M**  
**VIOLATOR:** James R. Lewis  
**VIOLATION:** After-the-fact Code Compliance Certification and building permit required for the vinyl fence – Code Section 64.05 (9)(b)  
**VIOLATION ADDRESS:** 5 Aero Lane, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**
- e. **CASE #20-CE-10826 / 2945M**  
**VIOLATOR:** P. Scott McCracken  
**VIOLATION:** Change in work on structure subsequent to the issuance of certificate of appropriateness without review by the Planning and Development Director / Double windows on south side have been framed for three windows- Code Section 73.38  
**VIOLATION ADDRESS:** 2716 Laurel Drive, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**
- f. **CASE #20-CE-10951 / 2985M**  
**VIOLATOR:** Indian River Sports Complex / Derek Mueller, tenant  
**VIOLATION:** Wood fence installed onsite after a Stop Order was issued and without Code Compliance Certification or a building permit – Code Sections 64.05(a)(b)(7); 22-181; 22-106  
**VIOLATION ADDRESS:** 2665 12<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**

- g. CASE #20-CE-10862 / 2954M**  
**VIOLATOR:** Maureen Schlitt  
**VIOLATION:** School bus parked on front lawn – Code Section 74.82 (a)(d)  
**VIOLATION ADDRESS:** 2040 Delmar Avenue, Vero Beach, Florida 32960  
**(Failure to pay \$50 civil penalty)**
- h. CASE #20-CE-10899 / 2973M**  
**VIOLATOR:** The Village Spires Condominium Association, Inc. / AR Choice / Kelly Walsh  
**VIOLATION:** Sea turtle lighting (Repeat Violation) – Section 46-109 (a)(1)(a)(b)(c)  
**VIOLATION ADDRESS:** 3554 Ocean Drive, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$100 civil penalty)**

- 6. OLD BUSINESS**
- 7. ADMINISTRATIVE MATTERS**
- 8. CLERK’S MATTERS**
- 9. ATTORNEY’S MATTERS**
- 10. CHAIRMAN’S MATTERS**
- 11. MEMBER’S MATTERS**
- 12. ADJOURNMENT**

This is a Public Meeting. Should any interested party seek to appeal any decision made by the Board with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings and that, for such purpose he may need to ensure that a record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone who needs a special accommodation for this meeting may contact the City’s Americans with Disabilities Act (ADA) Coordinator at 978-4920 at least 48 hours in advance of the meeting.

**CODE ENFORCEMENT BOARD MINUTES**  
**Wednesday, July 8, 2020 – 2:00 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

**PRESENT:** Vice Chairman, Linda Hillman; Members: Eric Price, Christopher Bryant, Stephen McDonald, Frank Pizzichillo (via telephone) and Alternate Member #1, Ken Daige  
**Also Present:** Code Enforcement Officer, Melody Sanderson; Code Enforcement Officer, Tom Ramsey; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

**Excused Absences:** Richard Kennedy, Kirk Noonan and Sharon Gorry

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIENCE**

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

The Deputy City Clerk swore in staff en masse.

**3. PRELIMINARY MATTERS**

**A) Adoption of Minutes – June 10, 2020**

**Mr. McDonald made a motion to adopt the minutes of the June 10, 2020 Code Enforcement Board meeting. Mr. Bryant seconded the motion and it passed unanimously.**

**B) Agenda Additions, Deletions and Adoption**

Mr. Tom Ramsey, Code Enforcement Officer, pulled Case #20-CE-10663 – Killinda A. Williams from today's agenda. He reported that the civil penalty has been paid and the property is in compliance.

Ms. Melody Sanderson, Code Enforcement Officer, pulled Case #20-CE-10796 – David L. and Karyn M. Wetter from today's agenda. She reported that the property is in compliance. She then pulled Case #20-CE-10800 – Brandon Blais Electric, LLC / Brandon Blais, Agent and David and Karyn Wetter from today's agenda. She reported that they have requested a continuance so this case will be heard next month. She then pulled Case #20-CE-10801 – The Fence Company of South Florida, Inc., / Spiegel and Utrera, PA, Agent / 405 Eugenia, LLC, Erin Carr, Agent from today's agenda. She reported that the property is in compliance and the civil penalty has been paid.

**Mr. Daige made a motion to adopt the agenda as amended. Mr. Pizzichillo seconded the motion and it passed unanimously.**

**4. UNLICENSED CONTRACTORS/CITATIONS**

None

## 5. EVIDENTIARY HEARINGS

### A) Citation Appeals

### B) Non-Compliance / Compliance Reports

#### 1. Request for Board Order

##### a. CASE #20-CE-10663 / 1063T

**VIOLATOR:** Killinda A. Williams

**VIOLATION:** Vehicles and trailers parked in front and side yards; non-stored items / Code Sections 38.31 (b)(5); 38.32 (a)(1), 74.82(d)

**VIOLATION ADDRESS:** 1936 35<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Failure to comply; Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

##### b. CASE #20-CE-10628 / 2280M

**VIOLATOR:** Robert Dechellis

**VIOLATION:** Failure to obtain stormwater management plan for dirt added to the property / Code Section 64.05

**VIOLATION ADDRESS:** 525 Banyan Road, Vero Beach, Florida 32963

**(Failure to comply; Failure to pay \$50 civil penalty)**

Ms. Sanderson reported that this case was heard by the Board last month, however she gave the Board the wrong compliance date. The property owner now has been working with the Engineering Department so she would like to request that the Board void their previous order.

