

City of Melbourne



Code Compliance Division

900 E. Strawbridge Avenue, Melbourne, FL 32901

Code Enforcement: (321) 608-7900 • E-Mail: Code.compliance@mlbfl.org

MINUTES – CODE ENFORCEMENT BOARD

July 9, 2025

A. OPENING

1. Call to Order

A regular meeting of the Code Enforcement Board was held in the City Hall Council Chamber on 07/09/25 and was called to order at 6:00 p.m. by Chairperson James Teele. Minutes will be presented to the Board at the next regular meeting for review and acceptance.

2. Pledge of Allegiance

The meeting was opened with the Pledge of Allegiance to the Flag of the United States of America.

3. Reading of the Opening Statement

Chairperson Teele advised the audience of the purpose and procedures for the Code Enforcement Board Meetings.

4. Roll Call

Board Members Present: Chairperson James Teele, Member Bruce Mochwart, Member Thomas Saam, Member Timothy Loomer; Member Rick Dryden, Member Edward Meisenbach.

Board Members Absent: Member John Greaves

City Staff Present: Assistant City Attorney Kellen Simmons, Code Enforcement Official Mark Herold; Inspector Jerod Durant; Inspector Ralph Keller; Inspector Michelle German; Inspector Richard Andre'; Inspector Michael Gosselin; Administrative Assistant Tammy Sisk.

5. Approval of Minutes

Moved by Mochwart / Saam to approve the minutes of 05/28/25 as presented. Motion carried by majority.

6. Announcements

Code Official Mark Herold advised that the next meeting would be held on Wednesday 08/27/2025.

Code Enforcement Official Mark Herold read into record the Voting Conflict Form for Timothy Loomer from the 05/28/25 Code Board Hearing.



7. Testimony Swear-In
Assistant City Attorney Kellen Simmons swore in the Code Compliance Inspectors and Supporting Staff as expert witnesses and submitted all documents and photos in the case files of the Code Compliance Inspectors along with the resumes for each inspector.
8. Cases(s) Announced as Removed / Complied
Complied Prior to Hearing: 35, 44
Case(s) Announced as Removed / Complied: 34, 41, 45, 50
Item # Administratively Postponed or Removed: 21

B. INSPECTOR GOSSELIN

9. **CE#2025-00309; Kilgore, Thomas M. & Nancy C. - 742 Ixora Dr.**
New Business - Complaint Received 05/19/25.
Board History: None
 - a) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12” inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. **Specifically: Property’s backyard, front yard, and side yard are overgrown with high grass, weeds and/or unkempt landscaping and has not been mowed, cut, trimmed, edged or maintained. Corrective Action: Mow, cut, trim and/or edge all collective yard areas, perimeter areas, fence lines, sidewalks, grass strips, curbs, rights-of way to the edge of the pavement on any public street.**

The property owner(s)/representative(s) was present, Thomas Kilgore & Nancy Kilgore, who testified. City staff testified into the record due process requirements and case facts. Staff recommended a finding of the cited recurring violation(s) item(s) “a” with a compliance date of 08/26/25. **Moved by Saam / Mochwart to find the property in violation of the recurring violation(s) item(s) “a” with a compliance date of 08/26/25. Motion carried by majority.**



C. INSPECTOR GERMAN

10. **CE2022-00125; Keefe, Patrick - 1618 Cypress Ave.**

Unfinished Business - Complaint Received 03/07/22.

Board History: **1Hr.** 03/27/24 Finding Comply by 04/30/24; **2Hr.** 05/01/24 1Ext to 06/11/24; **3Hr.** 06/12/24 Fine and Lien \$50 per day; **4Hr.** 12/04/24 Stay Fine at \$8,800 til 01/22/25; **5Hr.** 01/22/25 Stay Fine at \$8,800 til 03/05/25; **6Hr.** 03/05/25 Stay Fine at \$8,800 til 07/09/25

- a) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. Specifically: Residential to commercial use of structure. Corrective Action: Permits must be obtained for the structure’s change from residential occupancy to commercial occupancy. **DISMISSED.**

- b) **Design Requirements for Off-Street Parking Areas** -PART III, Appendix D, Chapter 9, Article V, Sec.9.74. Any new construction, change in use, modifications, or redevelopment of property will require an updated site plan with associated site improvements and other minimum design standards; including, but not limited to, requirements and restrictions for parking areas, drive aisles, setbacks, driveways, service areas, display areas, lay-down yard areas, landscaping, etc. Specifically: Property has never been developed for commercial lay- down yard or open storage and currently is being utilized for commercial lay-down yard and other storage without current approved site plan. Corrective Action: Obtain required approved site plan and permits for current commercial activity. **DISMISSED.**

- c) **District / Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V Section 2(D), Table 1B & Article VI. District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. **Specifically: Commercial Edge (CE) district zoned property being used for storage of junk and debris (junk yard). Junk yards are not permitted within CE districts. Corrective Action: Cease use of property as a junk yard for miscellaneous open storage.**



- d) **Business Tax Receipt Required** - CHAPTER 54, ARTICLE VIII, Sec.54-03. A Business Tax Receipt (BTR) is required prior to conducting and/or operating any business. Specifically: Operating Dream Docks, Reese Enterprises, Inc. with no BTR for this location. Corrective Action: Obtain BTR for any business operating from this location or discontinue use of this location for business or other activity. **COMPLIED.**

- e) **Paved Parking Area Required** - PART III, Appendix D, CHAPTER 9, ARTICLE V, Sec. 9.74 (q). Vehicular use areas. Driveways, parking areas, service and display areas, shall be paved according to the city engineering specifications. Specifically: Vehicles and other equipment being stored on unimproved surfaces. Corrective Action: Remove vehicles and equipment from unimproved surface areas. **DISMISSED.**

- f) **Storm water System Requirements and Restrictions** - Chapter 50; Article III; Section 50- 7. No person may subdivide or make any change in the property uses... without first obtaining a permit from the city engineer. Specifically: Millings and other unapproved materials used to increase impervious areas around property without permits from Engineering. Corrective Action: Obtain permits from Engineering for increased impervious areas. **DISMISSED.**

- g) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. **Specifically: Large accumulations of openly stored trash, junk and debris (PVC, metal pipes, crates, wood, culverts, beams, and other misc. materials and debris).** **Corrective Action: Remove openly storage, trash, junk, debris and other materials unless specifically approved via the site plan process.**

- h) **Inoperable Vehicle(s) Prohibited** - Chpt. 36, Sec. 36-22 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8 & Chpt.14 Sec. 2 – Vehicles, including recreational vehicles and/or equipment, must not be in junk condition, must operate successfully and legally by means of navigating roadways and/or waterways per vehicle design standard. **Specifically: Vehicles stored on property with no tags, not registered or in other inoperable conditions.** **Corrective Action: Either remove inoperable vehicles or demonstrate their operability to assigned inspector.**



- i) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48-82(a)(3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations Prohibited. Specifically: Vegetation not being maintained. Including grass and weeds over 12 inches. Corrective Action: Maintain all property vegetation, to include high grass and weeds. **COMPLIED.**

- j) **Fence Permit Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.48. permit is required for any fence construction, alteration and/or repair. Specifically: Fence area north of the building has been replaced without the required issued fence permit. **Corrective Action: Obtain issued permit for the new fence area, or remove unpermitted fence area.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the stay of the fine at the current amount \$8,800.00 until the Hearing on 08/27/25. **Moved by Saam / Mochwart to extend the stay the fine at the current amount of \$8,800.00 until the Hearing on 08/27/25. Motion carried by majority.**

- 11. **CE2022-00860; Lily Community Investments LLC - 3510 Applin Way.**
Unfinished Business - Complaint Received 12/09/22.
Board History: 1Hr. 09/04/24 Finding Comply by 10/22/24; **2Hr.** 10/23/24 1Ext to 12/03/24; **3Hr.** 12/04/24 2Ext to 01/21/25; **4Hr.** 01/22/25 3Ext to 04/08/25; **5Hr.** 04/09/25 4Ext to 07/08/25

- a) **Building Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301 thru 309 - General Requirements for Exterior and Interior Structural Maintenance. A minimum level of property safety, sanitation and maintenance shall be required for both the exterior and interior of structure(s). Including but is not limited to general maintenance. Specific IPMC Section(s): 304 Exterior Structure 304.1 Exterior Structure General 304.6 Exterior Walls 304.9 Overhang extensions 304.13 Windows, doors and frames 304.15 Doors. **Corrective Action: Repair structure’s specific damaged and/or unmaintained area according to building code standards, including but not limited to, fire- damaged areas, eaves, walls, siding, windows, doors and carport. Obtain a building permit prior to doing any work requiring a permit.**



The property owner(s)/representative(s) was present, Ronnie Holloam, who testified. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 07/09/25 until cited violation(s) have been complied. **Moved by Dryden / Mochwart to start fine and lien the property at \$25.00 per day starting 07/09/25 until cited violation(s) have complied. Motion carried by majority.**

