

**CODE ENFORCEMENT BOARD MINUTES**  
**Wednesday, August 10, 2022 – 1:30 p.m.**  
**City Hall, Council Chambers, Vero Beach, Florida**

**PRESENT:** Chairman, Eric Price; Vice Chairman, Linda Hillman; Members: Christopher Bryant, Stephen McDonald, Frank Pizzichillo and Ken Daige **Also Present:** Code Enforcement Officer, Melody Sanderson; Code Enforcement Officer, Jamila McGee; City Attorney, John Turner and Deputy City Clerk, Sherri Philo

**1. CALL TO ORDER**

Today's meeting was called to order at 1:30 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 and the audience present for today's meeting en masse.

**3. PRELIMINARY MATTERS**

**A) Adoption of Minutes**

**1. July 13, 2022**

**Mr. Price made a motion to adopt the minutes of the July 13, 2022 Code Enforcement Board meeting. Mr. McDonald seconded the motion and it passed unanimously.**

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

Ms. Melody Sanderson, Code Enforcement Officer, who has been sworn in, pulled from today's agenda, Case #22-CE-11522 – Deborah M. Darnell and Case #22-CE-12648 – Juan Hernandez. She reported that the properties are in compliance and the civil penalties have been paid.

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

**4. UNLICENSED CONTRACTORS/CITATIONS**

None

**5. EVIDENTIARY HEARINGS**

**A) Citation Appeals**

None

**B) Non-Compliance / Compliance Reports**

\*Please note that the items on today's agenda were not heard in the order listed.

**1. Request for Board Order**

- a. **CASE #22-CE-12527 / 3384M**  
**VIOLATOR:** James L. Killam  
**VIOLATION:** Unsafe structure on the property – Code Section 22-181 (3)  
**VIOLATION ADDRESS:** 810 21<sup>st</sup> Street, Vero Beach, Florida 32960  
**(Request to rescind previous Board order)**

Ms. Sanderson reported that this is the property that had the catastrophic fire and the Board issued a Board order to pay the civil penalty. She asked that the Board set aside the order.

Mr. John Turner, City Attorney, said that he spoke with the property owner and he did an outstanding job in a short period of time. They were obtaining the necessary permits as best as they could in order to remove the building. He said there were delays by the Fire Marshall and other agencies that were out of his control. He recommended that the Board suspend any fines.

**Mr. Price made a motion for Case #22-CE-12527 that the Board suspends the fine. Mr. Daige seconded the motion and it passed unanimously.**

- b. **CASE #22-CE-12150 / 03667J**  
**VIOLATOR:** Susan Fries Garris and Charles E. Garris  
**VIOLATION:** Fence installed without Code Compliance Certification from the City of Vero Beach Planning Department or a building permit from the Indian River County Building Department – Code Sections 60.21 (b)(1); 22-181; 22-106 (a)  
**VIOLATION ADDRESS:** 1045 Andarella Way, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. Jamila McGee, Code Enforcement Officer, who has been sworn in, reported that the civil penalty has been paid and the property has not come into compliance. The compliance date was May 17, 2022.

Mr. Pizzichillo asked Ms. McGee if she spoke with the property owners and if they gave her any reasons for the delay.

Ms. McGee said that she spoke with the property owner and was told that he hired a company last week to pull the permits.

Mr. McDonald asked is the fine \$50.00 or \$50.00 per day.

Ms. McGee said there is a \$50.00 fine.

**Mr. Pizzichillo made a motion that the Board fines the property owner \$50.00.**

Ms. McGee reported that the \$50.00 civil penalty has been paid, however the property is not in compliance.

**The motion died for lack of a second.**

Mr. Price asked the Board members if anyone had a recommendation on how many days they should allow this property to come into compliance.

Mr. McDonald said if they just applied for permits last week it was going to take at least six (6) weeks to receive them.

Ms. McGee reported that they have not applied for any permits yet.

Mr. Daige asked did they give any reason as to why they haven't filed for a permit.

Ms. McGee answered no.

Mr. Price said the Board has the option of making the time shorter for compliance so that they can get this resolved.

