

**CODE ENFORCEMENT BOARD MEETING**  
**Wednesday, April 8, 2015 – 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 – March 11, 2015**
  - B) Agenda Additions, Deletions and Adoption**
- 4. EVIDENTIARY HEARINGS**
  - A) Citation Appeals**
  - B) Notice of Assessment Appeals**
  - C) Non-Compliance Reports**
    - 1. Requests for Notice of Assessment**
      - a. CASE #CASE #15-CE-5508 / 496M**  
**VIOLATOR:** Soren and Tina Barrett  
**VIOLATION:** Operating a guest house and transient quarters in a residential zone  
**VIOLATION ADDRESS:** 3625 Eagle Drive, Vero Beach, Florida 32963-1650  
**(Repeat violation \$100.00 Civil Penalty)**
    - 2. Request for Board Order**
      - a. CASE #13-CE-3847 / 0024T**  
**VIOLATOR:** Theertat Taweesuk – c/o Boonting Nvampaton  
**VIOLATION:** Weeds, grass, and overgrowth in excess of 12 inches  
**VIOLATION ADDRESS:** 1925 5<sup>th</sup> Avenue, Vero Beach, Florida 32960
      - b. CASE #15-CE-5505 / 0502T**  
**VIOLATOR:** Hogar Community Reinvestment, LLC  
**VIOLATION:** Unsecure and stagnant pool; weeds, grass, and undergrowth in excess of 12”

**VIOLATION ADDRESS:** 1455 28<sup>th</sup> Avenue, Vero Beach, Florida 32960

**(Repeat Violation \$100.00 Civil Penalty)**

- c. **CASE #14-CE-4717 / 0268T**  
**VIOLATOR:** Makin Holdings - c/o Kenny Holmes  
**VIOLATION:** Broken front window and rear sliding glass door  
**VIOLATION ADDRESS:** 1555 14<sup>TH</sup> Avenue, #117, Vero Beach, Florida 32960
- d. **CASE #15-CE-5486 / 0491T**  
**VIOLATOR:** Matt Martise  
**VIOLATION:** Operating a guesthouse and transient quarters in a residential zone  
**VIOLATION ADDRESS:** 626 Dahlia Lane, Vero Beach, Florida 32963

**5. UNLICENSED CONTRACTORS/CITATIONS**

**6. OLD BUSINESS**

**7. ADMINISTRATIVE MATTERS**

- a. **CASE #14-CE-5210 / 0469T**  
**VIOLATOR:** Mary Itak  
**VIOLATION:** Occupying a motor vehicle as living quarters; inoperable, unlicensed motor vehicle; vehicle parked in the required front yard setback  
**VIOLATION ADDRESS:** 902 18<sup>th</sup> Place, Vero Beach, Florida 32960

**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.



**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4550

4-c)1a.

CITY OF VERO BEACH

vs.

CASE No.: 15-CE-5508

SOREN AND TINA BARRETT

Citation No.: 496M

Violator

TO: Soren and Tina Barrett  
3625 Eagle Drive  
Vero Beach, Florida 32963

**NOTICE OF HEARING**

**YOU ARE HERBY NOTIFIED** that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach regarding the above-styled code enforcement case as follows:

**DATE and TIME:** April 8<sup>th</sup> 2 015 at 2:00 P.M.

**LOCATION OF HEARING:** VERO BEACH CITY HALL, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Appeal of code enforcement citation / violation
- Appeal of notice of assessment of continuing penalties  
 (Limited to issues of length of time violation existed and amount of penalties and costs)
- Other (describe): Failure to Comply

**YOUR HEARING RIGHTS:** You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

**IF YOU FAIL TO APPEAR:** If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter a final order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation cited if the hearing

is for appeal of the citation and will be deemed your admission of the amount of the penalties and costs assessed if the hearing is for appeal of the notice of assessment.

**LATE CORRECTION OF VIOLATION OR PAYMENT:** This case may be presented to the Code Enforcement Board or Magistrate even if all cited violations have been corrected and penalties and costs have been paid prior to the hearing.

**HEARING RECORD:** This hearing involves non-criminal code enforcement matters. You will be responsible for insuring, at your own expense, that a certified verbatim record of the hearing is made in case you should desire to appeal an adverse decision of the Board to the Circuit Court.

**POSTPONEMENTS:** No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: March 27, 2015

By:   
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 27<sup>th</sup> day of March 20 15.

  
Board Clerk

WILLIAM J WATERMAN OR  
SHARMAN A WATERMAN  
460 10TH PL SW  
VERO BEACH FL 32962-5655

9366  
63-4/630 FL  
23289

2/24/15


Pay to the  
Order of

City of Vero Beach  
City of Vero Beach

Date

\$ 100.00

Dollars

 See your  
Business  
Online or  
Back

**Bank of America** 

ACH R/T 063100277

For

15-CE-5508

**Bank of America Advantage**<sup>®</sup>

⑆063000047⑆ 003388277498⑈9366

Payroll Charge

BUSSHEP/LO™



**CITY OF VERO BEACH, FLORIDA**  
**Code Enforcement**  
**1053 20th Place, Vero Beach, FL 32960**

**CODE ENFORCEMENT CITATION**

**No. 496M / 15-CE-5508**

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Feb 03, 2015 at n/a

Name: **Barrett, Soren and Tina**  
of: **3625 Eagle Dr**  
**Vero Beach, FL 32963-1650**

at (violation address): **3625 Eagle Dr** in the City of Vero Beach, Florida committed the following civil offense: **Operating a guest house and transient quarters in a residential zone.**

Violation of code provision(s): 60.11, 61.02

Facts constituting violation: Based on best available information subject property is being utilized for transient rentals / guesthouses for compensation for periods of less than 30 days. All rental activities of this nature and the advertising of such activities must cease immediately. If ongoing or future rental commitments need addressing please contact the City of Vero Beach Planning Department immediately. Future violations are subject to further Code Enforcement actions.

