

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

October 1, 2025

A. OPENING

1. Call to Order

A regular meeting of the Code Enforcement Board was held in the City Hall Council Chamber on 10/01/25 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 Thomas Saam; Member Timothy Loomer; Member Bruce Mochwart; 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 Ralph Keller; Inspector Richard Andre'; Inspector Jerod Durant; Inspector Michelle German; Inspector Michael Gosselin; Administrative Assistant Tammy Sisk;

5. Approval of Minutes

Moved by Mochwart / Saam to approve the minutes of 08/27/25 as presented. Motion carried by majority.

6. Announcements

Code Official Mark Herold advised that the next meeting would be held on Wednesday 11/12/2025.

Code Enforcement Official Mark Herold read into record the Voting Conflict Form for Timothy Loomer and James Teele from the 08/27/25 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. Case(s) Announced as Removed / Complied
Complied Prior to Hearing: 41, 45
Case(s) Announced as Removed / Complied: 14, 37, 43
Item # Administratively Postponed or Removed: 23

B. INSPECTOR GOSSELIN

9. **CE#2025-00445; Jo Daddy's Inc. - 1808 Fletcher St.**
New Business - Complaint Received 07/10/25.
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 is overgrown with high grass, weeds over 12" in height and not maintained. Corrective Action: Mow, cut, trim and/or edge property to the rights-of way to the edge of the pavement on any public street.**
 - 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: Tree debris and cardboard/other waste. Corrective Action: All tree debris and other waste must be removed from the property by the means of proper disposal methods.**



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) "b" with a compliance date of 11/11/25. **Moved by Mochwart / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) "b" with a compliance date of 11/11/25. Motion carried by majority.**

C. INSPECTOR DURANT

10. **CE2022-00195; Telemak Inc - 3101 N 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; **7Hr.** 07/09/25 6Ext to 08/26/25; **8Hr.** 08/27/25 7Ext to 09/30/25

- 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 not present. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$50.00 per day beginning 10/01/25 until cited violation(s) have been complied. **Moved by Meisenbach / Loomer to start fine and lien the property at \$50.00 per day starting 10/01/25 until cited violation(s) have complied. Motion carried by majority.**



11. **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; **6Hr.** 07/09/25 5Ext to 08/26/25; **7Hr.** 08/27/25 6Ext to 09/30/25

- 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 11/11/25. **Moved by Saam / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**

12. **CE#2024-00412; Houze, Billie June - 1600 Jones Rd.**
Unfinished Business - Complaint Received 06/10/24.
Board History: 1Hr. 08/27/25 Finding comply 09/30/25

- 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: An approved site plan is required for any proposed development to property. Property may not be used as storage yard for vehicles, ATV's, 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, Section 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: Numerous abandoned/inoperable RV's and boats that appear to have been placed along the easement area where the City's water main is located. Remove vehicles from easement.



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 11/11/25. **Moved by Saam / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**

13. **CE#2024-00631; Lawson, Cindy - 1077 Alpine Dr.**
Unfinished Business - Complaint Received 08/22/24.
Board History: 1Hr. 08/27/25 Finding comply 09/30/25

- 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 excessive items stored on side/ back yard.
- 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
Corrective Action: No persons may reside at residence without water/ sewer services. COMPLIED PRIOR TO HEARING.
- c) **Trash Removal Service Required** - Chpt. 48, Article III, Sec. 53(a). All owners and/or tenants, agents, lessors, lessees, operators, of property, occupied or unoccupied, operating and non-operating, shall be required to receive solid waste collection services. ...and shall be required to subscribe to and pay for the solid waste and recycling collection services.
Corrective Action: Contact Waste Management for waste removal services. COMPLIED PRIOR TO HEARING.

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 11/11/25. **Moved by Saam / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**



14. **CE#2024-00716; FHR Management LLC - 2476 Sadler Ln.**
Unfinished Business - Complaint Received 09/17/24.
Board History: 1Hr. 07/09/25 Finding Comply by 08/26/25; **2Hr.** 08/27/25 1Ext to 09/30/25
- 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: 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.**