12. **CE#2023-00401; Barnett-Levy & Phillips - 516 Tucker St. Unfinished Business** - Complaint Received 04/26/23.
Board History: 1Hr. 05/01/24 Admin Removed; **2Hr.** 07/31/24 Finding Comply by 09/03/24; **3Hr.** 09/04/24 Fine & Lien \$50 per day; **4Hr.** 01/22/2025 Fine Runs
- a) **Building Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301 thru 309 - General Requirements for Exterior and Interior Structural Maintenance. A minimum level of property safety, sanitation and maintenance shall be required for both the exterior and interior of structure(s). Including but is not limited to general maintenance. **Specifically: 304 Exterior Structure 304.1 General 304.10 Stairways, decks, porches and balconies. 304.12 Handrails and Guards. Stairway and balcony structures in disrepair with rotted wood, missing or broken rails or other structural parts. To Correct This Violation: Repair entire stairway and balcony to ensure complete maintenance, safety and construction.**
- b) **Water Utilities Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 5, Plumbing Facilities and Fixture Requirements. Section 505.1. Plumbing facilities and plumbing fixtures shall be connected to an approved water system and supplied with hot or tempered and cold running water. **Specifically: Occupied structure without a current active water account and no required water service. Corrective Action: Reestablish approved / permitted water utilities, or vacate structure without approved / permitted water service.**



- c) **Electrical Utilities Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 6, Mechanical & Electrical Requirements. Section 604 Electrical Facilities & 604.1. Every occupied building shall be provided with an electrical system in compliance with the requirements of the electrical codes. **Specifically: Occupied structure without a current active electrical account and no required electric services. Corrective Action: Reestablish approved/permitted electrical utilities, or vacate structure without approved/ permitted electrical service.**

- d) **Electrical Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 6, Section 604. Electrical equipment and fixtures shall be safe, in good repair, maintained and functionally operating. **Specifically: Electrical Meter box on side of house has no cover, making it unsafe. Corrective Action: Ensure that electrical equipment is in good repair, and is safe.**

- e) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. **Specifically: Large accumulations of open storage, debris, materials, trash, etc. located throughout the property; including, but not limited to, trash, litter, junk, debris, car hood, rolled up wire fencing, tire cushion, cardboard and shopping cart. Corrective Action: Accumulations of open storage, debris, materials, trash, etc. must be relocated to a permitted enclosed structure or removed from the property.**

- f) **District / Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. **Specifically: Property may not be used as two-family, three-family or multi-family in R1A zoning. Corrective Action: Restore property to single family use only.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended pausing the fine at the current amount of \$15,450.00. **Moved by Saam / Mochwart to pause the fine at the current amount of \$15,450.00. Motion carried by majority.**



13. **CE#2023-00896; Massaro International Construction LLC- 1807 Riverview Dr. Unfinished Business** - Complaint Received 09/14/23.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Exterior stairway, landings and dock work without permit. Correction Action: Obtain issued permit(s) for exterior stairway, landings and dock.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Saam / Mochwart to extend the compliance date until 08/26/25. Motion carried by majority.**

14. **CE#2024-00639; 99 Bottles Hospitality LLC - 712 & 716 E New Haven Ave. Unfinished Business** - Complaint Received 08/23/24.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Work on site without permit, including but not limited to, electrical work, slat wall and deck, and outdoor gazebo. Corrective Action: Obtain required “issued” permits for work completed and/or for any future other work.**

The property owner(s)/representative(s) was present, Matthew Nicoletti, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Saam to extend the compliance date until 08/26/25. Motion carried by majority.**



D. INSPECTOR ANDRE

15. **CE#2024-00093; Florida Sun Property Solutions LLC - 1817 Palm Blvd.**
New Business - Complaint Received 02/16/24.
Board History: None

- a) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, alteration, repair, demolition and/or change of occupancy. **Specifically: Obtain all Permits for any/all development, improvements and alterations.**
- b) **Building Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301 thru 309 - General Requirements for Exterior and Interior Structural Maintenance. A minimum level of property safety, sanitation and maintenance shall be required for both the exterior and interior of structure(s). Including but is not limited to general maintenance. **Specifically: Repair structure's specific damaged and/or unmaintained area according to building code standards to required include permitting.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Saam / Mochwart to extend the compliance date until 08/26/25. Motion carried by majority.**

16. **CE#2024-00263; Kelly, J C - 3039 Juanita Cir.**
Unfinished Business - Complaint Received 04/23/24.
Board History: **1Hr.** 09/04/24 Finding Comply by 10/22/24; **2Hr.** 10/23/24 1Ext to 01/21/25; **3Hr.** 01/22/25 2Ext to 03/04/25; **4Hr.** 03/05/25 3Ext to 04/08/25; **5Hr.** 04/09/25 4Ext to 05/27/25; **6Hr.** 05/28/25 5Ext to 07/09/25

- a) **Roof Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.7. Roofs, eaves and flashing shall be in good repair, maintained and structurally sound. **Specifically: Roof in significant disrepair and needs to be repaired or replaced.**



- b) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations. Specifically: All openly stored items around the home and in the carport needs to be cleaned up. **COMPLIED.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 07/09/25 until cited violation(s) have been complied. **Moved by Saam / Mochwart to start fine and lien the property at \$25.00 per day starting 07/09/25 until cited violation(s) have complied. Motion carried by majority.**

- 17. **CE#2024-00770; Dixon, Eddie - 706 W H Jackson St.**
Unfinished Business - Complaint Received 10/02/24.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **Weather Resistance, Watertight and Protective Treatment Required** - Chapter 20, ARTICLE X. – Community Aesthetics, Section 20-314. All exterior areas shall be maintained in good condition to include painting, be weather resistant and watertight. **Specifically: Building needs to be repaired or demolished.**
- b) **Building Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301 thru 309 - General Requirements for Exterior and Interior Structural Maintenance. A minimum level of property safety, sanitation and maintenance shall be required for both the exterior and interior of structure(s). Including but is not limited to general maintenance. **Specifically: Property needs to be repaired or demolished.**
- c) **Roof Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.7. Roofs, eaves and flashing shall be in good repair, maintained and structurally sound. **Specifically: Roof needs to be repaired or replaced.**



- d) **Window & Door Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.13 thru 304.15 – Windows and doors. Chapter 20, ARTICLE X. – Community Aesthetics, Section 20-314. exterior window, skylight, door, their associated framing and hardware shall be in good repair, maintained structurally sound, weather resistant and watertight. **Specifically: All windows and doors needs to be replaced.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 07/09/25 until cited violation(s) have been complied. **Moved by Saam / Mochwart to start fine and lien the property at \$25.00 per day starting 07/09/25 until cited violation(s) have complied. Motion carried by majority.**

- 18. **CE#2024-00775; Clark, Donnie W & Cathy Johnson - 834 W H Jackson St. Unfinished Business** - Complaint Received 10/02/24.
Board History: 1Hr. 04/09/25 Admin Removed; **2Hr.** 05/28/25 Finding Comply by 07/08/25

- a) **Weather Resistance, Watertight and Protective Treatment Required** - Chapter 20, ARTICLE X. – Community Aesthetics, Section 20-314. All exterior areas shall be maintained in good condition to include painting, be weather resistant and watertight. **Specifically: Building needs to be repaired or demolished.**
- b) **Building Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301 thru 309 - General Requirements for Exterior and Interior Structural Maintenance. A minimum level of property safety, sanitation and maintenance shall be required for both the exterior and interior of structure(s). Including but is not limited to general maintenance. **Specifically: Property needs to be repaired or demolished.**
- c) **Roof Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.7. Roofs, eaves and flashing shall be in good repair, maintained and structurally sound. **Specifically: Roof needs to be repaired or replaced.**



- d) **Window & Door Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.13 thru 304.15 – Windows and doors. Chapter 20, ARTICLE X. – Community Aesthetics, Section 20- 314. exterior window, skylight, door, their associated framing and hardware shall be in good repair, maintained structurally sound, weather resistant and watertight. **Specifically: All windows and doors needs to be replaced.**

- e) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec.13.82adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12” inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. Specifically: Property needs to be mowed and maintained. **COMPLIED PRIOR TO HEARING.**

- f) **Board Ups Beyond One (1) Year Expired** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted. 113.1 General. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official. **Specifically: Building boarded up for over 1 year.**

The property owner(s)/representative(s) was present, Donnie Clark & Cathy Clark, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Saam / Mochwart to extend the compliance date until 08/26/25. Motion carried by majority.**

19. **CE#2024-00881; Szczudlo, Jacek - 306 Georgetown Ave.**

New Business - Complaint Received 11/12/24.