**CIVIL PENALTY: \$100.00**

**PAY BY DATE: 02/18/2015**

✓ **REPEAT VIOLATION**

✎ **CORRECTION REQUIRED BY: 02/06/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: M Sanderson  
Department: Code Enforcement

Date Issued: 02/03/2015  
Telephone: 7729784561

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

\_\_\_\_\_  
Signature of Individual

Date: \_\_\_\_\_

CLERK COPY - 15-000132

Certified Mail Receipt: 70140150000165022684

**CITY OF VERO BEACH  
UTAH**

**MAR 02 2015**

**PAID  
CASHIER NO. 2**

City of Vero Beach  
Receipt No: 3601160  
Feb 27, 2015 16:10  
Acct No:  
Amount on Acct: \$100.00



CITY OF VERO BEACH, FLORIDA  
 Code Enforcement  
 1053 20th Place, Vero Beach, FL 32960

**CODE ENFORCEMENT CITATION**

No. 0129M / 13-CE-3626

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on May 24, 2013 at 10:04 am

Name: **Barrett, Soren & Tina**  
 of: **3625 Eagle Dr**  
**Vero Beach, FL 32963-1650**

at (violation address): 3625 Eagle Dr in the City of Vero Beach, Florida committed the following civil offense: **OPERATING A GUEST HOUSE AND TRANSIENT QUARTERS IN A RESIDENTIAL ZONE.**

Violation of code provision(s): 60.11, 61.02

Facts constituting violation: Subject property is being advertised and held out as available for transient rentals for compensation. Subject property was occupied and used for temporary quarters by transients.

CIVIL PENALTY: **\$50.00**

PAY BY DATE: **06/07/2013**

REPEAT VIOLATION

**CORRECTION REQUIRED BY: 05/29/2013. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Melody Sanderson  
 Department: Code Enforcement

Date Issued: 05/24/2013  
 Telephone: 7729784561

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

\_\_\_\_\_  
 Signature of Individual

Date: \_\_\_\_\_

CLERK COPY - 13-000101

Certified Mail Receipt: 70041350000469708671

*Complied  
6/7/13*



FLORIDA VACATION BEACH RENTALS  
PO BOX 643717  
VERO BEACH, FL 32964-3717

**WCMA** Working Capital Management™ Account 399

87-176/843

PAY TO THE  
ORDER OF

*6/6/13*  
*VERO BEACH*  
*50.00*  
\$ *50.00*  
DOLLARS

DATE

DOLLARS

Security  
Features  
Details on  
Back

 **Merrill Lynch**

Bank of America

MEMO

MP

⑆084301767⑆ 041134931188⑈0399

H-c) 2a.



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960  
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No.: 13-CE-3847

THEERTAT TAWEESUK

Citation No.: 0024T

Violator

TO: Theertat Taweasuk  
c/o Boonting Nvampaton  
8660 Astronaut Boulevard, Unit 108  
Cape Canaveral, Florida 32920

**NOTICE OF HEARING**

AND Mr. Gary Frese  
GFrese@fresehansen.com

AND

1925 5<sup>th</sup> Avenue  
Vero Beach, Florida 32960

**YOU ARE HERBY NOTIFIED** that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach regarding the above-styled code enforcement case as follows:

DATE and TIME: April 8<sup>th</sup> 2 015 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Appeal of code enforcement citation / violation
- Appeal of notice of assessment of continuing penalties  
(Limited to issues of length of time violation existed and amount of penalties and costs)
- Other (describe): Request for Board Order Finding Compliance and Ceasing Civil Penalties

**YOUR HEARING RIGHTS:** You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

**IF YOU FAIL TO APPEAR:** If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter a final order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation cited if the hearing is for appeal of the citation and will be deemed your admission of the amount of the penalties and costs assessed if the hearing is for appeal of the notice of assessment.

**LATE CORRECTION OF VIOLATION OR PAYMENT:** This case may be presented to the Code Enforcement Board or Magistrate even if all cited violations have been corrected and penalties and costs have been paid prior to the hearing.

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**POSTPONEMENTS:** No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: March 27, 2015

By:   
Board Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 27<sup>th</sup> day of March 2015.

  
Board Clerk



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

vs.

**Theertat Taweasuk**  
1925 5<sup>th</sup> Avenue  
Vero Beach, FL 32960

AND

**CASE No.:** 13-CE-3847

**Citation No.:** 0024T

**c/o Boonting Nvampaton**  
8660 Astronaut Blvd., Unit 108  
Cape Canaveral, FL 32920

**ORDER TO CORRECT VIOLATIONS, IMPOSING CONTINUING  
CIVIL PENALTIES, AND TO PAY CIVIL PENALTIES AND COSTS**

**VIOLATION:** City of Vero Beach Code ("Code") section 38-31, weeds, grass, and overgrowth in excess of 12 inches.

**LOCATION OF VIOLATION:** 1925 5<sup>th</sup> Avenue, Vero Beach, Florida 32960

The above-styled case having come before the Code Enforcement Board of the City of Vero Beach ("Board") on the 14<sup>th</sup> day of August 2013 on request of the issuing code enforcement officer for a Board order and the Board having heard the report of the code enforcement officer regarding the violations remaining uncorrected, on motion made and approved, found that:


1. The citation, notice of assessment, and notices of hearing issued in this case were served as provided by law however the violator has failed to appear in this enforcement action.
2. The violator did not appeal the issuance of the code enforcement citation or the notice of assessment issued in this case within the time allowed and therefore waived the right to a hearing before the Board to contest issuance of the citation and the notice of assessment.
3. The violator's waivers of hearing are deemed an admission of the violations as specified in the citation and admission of liability for the civil penalties and costs assessed.
4. The violator has not corrected the violations and remains in violation as of the date of this hearing.
5. The violator has not paid the civil penalty of \$50.00 assessed on the citation or the continuing civil penalties assessed in the notice of assessment, which now total \$3,050.00 as of the date of this hearing (61 days x \$50.00 per day), for total civil penalties of \$3,100.00 now due and payable as of the date of this hearing.
6. The City has incurred enforcement costs of \$32.45 in this case as previously assessed in the notice of assessment, for which the City is entitled to recover together with all costs of recording the Board orders in this case and for satisfying and recording releases of the resulting liens upon payment.

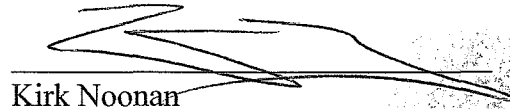
3120130059562  
RECORDED IN THE PUBLIC RECORDS OF  
JEFFREY R SMITH, CLERK OF COURT  
INDIAN RIVER COUNTY FL  
BK: 2703 PG: 923 Page 1 of 2 9/13/2013 9:41 AM

**IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:**


The violator committed the violations specified above and in the citation and is in continuing violation. The violator shall immediately cause correction of the violations and pay to the City Clerk, within thirty (30) days from the date of this Order, the accrued civil penalties of \$3,100.00 and a continuing civil penalty of \$50.00 per day for each day the violations remain uncorrected after August 14, 2013, together with enforcement costs of \$32.45 and all costs of recording the Board orders in this case and for satisfying and recording releases of the resulting liens upon payment in full.