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



D. INSPECTOR ANDRE

15. **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; **4Hr.** 08/27/25 Stay Fine @ \$8,950 til 10/01/25
- 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. **Specifically: All openly stored items in the front of home, driveway and around the property needs to be removed.**
 - 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. **Specifically: All vehicles on the property must be registered and proven operable or removed from the property.**
 - c) **Recreational Vehicle Parking / Ownership Required** - PART III, Appendix B, Article V, Sec. 2(E)(2) e). Parking recreational vehicles or equipment on residential property requires they be under the same ownership as the property's occupant. **Specifically: All recreational vehicles on the property are required to be under the same ownership as the property owner or remove.**
 - d) **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. **Specifically: Property needs to be mowed and maintained.**



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 fine at the current amount \$8,950.00 until the Hearing on 11/12/25. **Moved by Meisenbach / Mochwart to extend the stay of fine at the current amount of \$8,950.00 until the Hearing on 11/12/25. Motion carried by majority.**

16. **CE#2024-00634; Fame Building System LLC - 1008 W H Jackson St. Unfinished Business** - Complaint Received 08/23/24.
Board History: 1Hr. 01/22/25 Finding comply by 03/04/25; **2Hr.** 03/05/25 1Ext to 04/08/25; **3Hr.** 04/08/25 2Ext to 05/27/25; **4Hr.** 05/28/25 3Ext to 08/26/25; **5Hr.** 08/27/25 4Ext to 09/30/25

- a) **Electrical System Components Maintenance Required - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 6, Section 605. Electrical wiring, equipment, fixtures, appliances and associated hardware/components shall be correctly installed, correctly connected, safe, in good repair, maintained and operating as intended. Specifically: Electrical meter box shall be in a safe manner.**

- 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: Structures needs to be repaired or demolished.**

- 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. Specifically: Trash and Debris around the property and at the curb needs to be cleaned up.**

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 12/09/25. **Moved by Saam / Mochwart to extend the compliance date until 12/09/25. Motion carried by majority.**



17. **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; **3Hr.** 07/09/25 1 Ext to 08/26/25; **4Hr.** 08/27/25 2Ext to 09/30/25
- 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.13.82 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. **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 not present. City staff updated the Board on the current case status and recommended extending the compliance date until 12/09/25. **Moved by Saam / Mochwart to extend the compliance date until 12/09/25. Motion carried by majority.**

18. **CE#2024-00803; McCall, Chad T. - 2510 Riverview Dr.**
New Business - Complaint Received 10/15/24
Board History: None

- a) **Unlawful Subdivision Without Required Platting** - Appendix D, Chapter 8, Section 8.6... Any division of land must be preceded by formal review and approval of a preliminary plat by the appropriate city authorities. **Specifically: Unauthorized subdivision of property without proper platting. Corrective Action: Either... (1) Submit a complete preliminary plat application to the City's Planning & Zoning Division for review and approval, or (2) Restore the property to its prior undivided condition and provide documentation thereof.**

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 11/11/25. **Moved by Meisenbach / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) "a" with a compliance date of 11/11/25. Motion carried by majority.**

19. **CE#2024-00924; D'Arcy Jr., David Michael - 2513 Riverview Dr.**
New Business - Complaint Received 12/03/24
Board History: None

- a) **Unlawful Subdivision Without Required Platting** - Appendix D, Chapter 8, Section 8.6... Any division of land must be preceded by formal review and approval of a preliminary plat by the appropriate city authorities. **Specifically: Unauthorized subdivision of property without proper platting. Corrective Action: Either... (1) Submit a complete preliminary plat application to the City's Planning & Zoning Division for review and approval, or (2) Restore the property to its prior undivided condition and provide documentation thereof.**



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 11/11/25. **Moved by Meisenbach / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) "a" with a compliance date of 11/11/25. Motion carried by majority.**

20. **CE#2024-00925; Molin, Arthur & Glen - 2515 Riverview Dr.**
New Business - Complaint Received 12/03/24
Board History: None

- a) **Unlawful Subdivision Without Required Platting** - Appendix D, Chapter 8, Section 8.6... Any division of land must be preceded by formal review and approval of a preliminary plat by the appropriate city authorities. **Specifically: Unauthorized subdivision of property without proper platting. Corrective Action: Either... (1) Submit a complete preliminary plat application to the City's Planning & Zoning Division for review and approval, or (2) Restore the property to its prior undivided condition and provide documentation thereof.**

The property owner(s)/representative(s) was present, Glen Molin, 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 11/11/25. **Moved by Meisenbach / Mochwart to find the property in violation of the uncorrected cited violation(s) Item(s) "a" with a compliance date of 11/11/25. Motion carried by majority.**