Board History: None

- a) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12” inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. **Specifically: Property is overgrown and unmaintained. Corrective Action: Property needs to be mowed and maintained.**



- b) **Fence, Gates & Wall Maintenance Required** - Sec. 20-314; Sec. 9.50; & Sec. 13.82. adopting the International Property Maintenance Code (IPMC) Sec. 302.7 [fences & walls] & 304.19 [gates]. Fences, gates and/or walls their surfaces and associated hardware/components are required to be in good repair, continuously aligned vertically/plumb in construction while ensuring aesthetics and structural reliability. **Specifically: Gate and fence in disrepair. Corrective Action: Fence and gate need to be repaired or replaced.**

- c) **Nuisance Outside Storage Prohibited** - Chapter 32 - HEALTH AND SANITATION. ARTICLE III. - MOSQUITO CONTROL. Sec. 32-77. Collection of standing or flowing water in which any mosquitoes breed, or are likely to breed. **Specifically: Pool is not maintained. Corrective Action: Pool needs to be treated for mosquitoes and maintained.**

- d) **Inoperable Vehicle/Recreational Equipment Prohibited** - Sec. 14-2; Sec. 32-56; 32-104; Sec. 36-14; 36-19; 36-20; 36-21; 36-22 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.8. Vehicles, boats, trailers, other misc. recreational equipment or water vessels must be in operating condition, shall not be kept in a state of disassembly, disrepair, stripped or dismantled and capable of legally operating upon the public roadways or to safely navigate waterways per their manufacture design standards. **Specifically: Inoperable / unregistered vehicles with flat tires in the driveway. Corrective Action: Vehicles need to be registered and operable or removed from the property.**

The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) "a thru d" with a compliance date of 08/26/25. **Moved by Mochwart / Saam to find the property in violation of the uncorrected cited violation(s) Item(s) "a thru d" with a compliance date of 08/26/25. Motion carried by majority.**

20. **CE#2024-00956; JL Miami Homes LLC - 2936 Lawrence Dr.**
New Business - Complaint Received 12/11/24.
Board History: None

- a) **Building Permit Required** - Sec. 13.80 adopting the Florida Building Code Sec. 105.1. A Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: A Permit is required for the repairs /replacement of the Roof.**



- b) **Nuisance Outside Storage Prohibited** - Part III, App. B, Art. V & Art. VI – Dist. Regulations; Chpt. 32; Sec. 32-104; Sec. 36-39(a); Sec. 48-29; Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.1 & 308.1. It is prohibited, to have exterior storage of materials (junk, litter, yard debris, merchandise, mechanical or machine parts, construction items, interior household items, appliances, other misc. items or debris identified to be excessive accumulations). Such items must be kept within a completely enclosed and “permitted” building or dwelling unless authorized for exterior storage via a City approved design plan. **Specifically: Misc items being stored around the property including gas tanks.**

- c) **Recreational Vehicle Residential Restrictions** - Recreational Vehicle Residential Restrictions. Sec. 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. **Specifically: Recreational vehicle that stored in front yard. Must be parked in a carport, enclosed building, or to the rear of the front building line.**

The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a thru c” with a compliance date of 08/26/25. **Moved by Mochwart / Saam to find the property in violation of the uncorrected cited violation(s) Item(s) “a thru c” with a compliance date of 08/26/25. Motion carried by majority.**

21. **CE#2024-00962; Crane Creek West LLC - 1070 Prospect Ln.**
New Business - Complaint Received 12/12/24.
Board History: None

- a) **Accessory Structure Without Primary Structure** - Part III, Appendix B – Zoning, ARTICLE VII. Sec. 1 (D) Accessory structures without primary structure is prohibited. **Specifically: Accessory Structure Without Primary Structure.**

- b) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12” inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. **Specifically: Property needs to be mowed and maintained.**



- c) **Invasive Vegetation Removal Required [2003']** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations. **Specifically: All trash and debris must be cleaned up.**

Case announced as administratively postponed. **No Board action.**

E. INSPECTOR DURANT

- 22. **CE2022-00009; Abdulkhalq, Eftkar Hasan - 1101 N Harbor City Blvd. Unfinished Business** - Complaint Received **01/04/22**.
Board History: **1Hr.** 05/04/22 Finding comply by 06/07/22; **2Hr. 06/08/22** 1Ext to 07/26/22; **3Hr.** 07/27/22 2Ext to 09/06/22; **4Hr.** 09/07/22 3Ext to 10/25/22; **5Hr.** 12/07/22 4Ext to 01/24/23; **6Hr.** 01/25/23 Fine and Lien \$100 per day; **7Hr.** 06/14/23 Fine Runs; **8Hr.** 01/03/24 Fine Runs; **9Hr.** 05/01/24 Stay Fine \$40,200 to 06/12/24; **10Hr.** 06/12/24 Stay Fine \$40,200 to 07/31/24; **9Hr.** 07/31/24 Stay Fine \$40,200 to 09/04/24; **10Hr.** 09/04/24 Stay Fine \$40,200 to 10/23/24; **11Hr.** 12/03/24 Stay Fine \$40,200 to 10/23/24; **12Hr.** 12/04/24 Stay Fine \$40,200 to 01/22/25; **13Hr.** 01/22/25 Stay Fine \$40,200 to 03/05/25; **14Hr.** 03/05/25 Stay Fine \$40,200 to 05/28/25; **15Hr.** Stay Fine \$40,200 to 07/09/25
 - a) **Modifications to nonconforming uses and structures** - Part III, App. B, Art. VIII, Sec. 3. - Extension and/or enlargement of nonconforming property. Site improvements, and/or a nonconforming use of land, shall not be extended or enlarged by the addition of other uses of a nature which would be prohibited generally in the district involved. Specifically: Expansion of boat slips, pier/dock to include floating dock and any other misc. improvements, expansions or uses increases property nonconformity. **COMPLIED.**
 - b) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, alteration, repair, demolition and/or change of occupancy. Specifically: Shed, repaving of parking lot, patio around RV and other improvements or additions without permits. **COMPLIED.**



- c) **District / Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. **Specifically: Recreational Vehicles stored on property. Recreational Vehicles are utilized for residential occupancy. Pier / dock expansion without conditional use approval (CU). Boat Club operating as boat rental to the general public. Other unauthorized improvements, expansions or uses are prohibited within C2 zoning district.**

- d) **Site Plan Required** - Part III, Appendix B – Zoning, Article V. – District Regulations, Section 1. Property requires a site plan and permits for any use and must meet district regulations for development. Specifically: Recreational vehicles being stored on property, Boat Club operating as a boat rental to the general public and other property expansions without approved site plan. **COMPLIED.**

The property owner(s)/representative(s) was not present. City staff announced to the Board complied case status with a fine totaling \$40,200.00. **The Board affirms compliance with a \$40,200.00 fine.**

23. **CE2022-00195; Telemak Inc - 3101 H Hwy A1A.**

Unfinished Business - Complaint Received 03/31/22

Board History: 1Hr. 10/23/24 Finding Comply by 12/03/24; **2Hr.** 12/04/24 1Ext to 01/21/25; **3Hr.** 01/22/25 2Ext to 03/04/25; **4Hr.** 03/05/25 3Ext to 04/08/25; **5Hr.** 04/09/25 4Ext to 05/27/25; **6Hr.** 05/28/25 5Ext to 07/08/25

- a) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, alteration, repair, demolition and/or change of occupancy. **Specifically: Obtain permit for deck on south side of property. Obtain permit for elevator/shaft, a/c, roof work and all associated work completed.**

The property owner(s)/representative(s) was present, Nicole Telemachos Wolfath & Jeremy Gerber who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**



24. **CE#2023-00505; Telemak Inc - 3101 N Highway A1A.**
Unfinished Business - Complaint Received 05/24/23.
Board History: 1Hr. 11/29/23 Finding Comply by 01/02/24; **2Hr.** 01/03/24 Fine & Lien \$1000 per day; **3Hr.** 07/31/24 Fine Runs; **4Hr.** 09/04/24 Increase Fine to \$2,520 per day; **5Hr.** 12/04/24 Stay Fine at \$476,840 until 01/22/25; **6Hr.** 01/22/25 Stay Fine at \$476,840 until 07/09/25

- a) **Walking Surfaces Maintenance Required** - 305.4 PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, International Property Maintenance Code, 305.4. Stairs, ramps, landings, balconies, porches, decks or other walking surfaces shall be maintained in sound condition and good repair per standards of code. **Corrective Action: Balconies are structurally unsound and require repair/ replacement.**

The property owner(s)/representative(s) was present, Nicole Telemachos Wolfath & Jeremy Gerber who testified. City staff updated the Board on the current case status and recommended extending stay the fine at the current amount \$476,840.00 until the Hearing on 11/12/25. **Moved by Dryden / Mochwart to extend stay the fine at the current amount of \$476,840.00 until the Hearing on 11/12/25. Motion carried by majority.**

25. **CE#2023-01063; Burillo, William - 1262 Jasmine St.**
Unfinished Business - Complaint Received 10/26/23.
Board History: 1Hr. 12/04/24 Finding Comply by 01/21/25; **2Hr.** 01/22/25 1Ext 03/04/25; **3Hr.** 03/05/25 2Ext to 04/08/25; **4Hr.** 04/09/25 3Ext to 05/27/25; **5Hr.** 05/28/25 4Ext to 07/08/25

- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations. **Corrective Action: Remove all excessive items/ clutter, trash and debris from property.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**