DONE AND ORDERED at Vero Beach, Indian River County, Florida this 28<sup>th</sup> day of August 2013.  
ATTEST: CODE ENFORCEMENT BOARD


  
\_\_\_\_\_  
Sherri Philo  
As Board Clerk

  
\_\_\_\_\_  
Kirk Noonan  
Chairman

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Wayne R. Coment  
As Board Attorney

THIS IS TO CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF THE  
ORIGINAL ON FILE IN THIS OFFICE.

SHERRI PHILO  
BY:  D.C.  
DATE: September 3, 2013

**IMPORTANT INFORMATION**

**Correction of Violations:** AFTER CORRECTING THE VIOLATIONS YOU MUST NOTIFY THE ISSUING CODE ENFORCEMENT OFFICER at Telephone 772-978-4561 or at the Code Enforcement Office, City Hall, 1053 20<sup>th</sup> Place, Vero Beach, FL 32960, to obtain re-inspection and in order to stop accrual of the continuing civil penalties.

**Payment of Civil Penalties and Costs:** You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this order and lien. Civil penalties and costs may be paid in person at the City Clerk's Office located at City Hall, 1053 20<sup>th</sup> Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

**Repeat Violation:** Repeat violation of the same Code provision by the violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

**Notice of Right to Appeal Board Decision:** An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board and with the Clerk of the Circuit Court, together with the applicable court filing fee, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).

**Superiority of code enforcement liens:** A lien is created by operation of law against the real and personal property of the violator upon the recording of a certified copy of a Board Order in the public records. Such lien, and any nuisance abatement lien, are deemed prior in dignity to any other lien, including mortgages, irrespective of the date of the recording of the order or lien or the date of the recording of any mortgage or any other lien on the real property of the violator, and such municipal lien shall survive any action to foreclose or otherwise enforce such inferior lien whether such inferior lien arises by virtue of a mortgage or promissory note, a mechanic's lien, a judgment, or other security interest in such real property. COVB Code sections 2-304 and 2-544; F.S. Chap. 162.



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960  
Telephone (772) 978-4700

CITY OF VERO BEACH

CASE No.: 13-CE-3847

vs.

Citation No.: 0024T

Theertat Taweasuk  
c/o Boonting Nvampaton  
8660 Astronaut Boulevard, Unit 108  
Cape Canaveral, FL 32920

AND

1925 5<sup>th</sup> Avenue  
Vero Beach, Florida 32960

**NOTICE OF ASSESSMENT OF CONTINUING PENALTIES**

**YOU ARE HEREBY NOTIFIED** that the officer issuing the attached citation has reported that the violation cited was not corrected within the time given for correction and written request for a hearing to contest the citation was not filed in the time allowed. Failure to timely file a written request for a hearing waived the right to a hearing on the citation and is deemed an admission of the violation cited.

The following civil penalties and costs are assessed as of the date indicated below due to failure to correct the violations:

1. A Civil Penalty of \$50.00 for the initial violation specified on the citation.
2. Enforcement Costs of \$32.45.
3. A Civil Penalty of \$50.00 per day for each day of continuing violation commencing June 15, 2013 (the day after the date given on the citation for correction of the violations) and currently equaling \$1,800.00 for 36 days as of July 19, 2013.

**TOTAL PENALTIES AND COSTS ASSESSED THROUGH 7/19/2013: \$1,882.45**

**PLEASE TAKE NOTICE THAT EACH DAY THE VIOLATIONS REMAIN UNCORRECTED ARE SEPARATE VIOLATIONS AND THE CIVIL PENALTY OF \$50.00 PER DAY WILL CONTINUE TO ACCRUE DAILY AND BE ADDED TO THE ABOVE- STATED PENALTIES UNTIL THE VIOLATIONS ARE CORRECTED!**

**RIGHT TO HEARING OR TO CORRECT AND PAY ASSESSED PENALTIES:** You must either file a written request for a hearing to appeal the amount of penalties and costs assessed in this Notice OR correct the violation and pay the penalties and costs accrued through the date the

violation was corrected at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording and other costs required to satisfy this Notice of Assessment. IF A HEARING IS DESIRED, A WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS) OR THE RIGHT TO A HEARING IS WAIVED AND DEEMED AN ADMISSION THAT THE AMOUNT OF THE PENALTIES AND COSTS STATED AND CONTINUING ARE CORRECT, DUE, AND PAYABLE TO THE CITY. Due to admission of the violation, the issues for determination at a hearing on this Notice of Assessment are limited to the amount of the continuing penalties based upon the length of time the violation continued to exist and the amount of the costs incurred by the City. If, after the hearing, the penalties and costs stated in this Notice are found correct, you may also be liable for costs of the hearing and any additional costs incurred by the City as a result of the enforcement action.

For further information regarding this case and how to comply with this Notice or to report correction of the violation(s), please contact the issuing code enforcement officer at telephone number (772) 978-4551 or at the Code Enforcement office at City Hall, 1053 20<sup>th</sup> Place, Vero Beach, Florida 32960.

Failure to comply with this Notice of Assessment will result in report of non-compliance to the Board or Special Magistrate and issuance of an order having the force of law to command action necessary to correct the violation, together with imposition of civil penalties, costs, and all expenses incurred by the City to correct the violation, which shall be a lien against the property on which the violation exists and all other property of the violator.

FOR THE CODE ENFORCEMENT BOARD

Date Issued: July 19, 2013

By:   
Board Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Assessment of Continuing Penalties was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 19<sup>th</sup> day of July 2013.

  
Board Clerk



**CITY OF VERO BEACH, FLORIDA**  
**Code Enforcement**  
**1053 20th Place, Vero Beach, FL 32960**

**CODE ENFORCEMENT CITATION**

No. 0024T / 13-CE-3847

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on May 22, 2013 at 2:35 PM

Name: **Theerat Taweasuk C/O Boonting Nvampaton**  
of: **8660 Astronaut Blvd. Unit 108**  
**Cape Canaveral, FL 32920**

at (violation address): 1925 5th Avenue in the City of Vero Beach, Florida committed the following civil offense: Grass, weeds, and overgrowth in excess of 12".

Violation of code provision(s): 38-31 Property Maintenance

Facts constituting violation: Grass, weeds, and overgrowth in excess of 12".