21. **CE#2024-00926; McCall, Chad T. - Behind 2510 Riverview Dr.**
New Business - Complaint Received 12/03/24
Board History: None

- a) **Unlawful Subdivision Without Required Platting** - Appendix D, Chapter 8, Section 8.6... Any division of land must be preceded by formal review and approval of a preliminary plat by the appropriate city authorities. **Specifically: Unauthorized subdivision of property without proper platting. Corrective Action: Either... (1) Submit a complete preliminary plat application to the City's Planning & Zoning Division for review and approval, or (2) Restore the property to its prior undivided condition and provide documentation thereof.**



The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. 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 11/11/25. **Moved by Meisenbach / Mochwart to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 11/11/25. Motion carried by majority.**

22. **CE#2024-00956; JL Miami Homes LLC - 2936 Lawrence Dr.**

Unfinished Business - Complaint Received 12/11/24.

Board History: 1Hr. Finding Comply by 08/26/25; **2Hr.** 1Ext to 09/30/25

- 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 updated the Board on the current case status and recommended to commence a fine and lien the property at \$50.00 per day beginning 10/01/25 until cited violation(s) have been complied. **Moved by Meidenbach / Loomer to start fine and lien the property at \$50.00 per day starting 10/01/25 until cited violation(s) have complied. Motion carried by majority.**



23. **CE#2024-00962; Crane Creek West LLC. - 1070 Prospect Ave.**
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) **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: Docks built without any permit. Corrective Action: Obtain “issued” building permit for above referenced non-permitted work and for any other work that will be requiring building permits.**

- 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. **Specifically: All trash and debris including the concrete debris must be cleaned up.**

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



E. INSPECTOR GERMAN

24. **CE#2023-00800; Bridgewater Group of Brevard LLC - 3010-3020 Phillips St. Unfinished Business** - Complaint Received 08/22/23.
Board History: 1Hr. 08/27/25 Finding Comply by 09/30/25
- 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: Pavement on site without permit. Corrective Action: Obtain required “issued” permits for work completed and/or for any future other work. Obtain a Parking Lot Permit for the newer pavement, the asphalt near U.S.1. Remove any pavement that is not permitted. If pavement is removed, a topographical survey must be provided to show that stormwater remains on site, and the area in question must be sodded to prevent erosion. **ADMINISTRATIVELY DISMISSED.**

 - 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's engineering specifications. **Specifically: Vehicles are parked on unimproved surfaces. Corrective Action: Cease parking vehicles on unimproved surfaces.**

 - c) **Modifications to Approved Site Plan Requires City Approvals** - Part III, App. B, Art. IX, Sec. 6(E). Property must be maintained, utilized and conform to the approved site plan. Use, arrangement, or construction in variance with that authorized shall be deemed a violation of this ordinance. **Specifically: Pavement installed without City-approved updated site plan. Corrective Action: Obtain updated and City-approved site plan. Remove any pavement that is not part of a City-approved site plan. If pavement is removed, a topographical survey must be provided to show that stormwater remains on site, and the area in question must be sodded to prevent erosion.**



- d) **Stormwater System Requirements and Restrictions** - Chapter 50; Article III; Section 50- 7. Disruptions to stormwater runoff patterns are prohibited whether by design or neglect. Alterations to stormwater systems are prohibited without first obtaining permits. **Specifically: Pavement on site without permit. Corrective Action: Obtain a Parking Lot Permit for the newer pavement, the asphalt near U.S.1. Remove any pavement that is not permitted. If pavement is removed, a topographical survey must be provided to show that stormwater remains on site, and the area in question must be sodded to prevent erosion.**

The property owner(s)/representative(s) was present, Attorney Michael Faro, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 12/09/25. **Moved by Mochwart / Saam to extend the compliance date until 12/09/25. Motion carried by majority.**

25. **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; **2Hr.** 07/09/25 1Ext to 08/26/25; **3Hr.** 08/27/25 2Ext to 09/30/25

- 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 12/09/25. **Moved by Saam / Dryden to extend the compliance date until 12/09/25. Motion carried by majority.**



26. **CE#2023-01003; Raskett, Deborah A - 1920 Radnor Dr.**
Unfinished Business - Complaint Received 10/11/23.
Board History: 1Hr. 08/27/25 Finding comply by 09/30/25