26. **CE#2024-00052; Lomax, Sherri L & Wesley N - 1470 Sea Breeze Ln.**
Unfinished Business - Complaint Received 01/25/24.
Board History: 1Hr. 01/22/25 Finding & comply by 03/04/25; **2Hr.** 03/05/25 1Ext to 04/08/25; **3Hr.** 04/09/25 2Ext to 05/27/25; **4Hr.** 05/28/25 3Ext to 07/08/25
- a) **Pool Maintenance & Security Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 303. Swimming pools, spas & hot tubs are required to be secured and in maintained condition. **Corrective Action: Repair/ replace fencing to ensure pool is secured. Pool maintenance/ demo required to prevent mosquito infestation and other nuisances. *Pool needs to be secured by 02/02/24.**
- b) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48- 2(a) (3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations. **Corrective Action: Side/ backyard needs to be cut/ weed whipped and cleaned up.**

The property owner(s)/representative(s) was present, Will Lomax, who testified. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 07/09/25 until cited violation(s) have been complied. **Moved by Mochwart/ Dryden to start fine and lien the property at \$25.00 per day starting 07/09/25 until cited violation(s) have complied. Motion carried by majority.**

27. **CE#2024-00073; 791 Holdings LLC - 791 Washburn Rd.**
Unfinished Business - Complaint Received 02/06/24.
Board History: 1Hr. 01/22/25 Finding comply by 03/04/25; **2Hr.** 03/05/25 1Ext to 04/08/25; **3Hr.** 04/09/25 2Ext to 07/08/25
- a) **Site Plan Required** - Part III, Appendix B – Zoning, Article V. – District Regulations, Section 1. Property requires a site plan and permits for any use and must meet district regulations for development **Corrective Action: A site plan is required for any business, storage utilization or other use of property.**
- b) **Paved Parking Area Required** - PART III, Appendix D, CHAPTER 9, ARTICLE V, Sec. 9.74 (q). Vehicular use areas. Driveways, parking areas, service and display areas, shall be paved according to the city engineering specifications. **Corrective Action: Vacant lot is required to be utilized according to approved site plan and must have improved surfaces (paved).**



The property owner(s)/representative(s) was present, Eduardo Rodriquez Jr, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**

28. **CE#2024-00716; FHR Management LLC - 2476 Sadler Ln.**
New Business - Complaint Received 09/17/24.
Board History: None

- a) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48-82(a)(3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations. Corrective Action: Backyard is overgrown and requires cutting/ maintenance. **COMPLIED PRIOR TO HEARING.**
- b) **Pool Maintenance & Security Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 303. Swimming pools, spas & hot tubs are required to be secured and in maintained condition. Corrective Action: Pool requires cleaning, treatment to eliminate breeding of mosquitos. **COMPLIED PRIOR TO HEARING.**
- c) **Fence Maintenance Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III., Sec. 9.48 & 9.50 - Fences and/or Walls Requirements & Maintenance & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 302.7. Fences or walls are required to be constructed per code, maintained and in good repair, continuous in alignment and construction while ensuring aesthetics and structural reliability. **Corrective Action: Fence is in disrepair and requires repair/ replacement. **Portion of fence on right front side of house requires immediate repair to ensure that pool is secure. Comply by 9/25/24.**
- d) **Fence & Wall Permit Required** - Sec. 9.48 & Sec.13.80 adopting the Florida Building Code Sec. 105.1. A permit is required for any fence or wall construction, alteration and/or repair. **Corrective Action: Obtain permit for fence securing pool.**



The property owner(s)/representative(s) was present, Yuri Epshteyn, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “c and d” with a compliance date of 08/26/25. **Moved by Mochwart / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) “c and d” with a compliance date of 08/26/25. Motion carried by majority.**

29. **CE#2024-00730; Jones, Robert D - 989 Alexia St.**
New Business - Complaint Received 09/20/24.
Board History: None

- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and /or unmaintained items, debris and other accumulations. **Corrective Action: Cleanup / remove excessive misc items from property. Both sides of front yard and any excessive accumulation of items around back.**

The property owner(s)/representative(s) was present, Robert Jones, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a” with a compliance date of 08/26/25. **Moved by Saam / Mochwart to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 08/26/25. Motion carried by majority.**

30. **CE#2024-00740; Harris, Braden - 1481 Cowart Ave.**
New Business - Complaint Received 09/23/24.
Board History: None

- a) **Business Tax Receipt Required** - CHAPTER 54, ARTICLE VIII, Sec. 54-203. A Business Tax Receipt (BTR) is required prior to conducting and /or operating any business **Corrective Action: A Business Tax Receipt from the City of Melbourne is required to operate AirBnB business at property. Contact City of Melbourne Revenue Department at (321-608-7038).**

The property owner(s)/representative(s) was present, Brandon Harris, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a” with a compliance date of 08/26/25. **Moved by Saam / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 08/26/25. Motion carried by majority.**



F. INSPECTOR KELLER

31. **CE2021-00548; Jimenez, Lai Kwan - 2146, 2156 & 2166 Pineapple Ave.**

Unfinished Business - Complaint Received 05/11/21.

Board History: 1Hr. 02/14/24 Finding Comply by 03/26/24; **2Hr.** 03/27/24 Fine & Lien \$50 per day; **3Hr.** 07/31/24 Stay Fine at \$6,350 to 09/04/24; **4Hr.** 09/04/24 Stay Fine at \$6,350 to 01/22/25; **5Hr.** 01/22/25 Stay Fine at \$6,350 to 04/09/25; **6Hr.** 04/09/25 Stay Fine at \$6,350 to 07/09/25

- a) **Building Permit Required** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.80 - Florida Building Code adopted Chpt 1, Section 105.1. Permit is required on any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Permit(s) required for parking lot striping, electrical work, drywall work, mechanical work and HVAC duct.**

The property owner(s)/representative(s) was present, Whitney Chan, who testified. City staff updated the Board on the current case status and recommended pausing the fine at the current amount of \$6,350.00. **Moved by Saam / Mochwart to pause the fine at the current amount of \$6,350.00. Motion carried by majority.**

32. **CE#2023-01122; Teele, James P. & Sheila M. - 2442 Empire Ave.**

Unfinished Business - Complaint Received 11/17/23.

Board History: 1Hr. 05/01/24 Admin Postponed; **2Hr.** 07/31/24 Finding Comply by 09/03/24; **3Hr.** 09/04/24 Admin Postponed; **4Hr.** 10/23/24 1Ext to 12/03/24; **5Hr.** 12/04/24 Admin Postponed; **5Hr.** 01/22/25 Admin Postponed; **6Hr.** 03/05/25 2Ext to 07/08/25

- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chapter 36, Chapter. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. Specifically: There is a large accumulation of open storage, debris, materials, trash, etc. located in the backyard including in trailers and a boat. The accumulations of open storage including, but not limited to metal, junk, debris, materials, trash, etc. needs to be relocated to a permitted enclosed structure or removed from the property. **COMPLIED**



- b) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chapter. 48- 82(a)(3) & PART III, Appendix D, Chapter 13, Article III, Sec.13.82. International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations Prohibited. **Specifically: The overgrowth needs removed from the backyard. The lawn needs maintained including the backyard.**

- c) **Junked, Abandoned and Wrecked Property** - Chapter 36, Article II Tangible Personal Property, Section 36-19 Storage of Vehicles - Section 36-20 Evidence of abandonment, junking, etc., of vehicle. The absence of a current license plate for the current year and /or the absence of a current motor vehicle registration shall be prima facie evidence creating a rebuttable presumption that such vehicle is abandoned, junked or discarded. Section 36-2 Removal of abandoned, junked vehicles from private property. Section 36-22. Dismantled or inoperable vehicle. Specifically: The vehicles including those stored in the backyard that do not have a current registration/license plate as of the date of this Notice need to be demonstrated as operable. **COMPLIED.**

The property owner(s)/representative(s) was present, James Teele, who testified. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 07/09/25 until cited violation(s) have been complied. **Moved by Saam / Dryden to start fine and lien the property at \$25.00 per day starting 07/09/25 until cited violation(s) have complied. Motion carried by majority.**

33. **CE#2023-01150; Lagoinha Orlando Church Inc – 2705 N Harbor City Blvd. Unfinished Business** - Complaint Received 12/06/23.
Board History: 1Hr. 03/27/24 Finding Comply by 04/30/24; **2Hr.** 05/01/24 1Ext to 06/11/24; **3Hr.** 06/12/24 2Ext to 07/30/24; **4Hr.** 07/31/24 3Ext to 09/03/24; **5Hr.** 09/04/24 4Ext to 10/22/24; **6Hr.** 10/23/24 5Ext to 01/21/25; **7Hr.** 01/22/25 5Ext to 03/04/25; **8Hr.** 03/05/25 6Ext to 04/08/25; **9Hr.** 04/09/25 7Ext to 07/08/25
- a) **Building Permit Required** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.80. – Florida Building Code adopted. Chapter 1, Section105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: A Commercial Alteration Permit is required for the change of use of the building. A plan needs submitted showing the previous floor plan and a plan needs submitted describing the floor plan of the new business and changes including but not limited to walls, doors, electrical work, plumbing work and exterior work.**



The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Saam / Mochwart to extend the compliance date until 08/26/25. Motion carried by majority.**

34. **CE#2024-00640; Cleverly III, Clayton G & Laura N - 1597 Old Colonial Way. Unfinished Business** - Complaint Received 08/26/24.
Board History: 1Hr. 04/09/25 Finding comply by 05/27/25; **2Hr.** 05/28/25 1Ext to 07/08/25

- a) **Exterior Building Areas Maintenance Required** - Chpt. 20, Article X Sec. 20-314 Maintenance of Building Exteriors & Part III Appendix D - Land Development Code - Chapter 13 - Buildings and Building Regulations - Article III Building Code Section 13-82 International Property Maintenance Code adopted - Chapter 3 General Requirements- Section 304.1 Exterior Structure Maintenance & Section 309.1. All exterior building areas and/or surfaces shall be maintained and free from holes, breaks and loose or rotting materials; maintained with weatherproofing and properly surfaced and coated to prevent deterioration and infestation.
Specifically: The exterior of the house needs repaired including any rotten wood and peeling paint removed and a protective treatment such as paint be applied to the surface.