**CIVIL PENALTY: \$50.00**

**PAY BY DATE: 06/14/2013**

**REPEAT VIOLATION**

**CORRECTION REQUIRED BY: 06/14/2013. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey  
Department: Code Enforcement

Date Issued: 06/06/2013  
Telephone: 772-978-4551

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is NOT an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

\_\_\_\_\_  
Signature of Individual

Date: \_\_\_\_\_

CLERK COPY - 13-000609

Certified Mail Receipt:

\_\_\_\_\_



**CODE ENFORCEMENT CASE #13-CE-3847 / 0024T**  
**ESTIMATED CIVIL PENALTIES AND COSTS**  
**MARCH 26, 2015**

- A civil penalty of \$50.00
- A continuing penalty of \$50.00 a day that commenced on June 15, 2013
- As of February 27, 2014, the day prior to finding compliance the total amount of continuing penalties are \$12,900.00 (258 days at \$50.00 a day)
- Cost of prosecution in the amount of \$32.50
- Cost of recording the Order to Correct Violations, Imposing Continuing Civil Penalties, and to Pay civil Penalties and Costs in the amount of \$18.50
- City Attorney fee to prepare a Release of Lien \$59.15
- Cost of recording the Release of Lien \$18.50

**TOTAL PENALTIES AND COSTS:      \$13,078.65**

4-c)2b



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960  
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No.: 15-CE-5505

HOGAR COMMUNITY REINVESTMENT, LLC  
Violator

Citation No.: 0502T

TO: Hogar Community Reinvestment, LLC  
1126 16<sup>th</sup> Street, N.W.  
Washington, DC 20036

**NOTICE OF HEARING**

AND

1455 28<sup>th</sup> Avenue  
Vero Beach, Florida 32960

**YOU ARE HERBY NOTIFIED** that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach regarding the above-styled code enforcement case as follows:

DATE and TIME: April 8<sup>th</sup> 2 015 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Appeal of code enforcement citation / violation
- Appeal of notice of assessment of continuing penalties  
(Limited to issues of length of time violation existed and amount of penalties and costs)
- Other (describe): Failure to Comply

**YOUR HEARING RIGHTS:** You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

**IF YOU FAIL TO APPEAR:** If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter a final order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation cited if the hearing is for appeal of the citation and will be deemed your admission of the amount of the penalties and costs assessed if the hearing is for appeal of the notice of assessment.

**LATE CORRECTION OF VIOLATION OR PAYMENT:** This case may be presented to the Code Enforcement Board or Magistrate even if all cited violations have been corrected and penalties and costs have been paid prior to the hearing.

**HEARING RECORD:** This hearing involves non-criminal code enforcement matters. You will be responsible for insuring, at your own expense, that a certified verbatim record of the hearing is made in case you should desire to appeal an adverse decision of the Board to the Circuit Court.

**POSTPONEMENTS:** No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: March 27, 2015

By:   
Board Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 27<sup>th</sup> day of March 2015.

  
Board Clerk



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960  
Telephone (772) 978-4700

CITY OF VERO BEACH

CASE No.: 15-CE-5505

vs.

Citation No.: 0502T

HOGAR COMMUNITY REINVESTMENT, LLC

**NOTICE OF ASSESSMENT OF CONTINUING PENALTIES**

**TO:** Hogar Community Reinvestment, LLC  
1126 16<sup>th</sup> Street N.W.  
Washington, DC 20036

AND

1455 28<sup>th</sup> Avenue  
Vero Beach, Florida 32960

**YOU ARE HEREBY NOTIFIED** that the officer issuing the attached citation reported to the Code Enforcement Board on March 11, 2015 that the code violation regarding the unsecure and stagnant swimming pool has been corrected; however the code violation regarding weeds, grass, and undergrowth on the property in excess of 12" remains uncorrected within the time given for correction and written request for a hearing to contest the citation was not filed in the time allowed. Failure to timely file a written request for a hearing waived the right to a hearing on the citation and is deemed an admission of the violations cited. In addition, the civil penalty assessed on the citation was paid which is also an admission of the violations cited.

The following civil penalties and costs are assessed against you as of the date of this Notice due to your failure to correct the remaining violation:

The Civil Penalty of **\$100.00** for the initial violation as specified on the citation, which has been paid.

Civil Penalty of **\$100.00** per day for each day of continuing violation commencing February 14, 2015 (first day after date given for correction), which as of March 11, 2015 has accrued 26 days @ \$100.00 per day = **\$2,600.00**; and

Enforcement Costs of **\$59.12**.

**TOTAL PENALTIES AND COSTS DUE AS OF 3/11/15: \$2,659.12.**

**EACH DAY A VIOLATION REMAINS UNCORRECTED IS A SEPARATE VIOLATION.**  
**THE CIVIL PENALTY CONTINUES TO ACCRUE DAILY AT \$100.00 PER DAY**  
**UNTIL ALL VIOLATIONS ARE CORRECTED!**

**RIGHT TO HEARING OR TO CORRECT AND PAY:** You must either file a written request for a hearing to appeal the amount of penalties and costs assessed in this Notice **OR** correct the violation and pay the penalties and costs accrued through the date the violation was corrected at:

**City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. You must contact the City Clerk at the above address or at Telephone 772-978-4700 to determine the total amount of penalties and costs due as of the date of correction. IF A HEARING IS DESIRED, A WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR THE RIGHT TO A HEARING IS WAIVED AND DEEMED AN ADMISSION THAT THE AMOUNT OF THE PENALTIES AND COSTS STATED HEREIN ARE CORRECT, DUE, AND PAYABLE. Due to admission of the violation, the issues for determination at a hearing on this Notice of Assessment are limited to the amount of the continuing penalties based upon the length of time the violations continued to exist and the amount of the costs incurred by the City. If, after the hearing, the penalties and costs stated in this Notice are found correct, you may also be liable for costs of the hearing and any additional costs incurred by the City as a result of the enforcement action.**

**Further information regarding this case and how to comply with this Notice may be obtained by contacting the issuing code enforcement officer at the Code Enforcement office in City Hall, 1053 20<sup>th</sup> Place, Vero Beach, Florida 32960 or Telephone 772-978-4550. YOU MUST REPORT CORRECTION OF THE VIOLATIONS TO THE CODE ENFORCEMENT OFFICER SO THAT CORRECTION MAY BE CONFIRMED AND DAILY ASSESSMENT OF THE CIVIL PENALTIES SUSPENDED.**

Failure to comply with this Notice of Assessment as specified above will result in report of non-compliance to the Board or Special Magistrate and issuance of an order having the force of law to command action necessary to correct the violations, together with imposition of civil penalties, costs, and all expenses incurred by the City to correct the violations, which shall be a lien against the property on which the violations exist and all other property of the violator.

FOR THE CODE ENFORCEMENT BOARD

Date Issued: March 23, 2015

By:   
Board Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Assessment of Continuing Penalties was provided to the above-named violators by first class U.S. Mail addressed to the above-specified address this 23<sup>rd</sup> day of March 20 15.