- 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: Large accumulations of open storage, debris, materials, trash, etc. located throughout the property; including, but not limited to, truck beds with junk and debris in and/or near them. Corrective Action: Accumulations of open storage, debris, materials, trash, etc. must be removed from the property. Remove truck beds and all other junk and debris stored outside.**

The property owner(s)/representative(s) was present, Deborah Raskett, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 11/11/25. **Moved by Saam / Dryden to extend the compliance date until 11/11/25. Motion carried by majority.**

27. **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; **3Hr.** 07/09/25 Fine Runs; **4Hr.** 08/27/25 Fine continues to run

- 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: Specific IPMC Section(s): 301.3 Vacant Structures and Land. 304 Exterior Structure.304.1 Exterior Structure General. 304.6 Walls 304.7 Roofs and Drainage 304.13 Window, Skylight, Door and Frames. Corrective Action: Deteriorated structures are not secure and are causing blight. Structures must be secured so unauthorized persons cannot enter. Structures are in significant disrepair, including on the exterior. Obtain issued permits to repair or demolish the structures, then repair or demolish structures.**



- b) **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, junk, debris, concrete chunks, vegetative debris, and windows. Corrective Action: Accumulations of open storage, debris, materials, trash, etc. must be removed from the property.**

- 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. Specifically: Interior demolition without permit. Windows removed without permit. Concrete block installed in window areas without permit. **Corrective Action: Stop work until permits are issued. Obtain issued permits for all work done and to be done at the property, including but not limited to, interior demolition, concrete block work, and window removal and replacement.**

The property owner(s)/representative(s) was present, Patrick Shaw, who testified. 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 12/10/25. Moved by Mochwart /Saam stay the fine at the current amount of \$6,350.00 until the Hearing on 12/10/25. Motion carried by majority.

- 28. **CE#2024-00372; Melbourne Property Partners LLC - 1923 Radnor Dr. Unfinished Business** - Complaint Received 06/03/24.
Board History: 1Hr. 08/27/25 Finding Comply by 09/30/25

- a) **Dead Tree Removal Required** - Part III, App. D, Chpt. 9, Art. XV, Sec.9.274. Unsafe trees constituting a hazard to the safety of the public are required to be removed. Specifically: Dead tree in the southwest corner of yard. Corrective Action: Remove dead tree and properly dispose of the tree debris. Please note this tree has a Brazilian pepper tree growing around it, which may be removed. **COMPLIED PRIOR TO HEARING.**



- b) **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, tires, construction debris, discarded fencing and other junk and debris. Corrective Action: Accumulations of open storage, debris, materials, trash, etc. must be removed from the property.**

- c) **Overgrowth / 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 and Vegetative Accumulations Prohibited. Specifically: Property is overgrown with high grass, weeds and/or unkempt landscaping and has not been mowed, cut, trimmed and/or edged. Corrective Action: Mow and trim all grass and weeds so that they are not taller than 12 inches. **COMPLIED PRIOR TO HEARING.**

- d) **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: Air conditioner, windows and drywall permits have expired. Corrective Action: Reactivate permits into issued status or obtain new issued permits for AC, windows and drywall work.**

- e) **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: Back chain link fence is in disrepair. Corrective Action: Repair, replace or remove fencing in disrepair. Replacing more than 16 feet (two sections) of fence requires an issued fence permit prior to doing the work.**



The property owner(s)/representative(s) was present, Chad Thompson, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 11/11/25. **Moved by Mochwart / Dryden to extend the compliance date until 11/11/25. Motion carried by majority.**

29. **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; **3Hr.** 07/09/25 Fine Runs; **4Hr.** 08/27/25 Stay Fine at \$2,300 til 10/01/25
- a) **R-O-W Obstruction Prohibited** - Chapter 52, Article I, Section 52-4. It shall be unlawful to block and/or obstruct any part of the public streets, sidewalks, parkways, parks or plazas of the city by placing, or causing to be placed thereon, any box, counter, [vegetation], shelving, debris, sign, merchandise, building material, or other obstruction. **Specifically: Rocks, landscape timbers, posts, poles, concrete block, concrete chunk, and hardy non-flexible bushes and shrubs placed in the City's right-of-way. Corrective Action: Obstructions, including but not limited to, vegetation, materials and/or other items located within the City right-of-way must be removed unless permitted by the City's Engineering Department.**
 - b) **Sight Triangle Obstruction Prohibited** - Part III - Land Development Regulations. Appendix D - Land Development Code. Chapter 9. - Design Standards and Building Regulations. Article XV. - Preservation and Landscape Design. Sec. 9.273(d)(1) & (4). Obstacles or any portion thereof shall [not] be placed or retained in such manner which would create a traffic hazard or would obstruct the visual clearance at corners, intersections, curb cuts, driveways and/or railroad crossings. Specifically: Vegetation on corner is blocking the line of sight for drivers. Corrective Action: Trim or remove vegetation on corner so that it no longer blocks the line of sight for drivers. **COMPLIED PRIOR TO HEARING.**