Mr. John Turner, City Attorney, explained to the Board that the motion would be to vacate the Board order and adopt an amended or new Board order pursuant to the request of staff.

Ms. Sherri Philo, Deputy City Clerk, noted that staff did not prepare the Board order because the date was incorrect, which was the purpose of bringing this case back before the Board.

Mr. Turner said it has not been entered as far as a written order is concerned.

Ms. Sanderson said that she did not want to do an amended order because the property owner was at the mercy of the contractor and they are now working with the City so she would like them to complete the process. She is not asking for a new Board order.

Mr. Daige asked Ms. Sanderson if she is asking that they put this case on hold.

Ms. Sanderson answered no. She is asking the Board to vacate the Board order that was to be issued last month because of the error in the date given.

Mr. Turner asked Ms. Sanderson if she is asking that this case be tabled.

Ms. Sanderson answered yes or if it comes into compliance before their next meeting.

Mr. Turner recommended that they continue this case to a date certain.

Mr. Pizzichillo reported that the next meeting of the Board would be August 12, 2020.

**Mrs. Hillman made a motion that the Board vacates the original Board order issued last month and to reschedule this case to the August 12, 2020 meeting. Mr. Bryant seconded the motion and it passed unanimously.**

- c. **CASE #20-CE-10796 / 2934M**  
**VIOLATOR:** David L. and Karyn M. Wetter  
**VIOLATION:** Seven Palm Trees removed without a permit from the City of Vero Beach Planning and Development Department / Code Sections 72.41 (a); 72.43, 72.44  
**VIOLATION ADDRESS:** 3605 Eagle Drive, Vero Beach, Florida 32963  
**(Failure to comply)**

This item was pulled from today's agenda.

- d. **CASE #20-CE-10800 / 2938M**  
**VIOLATOR:** Brandon Blais Electric, LLC / Brandon Blais, Agent and David and Karyn Wetter, Owners  
**VIOLATION:** Generator installed without Code Compliance Certification or building permit / Code Sections 64.05 (a)(b)(5), 22-181, 22.106  
**VIOLATION ADDRESS:** 3605 Eagle Drive, Vero Beach, Florida 32963  
**(Failure to comply)**

This item was pulled from today's agenda.

- e. **CASE #20-CE-10801 / 2939M**  
**VIOLATOR:** The Fence Company of South Florida, Inc. / Spiegel and Utrera, PA, Agent / 405 Eugenia, LLC, Erin Carr, Agent  
**VIOLATION:** Fence installed without Code Compliance Certification or a building permit / Code Sections 64.05 (a)(b)(7), 22.181, 22.106  
**VIOLATION ADDRESS:** 405 Eugenia Road, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$50 civil penalty)**

This item was pulled from today's agenda.

- f. **CASE #20-CE-10765 / 2928M**  
**VIOLATOR:** Anita A. Lewis

**VIOLATION:** Public nuisance / Code Sections 38.31  
(a)(b)(5)(6)  
**VIOLATION ADDRESS:** 2645 11<sup>th</sup> Avenue, Vero Beach,  
Florida 32960  
**(Failure to comply; Failure to pay \$50 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by certified mail. She asked that the Board makes a motion finding that the property is not in compliance, that the initial civil penalty in the amount of \$50 has been paid, to allow 21-days from the date of today's hearing to correct the violation or continuing penalties would commence on June 4, 2020. She reported that she is not requesting cost of enforcement. She noted that the property owner, Ms. Anita Lewis, is present for today's hearing and is in agreement that she can bring the property into compliance in 21-days.

Mr. Pizzichillo reported that 21-days from tomorrow's date would be July 29, 2020.

**Mrs. Hillman made a motion that the Board finds that the civil penalty has been paid and that the Board issues a Board order that they are not in compliance, to allow 21-days to correct the violation from tomorrow's date and if the violation is not corrected continuing penalties would commence on June 4, 2020. Mr. Pizzichillo seconded the motion and it passed unanimously.**

**6. OLD BUSINESS**

None

**7. ADMINISTRATIVE MATTERS**

None

**8. CLERK'S MATTERS**

None

**9. ATTORNEY'S MATTERS**

Mr. Turner reported that the City received a favorable ruling on an appeal in the Abbassi case to the Circuit Court.

Ms. Sanderson read a prepared statement regarding the history of this property (attached to the original minutes).

**10. CHAIRMAN'S MATTERS**

None

**11. MEMBER'S MATTERS**

None

## **12. ADJOURNMENT**

Today's meeting adjourned at 2:18 p.m.

/sp