  
Board Clerk



CITY OF VERO BEACH, FLORIDA  
Code Enforcement  
1053 20th Place, Vero Beach, FL 32960

**CODE ENFORCEMENT CITATION**

No. 0502T / 15-CE-5505

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Feb 02, 2015 at N/A

Name: **Hogar Community, Reinvestment Llc**  
of: **1126 16th St Nw**  
**Washington, DC 20036**

at (violation address): 1455 28th Av in the City of Vero Beach, Florida committed the following civil offense: **(b) It shall be unlawful for any owner of real property within the city to maintain the real property so that any of the following conditions, which shall be considered to be public nuisances, exist on such real property:**

**(1) Weeds, grass, or undergrowth at a height of more than 12 inches;**

**(6) Any areas that are active breeding grounds for mosquitoes;**

**(7) Swimming pools with stagnant water; and**

Violation of code provision(s): 38-31 (b)(1,6,7)

Facts constituting violation: Unsecure and stagnant pool. Grass, Weeds, and undergrowth in excess of 12". Please have all issues resolved ASAP as this is a safety concern.

CIVIL PENALTY: \$100.00

PAY BY DATE: 02/13/2015

REPEAT VIOLATION

**CORRECTION REQUIRED BY: 02/13/2015. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey  
Department: Code Enforcement

Date Issued: 02/03/2015  
Telephone: 772-978-4551

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation OR pay the reduced civil penalty specified above at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION. Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

[Signature]  
Signature of Individual

Date: 2/5/15

OFFICER COPY - 15-000129

Certified Mail Receipt: 70031010000154270618  
City of Vero Beach  
Receipt No: 3582454  
Feb 06, 2015 15:35  
Acct No:  
Amount on Acct: \$100.00

CITY OF VERO BEACH  
UTAH  
FEB 09 2015  
PAID  
CASHIER NO 2



**BEFORE THE CODE ENFORCEMENT BOARD**  
 OF THE CITY OF VERO BEACH, FLORIDA  
 1053 20<sup>TH</sup> PLACE  
 VERO BEACH, FLORIDA 32960  
 Telephone (772) 978-4550

4-C)2c

CITY OF VERO BEACH

vs.

CASE No.: 14-CE-4717

MAKIN HOLDINGS C/O KENNY HOLMES  
 Violator

Citation No.: 0502T

TO: Makin Holdings c/o Kenny Holmes  
P.O. Box 5326  
Vero Beach, Florida 32961

**NOTICE OF HEARING**

AND 4555 12<sup>th</sup> Street  
Vero Beach, Florida 32966

AND

1555 14<sup>th</sup> Avenue, #117  
Vero Beach, Florida 32960

AND 4560 Hwy. U.S.1  
Vero Beach, Florida 32967

AND

P.O. Box 5232  
Vero Beach, Florida 32961

**YOU ARE HERBY NOTIFIED** that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach regarding the above-styled code enforcement case as follows:

DATE and TIME: April 8<sup>th</sup> 2015 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Appeal of code enforcement citation / violation
- Appeal of notice of assessment of continuing penalties  
 (Limited to issues of length of time violation existed and amount of penalties and costs)
- Other (describe): Request for Board Order Finding Compliance

**YOUR HEARING RIGHTS:** You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to

present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

**IF YOU FAIL TO APPEAR:** If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter a final order accordingly. Also take notice that such waiver of your right to a hearing will be deemed your admission of the violation cited if the hearing is for appeal of the citation and will be deemed your admission of the amount of the penalties and costs assessed if the hearing is for appeal of the notice of assessment.

**LATE CORRECTION OF VIOLATION OR PAYMENT:** This case may be presented to the Code Enforcement Board or Magistrate even if all cited violations have been corrected and penalties and costs have been paid prior to the hearing.

**HEARING RECORD:** This hearing involves non-criminal code enforcement matters. You will be responsible for insuring, at your own expense, that a certified verbatim record of the hearing is made in case you should desire to appeal an adverse decision of the Board to the Circuit Court.

**POSTPONEMENTS:** No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: March 27, 2015

By:   
Board Clerk

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this 27<sup>th</sup> day of March 2015.

  
Board Clerk





BEFORE THE CODE ENFORCEMENT BOARD  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960

CITY OF VERO BEACH

vs.

CASE No.: 14-CE-4717

Citation No.: 0268T

Makin Holdings  
c/o Kenny Holmes

4555 12<sup>th</sup> Street  
Vero Beach, FL 32966

4560 Hwy. U.S. 1  
Vero Beach, FL 32967

P.O. Box 5326  
Vero Beach, FL 32961

1555 14<sup>th</sup> Avenue, #117  
Vero Beach, FL 32960

P.O. Box 5232  
Vero Beach, FL 32961

**ORDER TO CORRECT VIOLATION, IMPOSING CONTINUING  
PENALTIES, AND TO PAY PENALTIES AND COSTS**

**VIOLATION:** City of Vero Beach Code (“Code”); Standard Housing Code (SHC) sections 305.8; 305.11.1; Front window and rear sliding glass door have been broken and require replacement to conform with SHC and to secure property.

**LOCATION OF VIOLATION:** 1555 14<sup>th</sup> Avenue, #117, Vero Beach, Florida 32960

The above styled case having come before the Code Enforcement Board of the City of Vero Beach (“Board”) on the 8<sup>th</sup> day of October 2014 on request of the issuing code enforcement officer for a Board order and the Board, having heard the report of the code enforcement officer, on motion made and approved, found that:

1. The citation, notice of assessment, and notices of hearing issued in this case were served as provided by law, however the violators have failed to appear in this enforcement action.
2. The violators did not appeal issuance of the citation or the notice of assessment issued in this case within the time allowed by law and therefore waived the right to a hearing before the Board to contest the issuance of the citation and the notice of assessment.
3. The violators’ waivers of hearing are deemed an admission of the violation as specified in the citation and admission of liability for the civil penalties and costs assessed.
4. The violators have not corrected the violation and they remain in violation as of the date of this hearing.
5. The violators have not paid the civil penalty of \$50.00 assessed on the citation or the continuing civil penalties assessed in the notice of assessment, which now total \$4,250.00 as of the date of this hearing (85 days x \$50.00 per day), for total civil penalties of \$4,300.00 now due and payable as of the date of this hearing.
6. The City has incurred and requested enforcement costs of \$47.28 as previously assessed in the notice of assessment, for which costs the City is entitled to recover together with all costs of recording the

Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

**IT IS THEREFORE ORDERED AND ADJUDGED BY THE BOARD THAT:**

The violators are deemed to have committed the violation as specified above and in the citation and are in continuing violation. The violators shall immediately cause correction of the violation and pay to the City Clerk, within thirty (30) days from the date of this Order, the accrued civil penalties of **\$4,300.00** and a continuing civil penalty of **\$50.00 per day** for each day the violation remains uncorrected after October 8, 2014, together with enforcement costs of **\$47.28** and all costs of recording the Board's orders in the public records and for satisfying and recording releases of the resulting liens upon payment.