The property owner(s)/representative(s) was present, Sean Burlingham, who testified. City staff updated the Board on the current case status and recommended extending the stay of fine at the current amount \$2,300.00 until the Hearing on 12/10/25. **Moved by Saam / mochwart to extend the stay of fine at the current amount of \$2,300.00 until the Hearing on 12/10/25. Motion carried by majority.**



30. **CE#2025-00154; Smith, Mitchell L. - 908 Wisteria Dr.**
Unfinished Business - Complaint Received 03/13/25.
Board History: 1Hr. 08/27/25 (a) Finding of Recurring Comply by 09/30/25, (c & d) Finding of Repeat with Fine & Lien \$100 per day
- a) **Recurring Violation - SEE COMPLAINT CE#2024-00971. 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: Camper RV with no license plate is stored forward of the front of the house line and is used as a residence. Open trailer is stored forward of the front of the house line. Corrective Action: Remove Camper RV. Do not store Camper RV on street, on right-of-way or on property. Store open trailer to side or in back of house, or remove open trailer from the property.**
- b) **Recurring Violation - SEE COMPLAINT CE#2024- 00971. Inoperable Vehicles or 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 conditions, 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: Camper RV with no license plate stored on/near property. Corrective Action: Remove Camper RV. Do not store Camper RV on street, on right-of-way or on property.**
- c) **Double Repeat Violation - SEE COMPLAINT CE#2024-00469. 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: Junk and debris stored outside, including in open trailer. Corrective Action: Remove open/outside storage form open areas, trailers and truck beds.**



- d) **Double Repeat Violation - SEE COMPLAINT CE#2024-00469. 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: Property is used for scrapping. Corrective Action: Zoning District does not permit the residential property to be used as a recycling / scrapyard. Cease all related activities.**

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 \$150.00 per day starting 10/02/25 until cited violation(s) have complied. **Moved by Saam / Dryden that the per day fine amount increase to \$150.00 per day starting 10/02/25 until cited violation(s) have complied. Motion carried by majority.**

- 31. **CE#2025-00461; Willett, Ken George, II - 1769 N Hudson Cir**
New Business - Complaint Received 07/18/25.
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: High grass, weeds, unmaintained vegetation and landscaping. DOUBLE REPEAT VIOLATION. Previous Complaint CE#2024-00678. Corrcive Action: Mow, weed whip, edge, maintain landscaping and remove yard debris from the entire property. Maintain the property to prevent future overgrowth.**



- 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: Large accumulations of open storage, including but not limited to, AC unit and other metal item, parts, aerosol cans, containers, debris, sofa pillows, beverage containers, two stereos, indoor furniture, wheels, miscellaneous equipment and plastic containers. DOUBLE REPEAT VIOLATION. Previous Complaint CE#2024-00678. Corrective Action: Remove open/outside storage from open areas.**

- c) **R-O-W Obstruction Prohibited.** Sec. 52-4. It shall be unlawful to block and/or obstruct any part of the [City's] public streets, sidewalks, parkways, parks or plazas of the city by placing, or causing to be placed thereon, any box, counter, [vegetation], shelving, debris, sign, merchandise, building material, or other obstruction. Specifically: Vegetation observed encroaching into the right of way. **DOUBLE REPEAT VIOLATION. Previous Complaint CE#2024-00678. Corrective Action: Continually maintain property to prevent obstructions in the right of way, including vegetation.**

- d) **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: Cargo trailer stored forward of the front of the house line. **DOUBLE REPEAT VIOLATION. Previous Complaint CE#2024-00678. Corrective Action: Store recreational vehicles per ordinance or remove recreational vehicles from the property.**