Mr. Pizzichillo said the compliance date was in May and they are now in August. He said that he has not heard a reason for the delay. He felt that the Board needed to send a message. Three (3) months was pushing the envelope.

Mr. McDonald said the citation states that the fence was installed, so it is already in place.

Ms. McGee said that is correct.

Mr. McDonald said then all they have to do is pull the permit.

Ms. McGee said that is correct.

Mr. McDonald questioned so they have known about this for three (3) months.

Ms. McGee reported that the original citation was issued on February 15, 2022.

Mrs. Hillman questioned why they have not even attempted to apply for a permit yet.

Ms. McGee reported that the fence was over the property line and the property owner told her that he had to have someone come out to see how far it was over the line before they could move it.

Mrs. Hillman said that doesn't stop them from getting a permit.

Mr. McDonald questioned if they wanted to give them 60-days to comply.

Mrs. Hillman did not know if they want to give them any more time.

Mr. McDonald commented that they haven't communicated with Ms. McGee at all.

Ms. McGee said only to let her know they hired someone to do the work.

Mr. McDonald asked when was that.

Ms. McGee said that she spoke with them this morning.

Mr. Bryant asked if they hired someone last week.

Ms. McGee answered yes.

Mr. McDonald agreed with Mrs. Hillman. He didn't see any reason to allow them more time.

Mr. Daige also agreed.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues and that the Board issues a Board order to correct the violation within seven (7) days from the date of the Board order or continuing penalties in the amount of \$50.00 per day, which shall commence on the original compliance date of May 17, 2022, until corrected and to that the initial civil penalty has been paid. Mr. Daige seconded the motion and it passed unanimously.**

**c. CASE #22-CE-12377 / 0466J**

**VIOLATOR:** Calvary Chapel of Vero Beach / James Gallagher

**VIOLATION:** Use of parking without permits from the Planning Department – Code Section 60.21

**VIOLATION ADDRESS:** 1018 18<sup>th</sup> Street, Vero Beach, Florida 32960

**(Failure to comply)**

Ms. McGee reported that the \$50.00 civil penalty has been paid and the property is not in compliance.

Mr. Daige asked Ms. McGee when did she discover that this property was being used as a parking lot.

Ms. McGee said it was on March 28, 2022.

Mrs. Hillman asked where are people parking.

Ms. McGee said they were parking on a vacant lot.

Mr. Bryant asked how would they be able to get a parking permit that satisfies the City.

Ms. McGee said they are working with Mr. Jason Jeffries, Planning Director, on that.

Mr. Mike Ochsner, Administrative Pastor of Calvary Chapel, who has been sworn in, said they are parking on church property. They purchased the property with the desire to use it for overflow parking, which would be for a few hours on Sunday mornings and Thursday evenings for a few hours. He said they ceased letting patrons park there as soon as they received the citation. He said that it was his understanding when he spoke with the Code Enforcement Officer that if they submitted plans to get everything squared away that she would rescind the penalty. He then spoke with Mr. John Blum, of Carter and Associates, and they both spoke with Mr. Jeffries. He said the plans have been submitted to the Planning Department and they are waiting for approval. He said unfortunately this turns what almost looks like a Park into a parking lot. He said they will have to take down some trees, build a retaining pond, and pave a portion of it.

Mr. Price asked isn't it already in compliance if the property is not being used for parking.

Ms. McGee answered no, because the permits have not been obtained. She said they stopped using the property for parking, but the intent is to keep the property for parking so Mr. Jeffries said it is not in compliance.

Mr. Pizzichillo said this was a good faith effort and they have done their best to comply.

Mr. Daige asked what is the current zoning on the property.

Mr. Ochsner thought it was mixed-use.

Mr. Daige asked Mr. Ochsner if he asked Mr. Jeffries what the difference is with this property and the property at Riverside Park.

Mr. Ochsner said that he did. He said that he asked about Riverside Park and Dodgertown and the explanation from Mr. Jeffries was that the parking was not regular, it was event parking. It was Mr. Jeffries' rationale that the church was going to use the property for parking every week. He thought Mr. Jeffries' concern was the Code itself, as well as the possibility of creating ruts on the property.