**DONE AND ORDERED** at Vero Beach, Indian River County, Florida this 16<sup>th</sup> day of

October 2014.

ATTEST:

Sherri Philo  
Sherri Philo, As Board Clerk

CITY OF VERO BEACH, FLORIDA  
CODE ENFORCEMENT BOARD

Harry Howle  
Harry Howle, Chairman

Approved as to form and legal  
sufficiency:

Wayne R. Coment  
Wayne R. Coment, As Board Attorney

**THIS IS TO CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF THE  
ORIGINAL ON FILE IN THIS OFFICE.**

**SHERRI PHILO**  
BY: Sherri Philo, D.C.

DATE: October 16 2014

**IMPORTANT INFORMATION**

**Correction of Violations:** Further information regarding this case and how to comply with this Order may be obtained by contacting the issuing code enforcement officer at Telephone 772-978-4551 or 772-978-4561, or at the Code Enforcement Office, City Hall, 1053 20<sup>th</sup> Place, Vero Beach, FL 32960. **YOU MUST REPORT CORRECTION OF THE VIOLATIONS TO THE CODE ENFORCEMENT OFFICER AND REQUEST RE-INSPECTION SO THAT CORRECTION MAY BE CONFIRMED AND DAILY ASSESSMENT OF THE CIVIL PENALTIES SUSPENDED.**

**Payment of Civil Penalties and Costs:** You must contact the City Clerk's Office at 772-978-4700 for the total amount of civil penalties, enforcement costs, recording, and other costs required to satisfy this order and lien. Civil penalties and costs may be paid in person at the City Clerk's Office located in City Hall, 1053 20<sup>th</sup> Place, Vero Beach, Florida 32960, Monday through Friday between 8:30 A.M. and 5:00 P.M., excluding holidays, or by mailing a check or money order to said address, payable to "City of Vero Beach." Do not mail cash!

**Repeat Violation:** Repeat violation of the same Code provision by a violator, even if committed at a different location, can result in the issuance of a code enforcement citation and assessment of increased civil penalties for the repeat offense.

**Notice of Right to Appeal Board Decision:** An aggrieved party may appeal the Board's order to the Circuit Court in Indian River County, Florida. A written notice of appeal, together with a copy of the order appealed, must be filed with the Clerk of the Code Enforcement Board and with the Clerk of the Circuit Court, together with the applicable court filing fees, within thirty (30) days after the date of this order or the right to appeal is waived. An appeal is limited to appellate review of the record of the proceedings created before the Code Enforcement Board. Ref. F.S. 26.012(1); Florida Rules of Appellate Procedure, 9.030(c)(1)(C); 9.110(c).



CITY OF VERO BEACH, FLORIDA  
Code Enforcement  
1053 20th Place, Vero Beach, FL 32960

**CODE ENFORCEMENT CITATION**

No. 0268T / 14-CE-4717

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Mar 28, 2014 at 9:30 AM

Name: **Makin Holdings C/O Kenny Holmes**  
of: **PO Box 5326**  
**Vero Beach, FL 32961**

at (violation address): 1555 14th Avenue #117 in the City of Vero Beach, Florida committed the following civil offense: **Every window sash shall be fully equipped with glass window panes or an approved substitute which are without open cracks or holes. Every exterior door shall be substantially weathertight, watertight, and rodentproof, and shall be kept in sound working condition and good repair.**

Violation of code provision(s): SHC 305.8.305.11.1

Facts constituting violation: Front window and rear sliding glass door have been broken and are in need of replacement to secure property. Please have corrections made, citation paid and notify this officer on or before 07/15/2014.

CIVIL PENALTY: \$50.00

PAY BY DATE: 07/15/2014

REPEAT VIOLATION

**CORRECTION REQUIRED BY: 07/15/2014. This is a correctable violation and must be corrected by the date specified.** Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey  
Department: Code Enforcement

Date Issued: 04/23/2014  
Telephone: 772-978-4551

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.** **WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

\_\_\_\_\_  
Signature of Individual

Date: \_\_\_\_\_

CLERK COPY - 14-000407

Certified Mail Receipt: 70031010000154270786



4-c)2d



**BEFORE THE CODE ENFORCEMENT BOARD**  
OF THE CITY OF VERO BEACH, FLORIDA  
1053 20<sup>TH</sup> PLACE  
VERO BEACH, FLORIDA 32960  
Telephone (772) 978-4550

CITY OF VERO BEACH

vs.

CASE No.: 15-CE-5486

MATT MARTISE  
Violator

Citation No.: 0491T

TO: Matt Martise  
415 Holly Road  
Vero Beach, Florida 32963

**NOTICE OF HEARING**

AND

626 Dahlia Lane  
Vero Beach, Florida 32963

**YOU ARE HERBY NOTIFIED** that a hearing is scheduled before the Code Enforcement Board of the City of Vero Beach regarding the above-styled code enforcement case as follows:

DATE and TIME: April 8<sup>th</sup> 2 015 at 2:00 P.M.

LOCATION OF HEARING: VERO BEACH CITY HALL, 1053 20<sup>th</sup> PLACE, VERO BEACH, FL

**PURPOSE OF HEARING:**

- Appeal of code enforcement citation / violation
- Appeal of notice of assessment of continuing penalties  
(Limited to issues of length of time violation existed and amount of penalties and costs)
- Other (describe): Failure to Comply; Failure to Pay Civil Penalty

**YOUR HEARING RIGHTS:** You have the right to be represented at the hearing by an attorney at your own expense if you so choose, however an attorney is not required. You have the right to present witnesses and other evidence on your behalf and to cross-examine witnesses against you. You have the right to testify or not testify on your own behalf.

**IF YOU FAIL TO APPEAR:** If you do not appear at the hearing in person or by your attorney to defend this matter, you will be deemed to have waived your right to a hearing and the Board may rule against you in your absence and enter a final order accordingly. Also take notice that such

waiver of your right to a hearing will be deemed your admission of the violation cited if the hearing is for appeal of the citation and will be deemed your admission of the amount of the penalties and costs assessed if the hearing is for appeal of the notice of assessment.

**LATE CORRECTION OF VIOLATION OR PAYMENT:** This case may be presented to the Code Enforcement Board or Magistrate even if all cited violations have been corrected and penalties and costs have been paid prior to the hearing.