- e) **District / Zoning Use Restrictions.** Part III, App. B, Art. V & VI, Dist. Regulations & Use Standards: No property shall be developed, used or altered for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district (Sec. 2, Dist. Designated) in which such property is located. Specifically: Scrapping activity within residentially zoned property (R1A). **REPEAT VIOLATION. Previous Complaint CE#2024-00678. Corrective Action: Cease scrapping activity in the residential zoning district 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 cited repeat violation(s) item(s) “a thru e” with a fine and lien of \$1,400.00 for 07/24/25 - 08/21/25. Case is announced as complied before hearing. **Moved by Saam / Dryden to find the property repeat violation(s) item(s) “a thru e” with a fine and lien of \$1,400.00 for 07/24/25 - 08/21/25. Case is announced as complied before hearing. Motion carried by majority.**

32. **CE#2025-00468; Sauvola, Sheila E. & Thomas G. - 746 Osage Ave.**
New Business - Complaint Received 07/22/25.
Board History: None

- a) **Recurring Violation: 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. (See Code Case number CE#2024-00760). **Specifically: Property is overgrown with high grass, weeds over 12” in height and/or has unkempt landscaping that has not been mowed, cut, trimmed, edged or maintained. Corrective Action: Mow, cut, trim and/or edge all landscaping and collective yard areas, perimeter areas, fence lines, sidewalks, grass strips contiguous alleys, curbs, rights-of way to the edge of the pavement on any public street.**
- b) **Recurring Violation: R-O-W Obstruction Prohibited.** Sec. 52-4. It shall be unlawful to block and/or obstruct any part of the [City’s] public streets, sidewalks, parkways, parks or plazas of the city by placing, or causing to be placed thereon, any box, counter, [vegetation], shelving, debris, sign, merchandise, building material, or other obstruction. (See Code Case number CE#2024-00760). **Specifically: Vegetation is obstructing the City Right-of-Way. Grass and weeds are growing into the sidewalk. Bush and Tree limbs are obstructing pedestrians on the sidewalk. Corrective Action: Remove vegetation obstructions in the sidewalk and street curb areas, including but not limited to: bushes, palm fronds, tree limbs, grass, weeds, yard debris and/or other items located within the City of Melbourne Right-of-Way. Maintain a minimum clearance height of 13 feet in the sidewalk and street areas, trimming the bushes and trees as needed.**



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) item(s) "a & b". Case is announced as complied before hearing. **Moved by Meisenbach / Dryden to find the property in recurring violation(s) item(s) "a & b". Case is announced as complied before hearing. Motion carried by majority.**

F. INSPECTOR KELLER

33. **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; **7Hr.** 07/09/25 Fine Lien \$25 per day; **8Hr.** 08/27/25 Stay Fine at \$1,250
- 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.**
- 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- 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 extending the stay of fine at the current amount \$1,250.00 until the Hearing on 11/12/25. **Moved by Saam / Mochwart to extending the stay of fine at the current amount of \$1,250.00 until the Hearing on 11/12/25. Motion carried by majority.**

34. **CE#2024-00124; Ghiz, Nicklaus- 4445 Sherwood Blvd.**
New Business - Complaint Received 02/29/25.
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, additions, alteration, upgrades, repair, demolition and/or change of occupancy. **Specifically: Building Permits are required for the renovations including the HVAC work including duct work, electrical work, plumbing work, drywall work, block work supporting the porch roof, sewer line work and wall work on the north side of the house where the rotted wall was removed and other exterior work. Permits have expired due to inactively.**

The property owner(s)/representative(s) was present, Nick Ghiz, 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 11/11/25. **Moved by Dryden / Mochwart to find the property in violation of the uncorrected cited violation(s) Item(s) “a” with a compliance date of 11/11/25. Motion carried by majority.**



35. **CE#2024-00747; Legacy Five Holdings LLC- 916 Aurora Rd.**
New Business - Complaint Received 09/25/24.
Board History: None

- a) **Site/Development Plan Required** - Part III, App. B, Art. IX, Sec. 6. A City reviewed and approved formal or informal site plan is required prior to any land use, development, alterations, expansions, or changes. **Specifically: A site plan must be submitted for City approval and must be a scaled and dimensioned drawing showing in detail the uses of the parcel, including, but not limited to, the location of all structures and their setbacks and height, all parking spaces, sidewalks and driveways/streets, and any proposed fenced storage area.**
- b) **Open/Outside Storage 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: The items need removed from outside, including but not limited to, the artificial turf material, building materials and machines. The trailer needs parked in an approved designated parking space.**