Mr. Pizzichillo asked is that why it was recommended that they pave the property.

Mr. Ochsner answered yes.

Mr. Pizzichillo asked if they could put down stones instead of pavement.

Mr. Ochsner said that Mr. Blum explained to him that they would have to pave the actual driveway portion. They could park on the grass, but the access point would have to be paved.

Mr. Price asked what was the compliance date.

Ms. McGee answered July 7, 2022.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues and that the Board issues a Board order to correct the violation within 90-days from the date of the Board order or continuing penalties in the amount of \$50.00 per day shall commence on the original compliance date of July 7, 2022, until corrected and that the initial civil penalty has been paid. Mr. Daige seconded the motion and it passed unanimously.**

Mr. Ochsner asked does that mean that they have to pay \$50.00 per day.

Mr. Price explained if they are not in compliance within the 90-days then the fine would go back to the compliance date forward at \$50.00 per day.

Mr. Daige said if they do run into a snag that they make sure they let the Code Enforcement Officer know.

Mr. McDonald added so they could get him back before the Board and the Board could extend it.

**d. CASE #22-CE-12522 / 3382M  
VIOLATOR: Deborah M. Darnell**

**VIOLATION:** Land Development Code violation / shed installed without approval from the City of Vero Beach or a building permit from the Indian River County Building Department – Code Section 60.21 (b)(1)

**VIOLATION ADDRESS:** 1995 34<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Failure to comply; Failure to pay \$50.00 civil penalty)**

This item was pulled from today's agenda.

e. **CASE #22-CE-12538 / 0586J**

**VIOLATOR:** Dominick F. Malgeri

**VIOLATION:** Private wastewater disposal system violation – Code Section 78-83 (a)(4)

**VIOLATION ADDRESS:** 1436 35<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. McGee reported the civil penalty of \$50.00 has not paid and they are not in compliance. They have not had a pumpout or submitted an inspection report to the Water and Sewer Department. She said the original compliance date was July 7, 2022.

Mr. Pizzichillo asked if she has been contacted by the property owner.

Ms. McGee said that she has been in contact with the property owner and he wants to sign up for the STEP System, however they (the City) are not doing it at this time.

Mr. Daige asked if there was any other problems with the property owner getting the work done, such as a financial problem.

Ms. McGee answered no. She said the property owner said that he would have it completed and said that he wanted to connect to the STEP System.

Mr. Pizzichillo asked the Board members how long they felt it would take to get a pumpout done.

Mr. McDonald answered about three (3) days.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within seven (7) days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of July 7, 2022, until corrected and to pay the initial civil penalty of \$50.00. Mr. Pizzichillo seconded the motion and it passed unanimously.**

f. **CASE #22-CE-12594 / 3409M**

**VIOLATOR:** Empire J. Properties LLC / Rita Jackman, Agent

**VIOLATION:** Land Development Code violation / swimming pool installed without approval from the City of Vero Beach or a permit from the Indian River County Building Department / pool safety fence also needs to be installed – Code Sections 60-21 (b)(13); 454.2.1

**VIOLATION ADDRESS:** 2332 20<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with a compliance date of June 28, 2022, with a civil penalty of \$50.00. The civil penalty has not been paid. She asked that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation by January 9, 2023, or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 28, 2022, until corrected and to pay the initial civil penalty of \$50.00 and enforcement costs of \$90.05.

Mr. Pizzichillo asked is there a reason why she wants to give them until January 9, 2023 to come into compliance.

Ms. Sanderson reported that this property was purchased as a “flip” house. There is a local real estate agent who purchases these homes for out of town owners. When she was checking to see when the swimming pool was constructed she found that there was no permit for the pool. Therefore, they would be going backwards to obtain permitting for the pool. She reported that the house is currently for sale and the swimming pool is being maintained.

Mr. Daige asked is work currently going on at this property.

Ms. Sanderson reported that the last time work was being done was last week when Thompson Electric was redoing the fuse box. She noted that all the work was being done by the people who prepared the house for resale.