**HEARING RECORD:** This hearing involves non-criminal code enforcement matters. You will be responsible for insuring, at your own expense, that a certified verbatim record of the hearing is made in case you should desire to appeal an adverse decision of the Board to the Circuit Court.

**POSTPONEMENTS:** No request for postponement of the hearing will be considered unless such request is made in writing, stating good reason for the requested postponement, and received by the board clerk at least five (5) days prior to the date set for the hearing at: City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960.

PLEASE GOVERN YOURSELF ACCORDINGLY.

FOR THE CODE ENFORCEMENT BOARD

Date: March 27, 2015

By:   
Board Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Hearing was provided to the above-named violator by first class U.S. Mail addressed to the above-specified address this

27<sup>th</sup> day of March 2015.

  
Board Clerk



**CITY OF VERO BEACH, FLORIDA**  
**Code Enforcement**  
 1053 20th Place, Vero Beach, FL 32960

**CODE ENFORCEMENT CITATION**

No. 0491T / 15-CE-5486

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Jan 18, 2015 at N/A

Name: **Matt Martise**  
 of: **415 Holly Road**  
**Vero Beach, FL 32963**

at (violation address): 626 Dahlia Ln in the City of Vero Beach, Florida committed the following civil offense: **AMENDED-Operating a guesthouse and transient quarters in a residential zone.**

Violation of code provision(s): 60.11, 61.02

Facts constituting violation: Subject property s being utilized for transient rentals for compensation. Subject property was occupied and used as temporary quarters by transients. All rental activities of this nature must cease immediately. Please make all necessary changes. Citation due on or before 3/2/2015.

**CIVIL PENALTY: \$50.00**

**PAY BY DATE: 03/02/2015**

REPEAT VIOLATION

**CORRECTION REQUIRED BY: 03/02/2015. This is a correctable violation and must be corrected by the date specified.**

Each day that the violation remains uncorrected after the date specified is a separate violation and additional civil penalties and costs may be assessed against you without issuance of additional citations. You must contact the issuing officer and request re-inspection once the violation is corrected or if you need additional time to correct the violation. If you do not correct the violation by the date specified the City may also take action to correct the violation and assess the costs of correction plus administrative fees as a lien against the property on which the violation was corrected in addition to any lien for civil penalties or costs.

Issued by: Tom Ramsey  
 Department: Code Enforcement

Date Issued: 01/28/2015  
 Telephone: 772-978-4551

**RIGHT TO HEARING OR TO PAY REDUCED PENALTY:** You must either file a written request for a hearing to contest this citation **OR** pay the reduced civil penalty specified above at: **City Clerk's Office, City Hall, 1053 20th Place, Vero Beach, Florida 32960. WRITTEN REQUEST FOR A HEARING MUST BE RECEIVED WITHIN TEN (10) DAYS (excluding Saturdays, Sundays, and legal holidays) OR YOUR RIGHT TO A HEARING IS WAIVED AND DEEMED YOUR ADMISSION OF THE VIOLATION.** Make checks payable to "City of Vero Beach." Do not mail cash! If correction of the violation is required above, the timely filing of a request for a hearing will toll the accrual of continuing violation penalties pending outcome of the hearing. Your right to pay the reduced penalty specified above is waived if you elect to contest the citation and, if after the hearing you are found to be responsible for the violation, a civil penalty of up to \$500 (\$1,000 for contracting violations) may be assessed against you for each day of violation, plus administrative and enforcement costs.

Your signature below acknowledges receipt of a copy of this citation and is **NOT** an admission of the violation. Willful refusal to sign and accept this citation is a misdemeanor criminal offense punishable as provided by law.

\_\_\_\_\_  
 Signature of Individual

Date: \_\_\_\_\_

DEPARTMENT / DIVISION COPY - 15-000100

Certified Mail Receipt: 70031010000154270588

**CODE ENFORCEMENT BOARD  
CITY OF VERO BEACH, FLORIDA**

IN THE MATTER OF: Matt Martise

CASE #: 0491T / 15-CE-5486

**AFFIDAVIT OF POSTING CODE ENFORCEMENT CITATION  
AND MAILING FIRST CLASS**

BEFORE ME, the undersigned authority, personally appeared, Tom Ramsey, Code Enforcement Officer for the City of Vero Beach, Florida, who after being duly sworn deposes and says:

1. That, Tom Ramsey confirms that Code Enforcement citation(s) were posted at the following locations;

➤ 626 Dahlia Lane, Vero Beach

AND,

2. That the citation(s) were mailed first class on February 18, 2015

To: Matt Martise, 415 Holly Road, Vero Beach, FL 32963  
Matt Martise, 169 12<sup>th</sup> Avenue, Vero Beach, FL 32962  
Matt Martise, 1302 Vintage Drive, Vero Beach, FL 32966

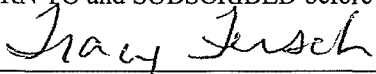
FURTHER AFFIANT SAYETH NOT.

DATED this 18 day of February, 2015.

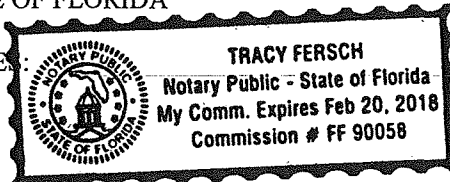
  
\_\_\_\_\_  
SIGNATURE OF CODE ENFORCEMENT OFFICER

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

SWORN TO and SUBSCRIBED before me this 17<sup>th</sup> day of February, 2015.

  
\_\_\_\_\_  
NOTARY PUBLIC - STATE OF FLORIDA

MY COMMISSION EXPIRES:



7-A)

**C) Non-Compliance Reports**

**1. Requests for Notice of Assessment**

**a. CASE #14-CE-5210 / 0469T**

**VIOLATOR:** Mary Itak

**VIOLATION:** Occupying a motor vehicle as living quarters; inoperable, unlicensed motor vehicle; vehicle parked in the required front yard setback

**VIOLATION ADDRESS:** 902 18<sup>th</sup> Place, Vero Beach, Florida 32960

Mr. Ramsey reported that service of the citation was provided by certified mail. The violations have not been corrected as of March 11, 2015 and the civil penalty has been paid. There is a cost of enforcement in the amount of \$83.96. He requested that the Board issue a Notice of Assessment of continuing penalties of \$50.00 a day along with the cost of enforcement in the amount of \$83.96.