Case announced as complied without a fine. **The Board affirms compliance without a fine.**

35. **CE#2024-00791; Rolison, William H & Collins, Phylis J - 2275 St Swithin Ln. New Business** - Complaint Received 10/11//24.
Board History: None

- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. **Specifically: Items need removed from outside including, but not limited to, junk and debris.**



- b) **Recreational Vehicle Parking and Use Restrictions - PART III, Appendix D, Chapter 9, Sec. 9.74 (p) 6.** All recreational equipment and recreational vehicles shall be properly tagged (if applicable) and in operable condition. 7. No such recreational equipment or recreational vehicles shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot... & Appendix B, Article V, Sec. 2(E)(2)(e), Sec. 2(F)(d). Recreational vehicles and/or equipment in residential districts must be parked, stored or used per city code restrictions. **Specifically: All recreational vehicles, including the campers, need to be in good repair, have a current registration, and may not be used for sleeping, living or staying in.**

Case announced as complied before hearing. **No Board action.**

- 36. **CE#2024-00797; D'Auben, Dennis R & Karel S - 2752 Village Park Dr. Unfinished Business** - Complaint Received 10/11/24.
Board History: 1Hr. 01/22/25 Finding comply by 03/04/25; **2Hr.** 03/05/25 1Ext to 04/08/25; **3Hr.** 04/09/25 2Ext to 05/27/25; **4Hr.** 05/28/25 3Ext to 07/08/25

- a) **Building Permit Required - PART III, Appendix D, Chapter 13, Article III, Sec. 13.80. – Florida Building Code adopted. Chpt. 1, Section 105.1.** Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: A Permit is required for the installation of the swimming pool, deck and flat work. Corrective Action: Need to get a Permit for the swimming pool, deck work and flat work that has been installed.**
- b) **Stormwater System Requirements and Restrictions - Chapter 50; Article III; Section 50-47.** Disruptions to stormwater runoff patterns are prohibited whether by design or neglect. Alterations to stormwater systems are prohibited without first obtaining permits. **Specifically: The disruption of the swales at the property lines and material at the property lines, the increase of impermeable area, the addition of sand with plastic under it, has caused your stormwater to flow onto neighboring properties. The swales need reestablished at the property lines. Stormwater from property may not be permitted to flow onto neighboring properties. Corrective Action: The landscaping barrier under the coquina sand and the coquina sand need to be removed. The landscaping barrier and sand need replaced with grass.**

The property owner(s)/representative(s) was present, Karel D'Auben, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**



37. **CE#2024-00819; Rivercrest Racquet Club Partners - Tax ID 2708534.**

Unfinished Business - Complaint Received

10/18/24.**Board History: 1Hr.** 01/22/25 Finding comply by 03/04/25;

2Hr. 03/05/25 1Ext to 04/08/25; **3Hr.** 04/09/25 2Ext to 05/27/25; **4Hr.** 05/28/25

3Ext to 07/08/25

- a) **Nuisance Light Glare Prohibited** - Chapter 26, Article III, Sec. 2660. Lighting. (a) Lighting spillover standard. Section 2661(a) Direct glare...(b) Visual discomfort... (c) Glare prohibited... Light sources shall not produce direct glare as observed from residential property, public streets or highways. **Specifically: Many of the new parking lot lights are causing glare and visual discomfort for the residential properties to the north, to your residents and to motorists on the State Highway. Lights that need adjusted or shielded include, but perhaps not limited to, the parking lot lights at the entrance, across from 3301 Rivercrest Dr., The parking lot lights across from the office at 3320 Rivercrest Dr., the parking lot lights in front of the office at 3320 Rivercrest Dr., and the two sets of parking lot lights in the rear parking lot by 3455 Spring Branch Trail which are affecting the neighbors to the north.**

The property owner(s)/representative(s) was present, Irah Medina & Liisa Flinner, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Saam to extend the compliance date until 08/26/25. Motion carried by majority.**

38. **CE#2024-00820; Rivercrest Racquet Club Partners; Limited Partnership - 3320 Rivercrest Dr.**

New Business - Complaint Received 10/18/24.

Board History: None

- a) **Building Permit Required** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.80. – Florida Building Code adopted. Chapter 1, Section 105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Building Permit required for the installation/replacement of the yard lights and the replacement of the required parking lot lights.**

The property owner(s)/representative(s) was present, Irah Medina & Liisa Flinner, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a” with a compliance date of 08/26/25. **Moved by Mochwart / Saam to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 08/26/25. Motion carried by majority.**



39. **CE#2024-00907; Paladino, Christopher M - 4493 Country Rd.**
New Business - Complaint Received 11/21/24.
Board History: None

- a) **IMMINENT SAFETY VIOLATION – Pool Security Required** - Part III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Section 303.2. Swimming pools, spas & hot tubs are required to be secured by approved permitted enclosure, gates and latches. **Specifically: The swimming pool needs secured properly with at least a 48 inch high barrier. Gates need to be self-closing and self latching with the latches at least 54 inches high. A Building Permit required for fencing or enclosure.**
- b) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48-82(a) Generally. (1) Lot maintenance. All owners, lessees, or occupants of property within the city shall maintain their property in a clean and litter-free condition including sidewalks, grass strips, and contiguous alleys, curbs, and rights-of-way to the edge of the pavement on any public street. (3) Prohibition of public nuisance. & PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. **Overgrowth / Dead Standing Trees and Vegetative Accumulations Prohibited. Specifically: The overgrowth needs removed from the property and the abutting right-of-ways.**

The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a” with a compliance date of 08/26/25. **Moved by Saam / Mochwart to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 08/26/25. Motion carried by majority.**

40. **CE#2025-00099; Scoggins, Scott A & Corrie A - 2930 Pebble Creek.**
Unfinished Business - Complaint Received 02/19/25.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **Roof Systems & Structural Members Maintenance Required** - Sec. 9.50; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 304.4 & 7 & Sec. 306.1. Roof systems along with their associated structural members and components shall be maintained free from cracks, holes, breaks and loose or rotting materials; maintained to prevent deterioration and capable of supporting intended support loads. **Specifically: The roof has a large hole. The damage is extensive. The roof needs repaired properly or replaced. Repairing or replacing the roof will require a Building Permit from the City of Melbourne.**



The property owner(s)/representative(s) was present, Scott Scoggins, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**

41. **CE#2025-00144; Dimeo, Michael - 1436 Brook Dr.**
Unfinished Business - Complaint Received 02/19/25.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **Fence Permit Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.45 Design standards for fence and walls. (b) Walls and fences shall be constructed so that the exposed framing, stringers and posts to support each section face the interior yard of the lot on which the fence or wall is placed, regardless of whether or not another fence already exists Sec. 9.48. Permit is required for any fence construction, alteration and/or repair. **Specifically: A Permit for the fence work is required. The framing for the fencing needs to be on the interior of this property. The fencing may not encroach onto any neighboring property.**

Case announced as complied without a fine. **The Board affirms compliance without a fine.**

42. **CE#2025-00237; Jennifer Countryman - 4811 Springwater Cir.**
New Business - Complaint Received 04/23/25.
Board History: None

- a) **REPEAT VIOLATION (see CE#202400808) District / Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. **Specifically: The bounce rental business is not operating within the restrictions for a home-based business. Corrective Action: Do not have any of the business-related items, including but not limited to inflated or deflated inflatables, generators, pressure washer, dollies or tarps outside. The trailer needs parked in the garage or behind the fence.**

The property owner(s)/representative(s) was present, Jennifer Countryman, Noah Countryman & neighbors, Benton Guest, Anthony Boehm & Richard Millard who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a repeat finding from 04/22/25 thru 06/03/25 and recommended to commence a fine and lien the property a one-time fee of at \$500.00. **Moved by Meisenbach / Mochwart to find the property in repeat violation from 04/22/25 thru 06/03/25 and fine and lien the property a one-time fee of \$500.00. Motion carried by majority.**



43. **CE#2025-00270; Onaid Mobile Care LLC - City Right-of-Way.**
New Business - Complaint Received 05/06/25.
Board History: None