Mr. Price asked how can you get a permit in retrospect.

Ms. Sanderson answered with an after the fact pool contractor.

Mr. Daige asked have they hired an after the fact pool contractor.

Ms. Sanderson said that she has not had any contact with the property owner. She reported that she spoke with the Real Estate Agent last month just before the Code Enforcement Board hearing and told them that she would give them more time so she pulled the case from the agenda. She said that she has not heard from them since then.

Mrs. Hillman asked if they just need an after the fact permit, why is she asking that they give them until January to comply.

Ms. Sanderson said it is at the Board’s discretion.

Mr. Bryant said they purchased the house to flip without doing their own investigation, such as the pool not being permitted, or windows being permitted, etc.

Ms. Sanderson said the contractor installed a new water heater without a permit, they changed out the fuse box without a permit, etc.

Mr. Pizzichillo said that he understood what the Code Officer was trying to do, but giving them until January 9<sup>th</sup> to comply was too far out into the future. He felt that they needed to shorten the time in order to put some pressure on them so that they correct the situation.

Mr. Price said they also need to consider how long it was physically possible to get the work done.

Mr. McDonald asked if it would be better to hear this case next month in order to give them the opportunity to come before the Board.

Ms. Sanderson asked that they do not put this case off because she spoke with them right before last month's hearing and nothing has been done since then.

Mr. Bryant suggested that they give them to January 9<sup>th</sup> and let the cards fall where they fall.

Ms. Sanderson said that she has never had a case where they have gone for after the fact permitting for a pool so she does not know the time that would be involved.

Mr. Daige said there are all types of regulations with pools. He said this is a home that a lot of work has taken place and they don't have a licensed general contractor that is overseeing the work. This is not a residence that is owned by someone who could pull the permits themselves. He said the length of time that the Code Officer is requesting the Board to consider is way too long because they have had work done on the property by people who did not have the proper license or insurance.

Mr. McDonald said getting a swimming pool approved is not an easy task. He suggested that the Board allows them 60-days and if they get communication going then the Board could work with them as necessary.

Mr. Price said that he did not want to expect this case to come back before the Board.

Mr. Pizzichillo said there were too many open ended situations here, electric permits, plumbing permits, pool permits, etc. He felt that the Board needed to hold their feet to the fire.

Mr. McDonald said they could always amend the Board order if they cooperate and get some results.

Mr. Price asked if the Board could amend the Board order.

Mr. Turner answered yes.

Mrs. Hillman said her concern with the pool is that there is not a fence around it and if it located in a neighborhood where children have access to it.

At this time, Ms. Sanderson submitted into evidence photographs of the property (Exhibit A) (on file in the City Clerk's office).

Mr. Daige felt that there should be a time frame given to the property owner to get the permits for the pool. The property owner was notified by the Code Enforcement Officer. He suggested that they allow 30-days to get the permit process going and to get a pool contractor. He said there is a safety issue.

Mr. McDonald said 30-days to get a permit was impossible. He said even 60-days was tight.

Ms. Sanderson said that she did not see that anything has been done since last month other than getting the electric permit. She asked if the Board would consider allowing 90-days to comply.

Mr. Pizzichillo was not in agreement with allowing 90-days to comply. He said this is about protecting children.

Mr. Bryant said that he would agree with the Code Officer's recommendation.

Mrs. Hillman asked if the Board order could be split to where the fence must go up within 60-days and then the permitting. The main issue is for the children.

Mr. Turner asked Mrs. Hillman if she was asking to do that with one (1) Board order.

Mrs. Hillman answered yes.

Mr. Daige said there is a pool in the ground with no permits, they don't know the condition of the pool, they don't know the condition of the electric, and they don't know if the pool is grounded properly. When they bring in a licensed pool contractor that knows all the rules, they are going to know what to look for. He was concerned that there was no permit for the pool and they don't know if it is safe. He said that he was okay with allowing 60-days to comply, but they are going to have to get moving on it.

Mr. Pizzichillo asked if it was possible to have a construction fence put around the pool that is not permanent, but it would stop children from going through and it could be put up within days.