Ms. Mary Itak, Property Owner, stated that she has been sworn in. She reported that her son has been unable to get his driver's license and once he is able to, then he could get the vehicle registered. She said her son does spend time out there because he smokes and because of health issues she cannot be around cigarette smoke. She reported that he does have a television out there. She said that everything was okay until the incident at McDonald's and now the Police are chasing the homeless people from the area and they are going onto her property. She noted that her son does invite them. She felt that if they made her son move his vehicle then maybe the homeless people would leave. She said that her son does not want to sell the vehicle because it is the only thing he owns.

Mr. Howle asked where is the vehicle.

Mr. Ramsey answered in the side yard. He said there are multiple problems with the vehicle. It does run, but it has four flat tires, expired tags, and no registration. He reported that a tarp has been attached to the vehicle and it has become like a hangout for the homeless. The Police have been out there, but the problem is they can't kick them off the property because her son invites them in.

Mr. Howle said the real question here is the vehicle.

Ms. Itak said that her other son is moving down in June and she is letting him take over everything.

Mr. Pizzichillo asked what is stopping her son from licensing the vehicle.

Ms. Itak said that he doesn't have the money and he doesn't have his driver's license. She said that he got into some trouble and lost his driver's license.

Mr. Pizzichillo asked Ms. Itak, is it a fact that her son is occupying a motor vehicle as a living quarters.



Ms. Itak said her son spends a lot of time there.

Mr. Pizzichillo asked does he sleep there overnight.

Ms. Itak said that he has before, but it is not his residence.

Mr. McGann asked how old is your son.

Ms. Itak answered 51.

Mr. Howle said that is a problem because these fines are going to continue until the vehicle is removed. He said there is a violation and the Board has to abide by the rules. He has not heard anything today that there is a plan to resolve the situation.

Mr. Pizzichillo asked Ms. Itak, you do realize there is a violation.

Ms. Itak answered yes.

Mr. Howle asked can the Board table this case for 30 days in order to give her time to register or remove the vehicle.

Mr. Wayne Coment, City Attorney, answered yes.

Mr. Ramsey said this has been going on since October. He has sat down with her son several times explaining to him what is going on and her son understands at that point, but then forgets about it the next morning. Mr. Ramsey was not sure how to remedy this situation. He reported that he has tried everything that he could think of including making arrangements for free towing of the vehicle.

Ms. Itak said that she cannot afford these fines. She paid the \$50.00 citation and that really hurt her.

Mr. Howle said that he is trying to figure out a way where she is not impacted, but this is a very difficult situation because her son is doing what he wants to do. The Code Officer has been there on several occasions to try to resolve the situation, which does not give the Board much hope that anything is going to change. He said this is leaving him, as a member of this Board, with a hard decision to make.

Mr. Fletcher said they have been given plenty of time to make arrangements and nothing has been done. He said there is nothing else to do other than issuing a Notice of Assessment of continuing penalties. He said it is unfortunate, but it is her responsibility to get the property in order.

Mr. Coment reported that the Code Enforcement Ordinance has a procedure for the Board to find that a violation is a public nuisance, which authorizes the City to take corrective action. He noted that the property owner would be responsible for any expenses involved in correcting the violation.

Mr. Fletcher asked why didn't the City have the car towed previously.

Mr. Coment explained that the City needs to have authority, such as through the nuisance abatement process. He reported that the City Manager has the authority to declare a public nuisance, which has a 15-day notice and if the violation is not corrected then the City can correct it. The process with the Code Board is if they find that the violation constitutes a public nuisance representing a threat to the public health, safety, and welfare then that Order gets served on the parties concerned and they have 30-days to appeal.

Mr. Howle asked can the City Manager declare it a public nuisance today.

Ms. Sanderson explained that the issuing Officer would need to prepare and submit a Notice of Public Nuisance to the City Manager.

Mr. Fletcher suggested that they do that.

Mr. Howle said in order to keep the penalties from accruing the Board would need to table this case.

Mr. James O'Connor, City Manager, said that he would sign the Notice of Public Nuisance this afternoon.

Mr. Coment explained to Ms. Itak that once they receive the Notice of Public Nuisance they would have 15 days to correct the violation and if they don't then the City would have the vehicle towed.

Mr. Fletcher asked the Code Officer to get the paperwork to the City Manager today.

**Mr. Fletcher made a motion that the Board tables this case for 30 days. Mr. Pizzichillo seconded the motion and it passed unanimously.**



CITY OF VERO BEACH, FLORIDA  
Code Enforcement  
1053 20th Place, Vero Beach, FL 32960

**CODE ENFORCEMENT CITATION**

No. 0469T / 14-CE-5210

STATE OF FLORIDA, COUNTY OF INDIAN RIVER, CITY OF VERO BEACH,

In the name of the City of Vero Beach, Florida: The undersigned officer certifies that he/she has just and reasonable grounds to believe, and does believe that on Oct 16, 2014 at N/A

CITY OF VERO BEACH  
UTILITIES

Name: **Itak, Mary**  
of: **902 18th PI**  
**Vero Beach, FL 32960-5539**

FEB 04 2015

at (violation address): 902 18th PI in the City of Vero Beach, Florida committed the following civil offense: **(b) The occupation of any motor vehicle, as defined in F.S. ~~316.003~~, mobile home or recreational vehicle as living quarters is prohibited within the corporate limits of the city, except in duly licensed mobile home parks, or unless otherwise permitted within the zoning district pursuant to an approved site plan.** PAID CASHIER NO 1

**(d) In residential districts, no motor vehicle, as defined in F.S. ~~320.01~~, shall be parked or stored in the required front yard setback except on a designated driveway or other improved surface approved pursuant to part III, land development regulations of this Code. The front yard setback shall be as defined and specified by zoning district in title VI, zoning ordinance of this Code. The provisions of this subsection shall not apply to motor vehicles parked for a period of 72 hours or less for occasional social gatherings that do not occur more than once per calendar month.**

**(a)**

**In addition to the public nuisances described in section 38-31, the unsheltered storage of the following items is hereby declared to be unlawful and thereby prohibited:**

**(1) Stripped, junked, inoperable, or unlicensed motor vehicles or boats, trailers of any description, or parts thereof;**

Violation of code provision(s): 74-82 (b,d), 38-32 (1)

Facts constituting violation: Van on property must be moved to an approved driveway, shown to be operable. Please call me to discuss if you have additional questions. Please make corrections and pay civil penalty on or before 1/15/2015.

CIVIL PENALTY: **\$50.00**

PAY BY DATE: **01/15/2015**

REPEAT VIOLATION

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Issued by: Tom Ramsey  
Department: Code Enforcement

Date Issued: 12/11/2014  
Telephone: 772-978-4551

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\_\_\_\_\_  
Signature of Individual

Date: \_\_\_\_\_