- a) **RECURRING VIOLATION. Prohibited Signs** - Part III, Appendix D – Land Development Code, Chpt. 11 – Signs & Advertising, Section 11.19 Prohibited Signs: Signs not expressly permitted by the sign ordinance are prohibited from being placed and/or displayed. D. Signs on public property except signs erected by a governmental agency having jurisdiction. M. Off-premises signs. To correct this violation: **Specifically: Cease placing signs within the City of Melbourne, including the right-of-ways. Corrective Action: Remove and Cease from placement and/or display of any sign not expressly permitted by the sign ordinance.**

The property owner(s)/representative(s) was not present. City staff testified into the record due process requirements and case facts. Staff recommended a finding of the cited recurring violation(s) on 05/01/25 for item(s) “a” complied before hearing, without a fine. **Moved by Saam / Dryden to find the property in violation of the cited recurring violation(s) on 05/01/25 for item(s) “a” complied before hearing, without a fine. Motion carried by majority.**

44. **CE#2025-00277; Moncrief, Mary - 1980 Adams Ave.**
New Business - Complaint Received 05/06/25.
Board History: None

- a) **Nuisance Outside Storage Prohibited** - Part III, App. B, Art. V & Art. VI – Dist. Regulations; Chpt. 32; Sec. 32-104; Sec. 36-39(a); Sec. 48-29; Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.1 & 308.1. It is prohibited, to have exterior storage of materials (junk, litter, yard debris, merchandise, mechanical or machine parts, construction items, interior household items, appliances, other misc. items or debris identified to be excessive accumulations). Such items must be kept within a completely enclosed and “permitted” building or dwelling unless authorized for exterior storage via a City approved design plan. **Specifically: Arrangements need to be made to properly dispose of the household debris.**



- b) **Approved Water Utilities Required** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 505. Approved Water System Required. All water systems shall be designed properly and connected to an approved water system and be supplied with hot and cold running water. **Specifically: The house is required to have City water service or be vacated. The City water service would include the required wastewater service and trash/recycle service.**

- c) **Egress Obstructions Prohibited** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Fire Safety Requirements. Sec.702. All paths of egress to include doors, windows, aisles, emergency escape opening, etc. must be clear, safe, continuous, unobstructed and functioning as intended. **Specifically: All living spaces need to have two means of egress. The shutters need removed from the bedroom windows regardless if the rooms are being used as bedrooms or the house needs vacated.**

- d) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - Sec. 20-314 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 304.2, Sec. 304.5 & 6 [Exterior] / Sec. 305.3 [Interior] & Sec. 306.1. Walls, doors, door & window frames, ornamental cornices, trim, masonry, & other structure surfaces their associated hardware/components shall be in good repair, maintained, vertical/plumb and free from cracks, holes, breaks, rust and loose or rotting materials; maintained, weather tight with weatherproofing, properly surfaced/textured or treated and coated to prevent deterioration while ensuring structural reliability. **Specifically: Window shutters that are on rooms with a second means of egress and may be allowed to stay in place are required to have a protective treatment such as paint.**

Case announced as complied before hearing. **No Board action.**



G. CODE COMPLIANCE OFFICIAL HEROLD

45. **CE2022-00795; 401 Jonquil Lane LLC - 401 Jonquil Ln.**
Unfinished Business - Complaint Received 11/16/22.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25

- a) **District/Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V, Section 2(D), Table 1B & Article VI. District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. To Correct this Violation Specifically: A Change of Use Permit will need to be Approved by the City of Melbourne to have an Assisted Living Facility (ALF) in an R1A Zoning District. **ADMIN REMOVED.**

- b) **Building Permit Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, alteration, repair, demolition and/or change of occupancy. **To Correct this Violation Specifically: The interior renovation requires a permit(s) from the City of Melbourne Building Department by a Licensed Contractor(s).**

Case announced as complied without a fine. **The Board affirms compliance without a fine.**

46. **CE#2023-00921; Cyphers Trust, Dorene - 124 Bluff Ter.**
Unfinished Business - Complaint Received 09/20/23.
Board History: 1Hr. 03/27/24 Finding Comply by 04/30/24; **2Hr.** 05/01/24 Fine & Lien \$25 per day; **3Hr.** 07/31/24 Fine Runs; **4Hr.** 01/22/25 Fine Runs

- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. **Corrective Action: Remove open/outside storage from open areas and trailers. This includes but is not limited to construction materials, household items, orange cones, plastic containers, portable tent, tires, tools, vehicle parts, wheelchair, window a/c unit, yard debris, etc.**



- b) **Inoperable Vehicle(s) Prohibited** - Chpt. 36, Sec. 36-22 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8 & Chpt.14 Sec. 2 – Vehicles, including recreational vehicles and/or equipment, must not be in junk condition, must operate successfully and legally by means of navigating roadways and/or waterways per vehicle design standards. **Corrective Action: Vehicles parked/stored in open areas are required to be operable or need to be parked/stored in a carport or need to be removed from the property. If vehicles are operable, call to set an appointment to demonstrate.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$10,875.00 until the Hearing on 08/27/25. **Moved by Meisenbach / Loomer to stay the fine at the current amount of \$10,875.00 until the Hearing on 08/27/25. Motion carried by majority.**

47. **CE#2023-01025; Jackson Enterprises of Brevard Inc - 2638 S Harbor City Blvd.**

Unfinished Business - Complaint Received 10/17/23.

Board History: 1Hr. 09/04/24 Finding Comply by 10/22/24; **2Hr.** 1Ext to 12/03/24; **3Hr.** 12/04/24 2Ext to 03/04/25; **4Hr.** 03/05/25 2Ext to 05/27/25; **5Hr.** 05/28/25 3Ext to 07/08/25

- a) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48- 82(a) (3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations. **Specifically: Area behind building needs to be mowed and maintained.**

- b) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations. **Specifically: All trash and debris behind building and parking lot needs to be cleaned up.**



- c) **Fence Maintenance Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III., Sec. 9.48 & 9.50 - Fences and/or Walls Requirements & Maintenance & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec.13.82. – International Property Maintenance Code adopted, Chapter 3, Section 302.7. Fences or walls are required to be constructed per code, maintained and in good repair, continuous in alignment and construction while ensuring aesthetics and structural reliability. Specifically: Fence behind building and parking lot needs to be replaced. (A permit may be required for fence replacement). **COMPLIED PRIOR TO HEARING.**

- d) **Fence Permit Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.48. permit is required for any fence construction, alteration and/or repair. **Specifically: Obtain a permit for the Fence that was installed.**

- e) **Inoperable Vehicle(s) Prohibited** - Chpt. 36, Sec. 36-22 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8 & Chpt.14 Sec. 2 – Vehicles, including recreational vehicles and/or equipment, must not be in junk condition, must operate successfully and legally by means of navigating roadways and/or waterways per vehicle design standards. **Specifically: The trucks that are stored on the northwest corner needs to be registered and operable or removed from the property.**

The property owner(s)/representative(s) was present, Charles Jackson, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**



48. **CE#2024-00312; Elbow Creek Townhomes - 886 Paddleboard Ct.**
Unfinished Business - Complaint Received 05/08/24.
Board History: 1Hr. 09/04/24 Finding Comply by 10/22/24; 2Hr. 10/23/24 1Ext to 12/03/24; 3Hr. 12/04/24 2Ext to 03/04/25; 4Hr. 03/05/25 3Ext to 05/27/25
- a) **Unauthorized Changes, Revisions, Replat, or Amendments to the Approved Subdivision Plan** - Part III, Appendix D, Chapter 8. Subdivisions must be maintained, utilized and conform to the approved subdivision development plan. **Specifically: Common areas, breezeways, river access and other plat changes have been unlawfully divided up among individual lot owners and is a violation of the approved subdivision plan. Certain site Improvements made without permits, do not adhere to setbacks, height limitations and other design requirements as specified in the approved subdivision plan. Certain required site improvements are missing, to include but is not limited to required landscaping (Lots: R.1, T.1, T.2, T.3, L3.1, L3.2, L3.3, L3.4, L3.5, L3.6, L3.7, L3.8, L3.9, L3.10, L3.11, L3.12L3.13). Corrective Action: Either return subdivision and site improvements to originally approved design or submit a variance for changes made.**
- b) **Improper Subdivision** - App. D, Ch. 8, Sec. 8.3 – Subdivision Code establishes the procedures and standards for subdividing real estate. **Specifically: Tract 3 was subdivided without necessary approvals pursuant to App. D, Ch. 8, City Code (Lots: R.1, T.1, T.2, T.3, L3.1, L3.2, L3.3, L3.4, L3.5, L3.6, L3.7, L3.8, L3.9, L3.10, L3.11, L3.12, L3.13). Corrective Action: Either return subdivision and site improvements to originally approved design or submit a variance for changes made.**
- c) **Building Permit(s) Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt 1, Section 105.1. Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Certain site Improvements were made without permits, do not adhere to setbacks, height limitations and other design requirements. Notwithstanding the one permitted common area marine facility/dock all other marine facilities/docks were completed without permits including the "re-decked" dock. Additionally, there are unpermitted added fencing sections/gates located within plat required breezeway areas (Lots: R.1, T.1, T.2, T.3, 13, 14 15, 19, 22, 23, 25,26). Corrective Action: Permits are required for all improvements: Certain newly improved or installed marine facilities/docks and fencing must be permitted and meet design requirements or removed. NOTE: Certain unpermitted new construction cannot meet the requirements of App. B, Art. VII, Sec. 2(F), therefore, except removal, there is no action available that will make them compliant.**