Mr. McDonald said that he was still going to make a motion to allow 60-days with the hope of getting some type of cooperation from them.

Mr. Daige was fine with allowing 60-days because that would get things moving.

Mr. Pizzichillo asked about the construction fence.

Mr. Bryant said they could recommend it.

Mr. Turner recommended that the Board's order relates specifically to whatever the allegations are in the code enforcement matter. It should include the pool permit and the fence. He recommended that they did not split them apart because it is one (1) case.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 60-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 28, 2022, until corrected and to pay the initial civil penalty of \$50.00 and enforcement costs. Mr. Pizzichillo seconded the motion and it passed unanimously.**

- g. CASE #22-CE-12597 / 3412M**  
**VIOLATOR:** Empire J. Properties LLC / Rita Jackman, Agent  
**VIOLATION:** Land development code violation – windows installed without a permit from the Indian River County Building Department - Code Section 60.21 (b)(1)  
**VIOLATION ADDRESS:** 2332 20<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with the compliance date of June 30, 2022, with a civil penalty of \$50.00. The civil penalty has not been paid. She asked that the Board finds that there is a violation, that the violation

continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 30, 2022, until corrected and to pay the initial civil penalty.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 30, 2022, until corrected and to pay the initial civil penalty of \$50.00. Mrs. Hillman seconded the motion and it passed unanimously.**

- h. CASE #22-CE-12599 / 3413M**  
**VIOLATOR:** Empire J. Properties LLC / Rita Jackman, Agent  
**VIOLATION:** Land development code violation – electric panel installed without a permit from the Indian River County Building Department – Code Section 60.21 (b)(1)  
**VIOLATION ADDRESS:** 2332 20<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with the compliance date of June 30, 2022 and a civil penalty of \$50.00. The civil penalty has not been paid. The property came into compliance with the issuance of a permit on August 2, 2022. She asked that the Board finds that there was a violation, the violation has been corrected and that the Board issues a Board order to pay the initial civil penalty of \$50.00.

**Mr. Price moved that the Board finds that there was a violation, that the violation has been corrected, and that the Board issues a Board order to pay the initial civil penalty of \$50.00. Mr. McDonald seconded the motion and it passed unanimously.**

- i. CASE #20-CE-12601 / 3414M**  
**VIOLATOR:** Empire J. Properties LLC / Rita Jackman, Agent  
**VIOLATION:** Land Development Code violation / carport demolished without a permit from the Indian River County Building Department – Code Section 60.21 (b)(1)  
**VIOLATION ADDRESS:** 2332 20<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$50.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with a compliance date of June 30, 2022, and a civil penalty of \$50.00. The civil penalty has not been paid and the property is not in compliance. She asked that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 30, 2022, until corrected and to pay the initial civil penalty of \$50.00.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of June 30, 2022, until corrected and to pay the initial civil penalty of \$50.00. Mr. Daige seconded the motion and it passed unanimously.**

- j. **CASE #22-CE-12614 / 3418M – Repeat Violation**  
**VIOLATOR:** Christophe P. Delavaut  
**VIOLATION:** Special pickup required – Code Section 66-12 (3)(e)  
**VIOLATION ADDRESS:** 2406 19<sup>th</sup> Avenue, Vero Beach, Florida 32960  
**(Failure to comply; Failure to pay \$100.00 civil penalty)**

Ms. Sanderson reported that service of the citation was by property posting with a compliance date of June 29, 2022, and a civil penalty of \$100.00 as a repeat violation. The civil penalty has not been paid. The property came into compliance on August 9, 2022. She asked that the Board finds that there was a violation, the violation has been corrected and that the Board issues a Board order to pay the initial civil penalty of \$100.00 and enforcement costs of \$61.58.