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 & b" with a compliance date of 11/11/25. **Moved by Mochwart / Dryden to find the property in violation of the uncorrected cited violation(s) Item(s) "a & b" with a compliance date of 11/11/25. Motion carried by majority.**



36. **CE#2024-00812; Rafaela De Rook as Trustee of the Revocable Living Trust Agreement of Rafaela De Rook - 2981 Pineapple Ave.**
Unfinished Business - Complaint Received 10/16/24.
Board History: 1Hr. Finding Comply by 09/30/25

- a) **Altering Shorelines Requires Permit** - Sec. 50-47 (b)(7). Changes to the shorelines or banks of bodies of water, whether by design or neglect, requires permitting from the City Engineering Dept. **Specifically: Permit(s) are required for the work on the bank of the Indian River Lagoon including the installation of the rubble riprap.**

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 01/27/26. **Moved by Meisenbach / Dryden to extend the compliance date until 01/27/26. 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; **5Hr.** 07/09/25 4Ext to 08/26/25; **6Hr.** 08/27/25 5Ext to 09/30/25

- 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.**

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



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

Unfinished Business - Complaint Received 10/18/24.

Board History: 1Hr. 07/09/25 Finding Comply by 08/26/25; **2Hr.** 08/27/25 1Ext to 09/30/25

- 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 & Crystal Suarez, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 11/11/25. **Moved by Saam / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**

39. **CE#2024-00907; Paladino, Christopher M - 4493 Country Rd.**

Unfinished Business - Complaint Received 11/21/24.

Board History: 1Hr. 07/09/25 Finding Comply by 08/26/25; **2Hr.** 08/27/25 1Ext to 09/30/25

- 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-way's. 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 \$50.00 per day beginning 10/01/25 until cited violation(s) have been complied. **Moved by Saam / Dryden to start fine and lien the property at \$50.00 per day starting 10/01/25 until cited violation(s) have complied. Motion carried by majority.**

40. **CE#2024-00934; Ingersoll, Barbara V. & Johnnie L. - 1950 Ontario Cir N. Unfinished Business** - Complaint Received 12/05/24.

Board History: 1Hr. 08/27/25 Finding Comply by 09/30/25

- a) **Recreational Vehicle/Trailer Parking** - Part III Appendix D. Chapter 9. Article V. Sec. 9.74. (p) Parking, Storage, or Use of Recreational Equipment and Recreational Vehicles. 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, or in any location, except as permitted above. No trailer shall be parked on any lot for living purposes other than in established trailer parks. Recreational equipment and vehicles include trailers. **Specifically: The camper and UHaul truck may not be used for living, sleeping, staying in or for any residential use. The camper needs a current registration that belongs to this camper.**

- b) **Commercial Vehicle Parking Prohibited** - Sec. 56-63. Parking of commercial vehicles and/or equipment is prohibited within zoning districts EU, R-1AAA, R-1AA, R-1A, R-1B, R-2, R-3, R-4, R-P or the residential-occupied portion of a PUD. Specifically: The U-Haul may not be kept in the residential neighborhood. The oversize vehicle needs removed from the neighborhood. **COMPLIED PRIOR TO HEARING.**

- c) **Inoperable Vehicle(s) Prohibited** - Chapter 36 Junked, Abandoned and Wrecked Property. Article II. – Tangible personal property. Sec. 36-22. - Dismantled or inoperable motor vehicle. Except for a duly licensed automotive repair establishment, no occupant of any property in the city shall repair, rebuild, dismantle, or disassemble any vehicle which is not in their ownership, nor shall any vehicle that is visibly inoperable be kept outside of a covered structure for more than ten days. Sec. 36-20. - Evidence of abandonment, junking, etc., of vehicle. The absence of a 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. Also; PART III, Appendix D, Chapter 13, Article III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8.



Specifically: The car stored on the street needs demonstrated as operable and parked in the driveway or stored in the garage or removed from the neighborhood. Vehicles without a current license plate may not be stored on the right-of-way or street.

- d) **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: The items need removed from outside including but not limited to the furniture, boxes and tire.
COMPLIED PRIOR TO HEARING.