- d) **Marine Facility Standards** - App. B, Art. VII, Sec. 2(F) – marine facilities are required to meet specific codified standards, including permits, setbacks, (other standards as relevant). **Specifically: Certain marine facilities/docks were added without permits, do not adhere to setbacks or other design requirements. Notwithstanding the one permitted common area dock all other docks were completed without permits including the "re-decked" dock (Lots: T.3, 13, 14 15, 19, 22, 23, 25,26). Corrective Action: Permits are required for all improvements: Certain newly improved or installed marine facilities/docks must be permitted and meet design requirements or removed. NOTE: Certain unpermitted new construction cannot meet the requirements of App. B, Art. VII, Sec. 2(F), therefore, except removal, there is no action available that will make them compliant.**

- e) **Accessory Structure Without Primary Structure** - Part III, Appendix B – Zoning, ARTICLE VII. Sec. 1 (D) Accessory structures without primary structure are prohibited. **Specifically: There has been no City approved unity of title or replat, pursuant to the approved plat, these docks are connected to Tract 3 and not connected to the corresponding Townhome lots (Lots: T.3, 13, 14, 15, 19, 22, 23, 25, 26). Corrective Action: Regardless of a unity of title or replat, these unpermitted accessory structures (docks) cannot meet the requirements listed in the above cited violation item "e", therefore, except removal, there is no action available that will make them compliant.**

- f) **Breezeways** - App. B, Art. IV, Sec. 6 – required breezeway for the subdivision as shown on the recorded final plat cannot be obstructed in violation of the requirements. App. B. Art. IV, Sec. 6. **Specifically: Certain fence sections / gates located within plat required breezeways were added without permits, obstruct the breezeway, do not adhere to height limitations and other design requirements (Lots: R.1, T.1, T.2, T.3). Corrective Action: Permits are required for all improvements: All new improvements to include newly installed fence sections/gates must be permitted, meet design requirements, cannot obstruct the breezeway or must be removed.**

The property owner(s)/representative(s) was present, Attorney Jack Spira, Attorney G. Philip J. Zies, Attorney Nathan Meloon & Ed Aubrey who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Mochwart / Meisenbach to extend the compliance date until 08/26/25. Motion carried by majority.**



49. **CE#2024-00589; Conway, Jeffrey D - 640 Ixora Dr.**
Unfinished Business - Complaint Received 08/09/24.
Board History: 1Hr. 10/23/24 Finding Comply by 12/03/24; **2Hr.** 12/04/24 1Ext to 01/21/25; **3Hr.** 01/22/25 Fine & Lien \$100 per day
- a) **Window & Door Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Section 304.13 thru 304.15 – Windows and doors. Chapter 20, ARTICLE X. – Community Aesthetics, Section 20-314. exterior window, skylight, door, their associated framing and hardware shall be in good repair, maintained structurally sound, weather resistant and watertight. **Corrective Action: The garage door is in disrepair and needs to be fixed. If replacing the garage door, a Building Permit will need to be obtained from the City of Melbourne Building Section.**
- b) **Overgrowth Prohibited** - Chpt.32-56; Chpt. 48-82(a)(3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations. Corrective Action: Mow, weed whip, edge and remove yard debris from the entire property. Maintain the entire property for future overgrowth. **COMPLIED PRIOR TO HEARING.**
- c) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations. **Corrective Action: Remove open/outside storage from open areas and trailer(s) this includes but is not limited to broken lawn equipment, construction materials, gas containers, household appliance / items, lawn equipment, plastic bags/ containers, pressure washers, pvc piping, recreational vehicle/vehicle parts, yard debris, etc.**



- d) **Inoperable Vehicle(s) Prohibited** - Chpt. 36, Sec. 36-22 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8 & Chpt.14 Sec. 2 – Vehicles, including recreational vehicles and/or equipment, must not be in junk condition, must operate successfully and legally by means of navigating roadways and/or waterways per vehicle design standards. **Corrective Action: Vehicles and recreations vehicles are required to be operable. Recreational vehicles such as trailers and watercraft are required to have current registrations and tags. Call to set an appointment to demonstrate the vehicles and recreations vehicles at the property are operable.**

- e) **BTR Required** - CHAPTER 54, ARTICLE VIII, Sec. 54-203. A separate Business Tax Receipt is required for each place of business. Corrective Action: A Business Tax Receipt (BTR) is required to operate a home- based business in a residential zoning district. **COMPLIED PRIOR TO HEARING.**

- f) **R-O-W Obstruction Prohibited** - Chapter 52, Article I, Section 52-4. Blocking and/or obstructing any part of the public street, sidewalk or other portion(s) of the City's right-of-way. Corrective Action: The sidewalk area must not be obstructed by children's toys, lawn equipment, recreational equipment/vehicles, vehicles, yard debris, etc. **COMPLIED PRIOR TO HEARING.**

- g) **Recreational Vehicle Parking and Use Restrictions** - PART III, Appendix D, CHAPTER 9, Sec. 9.74 (p) & Appendix B, Article V, Sec. 2(E)(2) (e), Sec. 2(F)(d). Recreational vehicles and/or equipment in residential districts must be parked, stored or used per city code restrictions. **Corrective Action: All recreational equipment and recreational vehicles must not be parked/stored before the front building line. All recreational equipment and recreational vehicles may be parked in a side corner yard if located behind a six-foot opaque fence, or parked behind the required side corner setback. Recreational vehicles are required to be operable and to have current registrations and tags.**

The property owner(s)/representative(s) was present, Jeff Conway, who testified. City staff announced to the Board complied case status with a fine totaling \$13,200.00. **The Board affirms compliance with a \$13,200.00 fine.**



50. **CE#2024-00710; Reyes, Carmen L - 1883 Sarno Rd.**
Unfinished Business - Complaint Received 09/17/24.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25
- a) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48-82(a) 3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations. **Corrective Action: Mow, weed whip, edge and remove yard debris from the entire property. Maintain the property for future overgrowth.**

 - b) **Fence Maintenance Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III., Sec. 9.48 & 9.50 - Fences and/or Walls Requirements & Maintenance & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec.13.82. – International Property Maintenance Code adopted, Chapter 3, Section 302.7. Fences or walls are required to be constructed per code, maintained and in good repair, continuous in alignment and construction while ensuring aesthetics and structural reliability. **Corrective Action: The chain-link fence is leaning toward the neighbor’s property to the east, the lean in the chain-link fence needs to be fixed and continues in alignment or remove the entire chain-link fence. The wooden fence is missing section(s), missing slats and has broken slats replace missing section, missing slats and broken slats or remove the entire wooden fence.**

Case announced as complied without a fine. **The Board affirms compliance without a fine.**



51. **CE#2024-00793; Hamara, James & Helen - 1884 Jackson Ave.**
Unfinished Business - Complaint Received 10/11/24.
Board History: 1Hr. 01/22/25 Finding Comply by 03/04/25; **2Hr.** 03/05/25 Fine & Lien \$50 per day
- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other accumulations.
Corrective Action: Remove the open outside storage from the front porch and open areas this includes but is not limited to a/c units, broken basketball hoop, cardboard boxes, chain-link fencing, construction materials glass, household appliances / furniture/items, metals, plastic bags/containers, shopping karts, tarps, tires, tools, trash, vehicle parts, etc.
- b) **Recreational Vehicle Parking and Use Restrictions** - PART III, Appendix D, CHAPTER 9, Sec. 9.74 (p) & Appendix B, Article V, Sec. 2(E)(2) (e), Sec. 2(F)(d). Recreational vehicles and/or equipment in residential districts must be parked, stored or used per city code restrictions. **Corrective Action: Recreational vehicles (trailers) at the property shall be parked/stored behind the front building line, shall not be parked/stored in any right-of-way, shall be properly licensed/tagged and in operable condition.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended the per day fine amount increase to \$100.00 per day starting 07/10/25 until cited violation(s) have complied. **Moved by Meisenbach / Loomer that the per day fine amount increase to \$100.00 per day starting 07/10/25 until cited violation(s) have complied. Motion carried by majority.**