**Mr. Price moved that the Board finds that there was a violation, that the violation has been corrected, and that the Board issues a Board order to pay the civil penalty of \$100.00 plus enforcement costs. Mr. Pizzichillo seconded the motion and it passed unanimously.**

- k. **CASE #22-CE-12624 /0593J – Repeat Violation**  
**VIOLATOR:** Kevin and Brittany Walsh  
**VIOLATION:** Vehicle restrictions on private property – Code Section 74-82 (a)  
**VIOLATION ADDRESS:** 1646 Highland Avenue, Vero Beach, Florida 32960  
**(Failure to pay \$100.00 civil penalty)**

Ms. McGee reported that the property has come into compliance and the citation of \$100.00 has not been paid. She noted that this was a repeat violation.

**Mr. Price moved that the Board finds that there was a violation, that the violation has been corrected, and that the Board issues a Board order to pay the initial civil penalty of \$100.00. Mr. McDonald seconded the motion and it passed unanimously.**

- l. **CASE #22-CE-12635 / 3424M**  
**VIOLATOR:** Jared and Dilger Saunders (owners) and Precision Cut Lawn Service (contractor)  
**VIOLATION:** Solid waste violation / Landscape debris left curbside and also covering the sidewalk obstructing pedestrian traffic – Code Section 66-8 (12)  
**VIOLATION ADDRESS:** 846 Banyan Road, Vero Beach, Florida 32963  
**(Failure to pay \$50.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with a compliance date of July 8, 2022, and a civil penalty assessed of \$50.00. The property came into compliance on July 11, 2022, and the civil penalty remains unpaid. She asked that the Board finds that there was a violation, the violation has been corrected, and that the Board issues a Board order to pay the initial civil penalty of \$50.00.

Mr. Todd Cox, of Precision Services, who has been sworn in, said this was a mistake on his part in that he placed the paperwork with other paperwork and forgot all about it until the customer contacted him. He said that he would pay the penalty.

**Mr. Price moved that the Board finds that there was a violation, the violation has been corrected, and that the Board issues a Board order to pay the \$50.00 civil penalty. Mr. Daige seconded the motion and it passed unanimously.**

- m. **CASE #22-CE-12636 / 3425M**  
**VIOLATOR:** Jared and Dilger Saunders (owners) and Precision Cut Lawn Service (contractor)  
**VIOLATION:** Land Development Code violation / Palm Tree and Pony Tail Palm Tree removed without tree permit – Code Section 60.21 (b)(5)  
**VIOLATION ADDRESS:** 846 Banyan Road, Vero Beach, Florida 32963  
**(Failure to comply; Failure to pay \$550.00 civil penalty)**

Ms. Sanderson reported that service of the citation was provided by property posting with a compliance date of July 20, 2022. The civil penalty assessed was in the amount of \$550.00, which \$500.00 was for the trees and \$50.00 for not obtaining the permit. The penalties have not been paid and the application was just dropped off at the Planning Department and there are enforcement costs. She asked that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 shall commence on the original compliance date of July 20, 2022, until corrected and to pay the initial civil penalty of \$550.00 and enforcement costs of \$69.86.

**Mr. Price moved that the Board finds that there is a violation, that the violation continues, and that the Board issues a Board order to correct the violation within 30-days from the date of the Board order or continuing civil penalties in the amount of \$50.00 per day shall commence on the original compliance date of July 20, 2022, until corrected and to pay the initial civil penalty of \$550.00 plus enforcement costs. Mrs. Hillman seconded the motion and it passed unanimously.**

- n. **CASE #22-CE-12648 / 3432M**  
**VIOLATOR:** Juan Hernandez  
**VIOLATION:** Vehicle restrictions on private property – Code Section 74-82 (c)(3)(4)  
**VIOLATION ADDRESS:** 19 Malibu Lane, Vero Beach, Florida 32960  
**(Failure to pay \$50.00 civil penalty)**

This item was pulled from today's agenda.

**6. OLD BUSINESS**

None

**7. NEW BUSINESS**

None

**8. ADMINISTRATIVE MATTERS**

None

**9. CLERK'S MATTERS**

None

**10. ATTORNEY'S MATTERS**

None

**11. CHAIRMAN'S MATTERS**

None

**12. MEMBER'S MATTERS**

None

**13. ADJOURNMENT**

Today's meeting adjourned at 2:24 p.m.

/sp