52. **CE#2025-00030; Forrest William Bradbury, Trustee of the Dorene Cyphers Trust - 124 Bluff Ter.**
Unfinished Business - Complaint Received 01/23/25.
Board History: 1Hr. 04/09/25 (a) Finding of Recurring & (d & f) Finding comply by 05/27/25; **2Hr.** 05/28/25 1Ext to 07/08/25
- a) **RECURRING VIOLATION. SEE COMPLAINT CE#2023-00921.Recreational Vehicle Residential Restrictions** - Sec. 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. Corrective Action: Trailers shall be parked/stored behind the "front building line". The RV in the backyard shall be properly tagged and in operable condition and no such recreational equipment or recreational vehicles shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, or in any location. **FINDING OF RECURRING. COMPLIED PRIOR TO HEARING.**
 - b) **Building Permit Expired/Voided** - Sec. 13.80 adopting the Florida Building Code Sec. 105.4. Permits are conditional and does not authorize the permit holder to violate, cancel, alter, set aside, suspend and/or alter a permit in any way. Permit # RALT2018-00014 for Residential Alteration Roof Permit expired/voided on 05/22/2022. Expired/voided permit(s) also creates a work without permit violation pursuant to Section 105.1, also cited. **Corrective Action: Obtain a current "issued" building roof permit from the City of Melbourne Building Section for above referenced expired/voided building permit and for any other work requiring building permits.**
 - c) **Building Permit Required** - Sec. 13.80 adopting the Florida Building Code Sec. 105.1. A Permit is required for any building construction, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Corrective Action: Obtain an "issued" building roof permit from the City of Melbourne Building Section for unpermitted roof repair. The unpermitted tarp screen/wall installed at the front of the carport is not an approved material and needs to be removed.**



- d) **Roof Systems & Structural Members Maintenance Required** - Sec. 9.50; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 304.4 & 7 & Sec. 306.1. Roof systems along with their associated structural members and components shall be maintained free from cracks, holes, breaks and loose or rotting materials; maintained to prevent deterioration and capable of supporting intended support loads. **Corrective Action: Replace, repair and maintain all areas of the roof, roof structure members and/or components to building code standards. Use an approved protective coating on untreated wood, steel, etc.**

- e) **Private Contractor Debris Removal Required** - Sec. 48-30(8). When utilizing a private contractor, it is the responsibility of the property owner to ensure the contractor removes any generated trash and/or debris in the performance of their work; including yard debris, construction debris, etc. **Corrective Action: Cease bringing yard waste from other properties to the residential property. Cease placing yard waste from other properties in the right-of-way and remove the yard waste from the right-of-way.**

- f) **Unauthorized Accumulations Deemed Nuisance** - Chpt 48, Article II, Sec. 48-29 (a) Any unauthorized accumulation of refuse on any premises in the city is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse or junked and abandoned property shall be deemed a violation of this article. (b) It shall be deemed unlawful and a violation of this article for any person to deposit or cause to deposit any waste as defined herein upon any lot, parcel or land, public or private, whether vacant or improved, occupied or unoccupied, or upon any other premises, street, alley, roadway, park stream, canal, or other waterway within the city. **Corrective Action: Cease bringing yard waste from other properties to the residential property. Cease placing yard waste from other properties in the right-of-way and remove the yard waste from the right-of-way.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extending the compliance date until 08/26/25. **Moved by Meisenbach / Dryden to extend the compliance date until 08/26/25. Motion carried by majority.**



H. RUNNING FINES

53. **CE2021-00929; Riverside of Melbourne LLC - 592 Montreal Ave.**
Unfinished Business - Complaint Received 08/11/21.
Board History: 1Hr. 10/23/24 Admin Removed; **2Hr.** 12/04/24 Finding Comply by 01/21/25; **3Hr.** 01/22/25 1Ext to 03/04/25; **4Hr.** 03/05/25 2Ext to 04/08/25; **5Hr.** 04/09/25 Fine & Lien \$50 per day

Fine Runs / No Board Action.

54. **CE2022-00652 Smith, Donald & Carter, Bernice - 2531 Coventry Rd.**
Unfinished Business - Complaint Received 06/02/22.
Board History: 1Hr. 12/07/22 Finding comply by 01/24/23; **2Hr.** 01/25/23 1Ext to 02/21/23; **3Hr.** 02/22/23 2Ext to 03/28/23; **4Hr.** 03/29/23 Fine & Lien \$25 per day; **5Hr.** 06/14/23 Fine Runs; **6Hr.** 01/03/24 Fine Runs; **7Hr.** 07/31/24 Fine Runs; **8Hr.** 01/22/25 Fine Runs

Fine Runs / No Board Action.

55. **CE#2023-00376; Igneous LLC - 1715 Steele St.**
Unfinished Business - Complaint Received 04/21/23.
Board History: 1Hr. 07/26/23 Finding Comply by 09/05/23; **2Hr.** 09/06/23 1Ext to 10/24/23; **3Hr.** 10/25/23 2Ext to 11/28/23; **4Hr.** 11/29/23 3Ext to 01/02/24; **5Hr.** 01/03/24 4Ext to 02/13/24; **6Hr.** 02/14/24 5Ext to 04/30/24; **7Hr.** 05/01/24 6Ext to 07/30/24; **8Hr.** 07/31/24 7Ext to 09/03/24; **9Hr.** 09/04/24 8Ext to 10/22/24; **10Hr.** 12/23/24 9Ext to 01/22/25; **11Hr.** 01/22/25 10Ext to 03/04/25; **12Hr.** Fine & Lien \$50 per day

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$6,350.00 until the Hearing on 08/26/25. **Moved by Mochwart / Dryden to stay the fine at the current amount of \$6,350.00 until the Hearing on 08/26/25. Motion carried by majority.**



56. **CE#2023-00377; Beckett, Jon K & Ingenous LLC- Multiple Properties Southland.**

Unfinished Business - Complaint Received 04/21/23.

Board History: 1Hr. 07/26/23 Finding Comply by 09/05/23; 2Hr. 09/06/23 1Ext to 10/24/23; 3Hr. 10/25/23 2Ext to 11/28/23; 4Hr. 11/29/23 3Ext to 01/02/24; 5Hr. 01/03/24 4Ext to 02/13/24; 6Hr. 02/14/24 5Ext to 04/30/24; 7Hr. 05/01/24 6Ext to 07/30/24; 8Hr. 07/31/24 7Ext to 09/03/24; 9Hr. 09/04/24 8Ext to 10/22/24; 10Hr. 10/23/24 9Ext to 01/22/25; 11Hr. 01/22/25 10Ext to 03/04/25; 12Hr. 03/05/25 Fine & Lien \$50 per day

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$6,350.00 until the Hearing on 08/26/25. **Moved by Mochwart / Dryden to stay the fine at the current amount of \$6,650.00 until the Hearing on 08/26/25. Motion carried by majority.**

57. **CE#2023-00935; Pressley, Margie Bartell - 1026 Coleman St.**

Unfinished Business - Complaint Received 09/22/23.

Board History: 1Hr. 05/01/24 Finding Comply by 06/11/24; 2Hr. 06/12/24 Fine & Lien \$25 per day; 3Hr. 07/31/24 Fine Runs; 4Hr. 01/22/25 Fine Runs

Fine Runs / No Board Action.

58. **CE#2024-00146; Rhone, Jerry F - 409 Rutgers Ave.**

Unfinished Business - Complaint Received 03/06/24.

Board History: 1Hr. 09/04/24 Finding Comply by 10/22/24; 2Hr. 10/23/24 Fine & Lien \$25 per day; 3Hr. 01/22/25 Fine Runs

Fine Runs / No Board Action.

59. **CE#2024-00213; Urban Property Management LLC - 406 Bluff Dr.**

Unfinished Business - Complaint Received 03/27/24.

Board History: 1Hr. 04/09/25 Finding comply by 05/27/25; 2Hr. 05/28/25 Fine & Lien \$50 per day

Fine Runs / No Board Action.

60. **CE#2024-00268; Bowsher, Jacob & Jessica - 3329 Testimony St.**

Unfinished Business - Complaint Received 04/23/24.

Board History: 1Hr. 07/31/24 Finding Comply by 09/03/24; 2Hr. 09/04/24 Fine & Lien \$25 per day; 3Hr. 01/22/25 Fine Runs

Fine Runs / No Board Action.



61. **CE#2024-00599; Boani, Djalma & Zelia M De Oliveria - 2430 Stone St.**
Unfinished Business - Complaint Received 08/13/24.
Board History: 1Hr. 01/22/25 Finding comply by 03/04/25; **2Hr.** 03/05/25 Fine & Lien \$50 per day

Fine Runs / No Board Action.

62. **CE#2024-00705; Burlingham, Sean C - 408 Roxy Ave.**
Unfinished Business - Complaint Received 09/16/24.
Board History: 1Hr. 04/09/25 Finding comply by 05/27/25; **2Hr.** 05/28/25 Fine & Lien \$25 per day

Fine Runs / No Board Action.

I. Board/Staff Comments

None

J. ADJOURNMENT

Moved by Loomer / Teele to adjourn the meeting at 9:54p.m. Motion Carried by Majority.

A handwritten signature in blue ink that reads "Mark Herold".

Mark Herold
Code Enforcement Official

c: Case Files



CE# 2023-01122

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>Teale James P</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Code</i>
MAILING ADDRESS <i>2442 Empire Ave</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Melbourne FL</i> COUNTY <i>Brevard</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>7/9/25</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

- **PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*
- **WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

7/9/25
Date Filed

James P. Zeen
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



CE# 2024-00705

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>LOOMER TIM</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Code</i>
MAILING ADDRESS <i>709 W. BOYKLE CR.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>MLB</i>	COUNTY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION: MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)



APPOINTED OFFICERS (continued)

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DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____ :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

7/09-25
Date Filed

[Signature]
Signature

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