The property owner(s)/representative(s) was present, Mark Angeline, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 11/11/25. **Moved by Dryden / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**

41. **CE#2025-00088; Pineapple Beach LLC - 1929 Dawn Dr.**
New Business - Complaint Received 02/11/25.
Board History: None

- a) **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 needs water service provided by the City or the house needs vacated.**
- b) **Approved Electrical System Required** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 604. Approved Electrical System Required. Occupied buildings shall be provided with an approved electrical system, shall be correctly installed and correctly connected. Additionally, electrical system must be safe, in good repair, maintained and functioning as intended while meeting the requirements of this code. **Specifically: The house needs electrical service from FPL or the house needs vacated.**

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



42. **CE#2025-00095; McCrory, Donna L. & Hendrickson, Conrad, III - 2192 King Richard Rd.**

Unfinished Business - Complaint Received 02/17/25.

Board History: 1Hr. 08/27/25 finding Comply by 09/30/25

- 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: The items need removed from outside including the porch, including but not limited to, fence debris, tires, appliances, liquid container, gas cans, junk and plant debris.**

- b) **District / Zoning Use Restrictions** - Part III, App. B, Art. V & VI, Dist. Regulations & Use Standards: No property shall be developed, used or altered for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district (Sec. 2, Dist. Designated) in which such property is located. Specifically: The residential property may not be used to store or process items for scrapping. **COMPLIED PRIOR TO HEARING.**

- c) **Chapter 20 Community Planning And Development - Article X. Community Aesthetics -Section 20314. Maintenance of building exteriors** - (a) This section shall apply citywide. (b) All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches and trim, shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other approved protective covering or treatment. Concrete masonry units shall be finished by painting or other approved protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. **Specifically: The house needs the peeling paint removed and needs a protective covering such as paint or stucco. A Permit for stucco would be required.**



- d) **Window Maintenance Required** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 304.13 [Exterior] / 305.3 [Interior] & Sec. 306.1. All window types and their associated hardware /components shall be maintained in sound condition and good repair, free from hazards, rotting wood and/or deteriorated framing, or broken glaze, be weather tight and be able to easily open, hold open and then close as designed. **Specifically: The windows need to be in good repair.**

- e) **Chapter 48 Solid Waste** - Article II. Collection and Disposal. Article II. Collection and Disposal. Section 4830. (8) Private contractors- Private contractors performing services shall be responsible for moving all debris generated in the performance of their work. **Specifically: Plant debris from the lawn service business needs taken to the County landfill and not stored or set out at this residential property nor at the property where the plant debris originated.**

- f) **Part III Appendix D Land Development Code Chapter 9 Design Standards and Building Regulations Article V. Parking and Loading Requirements. Section 9.74. Minimum standards for the design of off-street parking Areas** - (p) Parking, Storage, or Use of Recreational Equipment and Recreational Vehicles. No recreational equipment or recreational vehicles shall be parked or stored on any lot in a residential district except in a carport, enclosed building, or to the rear of the front building line. (3) Recreational equipment and recreational vehicles may be parked anywhere on residential premises during loading/unloading or maintenance for a period not to exceed forty-eight consecutive hours within a seven-day period. 5. Recreational equipment and recreational vehicles shall not be parked in any right-of-way. 6. All recreational equipment and recreational vehicles shall be properly tagged (if applicable) and in operable condition. Recreational equipment and vehicles include trailers. **Specifically: The trailer shall not be parked / stored on the street. The trailer needs parked behind the front line or corner of the house. The trailer needs to be inoperable condition with no missing or flat tires. COMPLIED PRIOR TO HEARING.**



- g) **Inoperable Vehicle(s) Prohibited** - Chapter 36 Junked, Abandoned and Wrecked Property. Article II. – Tangible personal property. Sec. 36-22. - Dismantled or inoperable motor vehicle. Except for a duly licensed automotive repair establishment, no occupant of any property in the city shall repair, rebuild, dismantle, or disassemble any vehicle which is not in their ownership, nor shall any vehicle that is visibly inoperable be kept outside of a covered structure for more than ten days. Sec. 36-20. - Evidence of abandonment, junking, etc., of vehicle. The absence of a 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. Also; PART III, Appendix D, Chapter 13, Article III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8. Specifically: All vehicles need to be operable unless stored in the garage. **COMPLIED PRIOR TO HEARING.**
- h) **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: Building Permits required for the interior and exterior work on the house. Permit RALT2021-01586 to replace dry wall entire house, relocate kitchen sink, electrical, remove windows in screen room replace with screen has expired without any inspections.**

The property owner(s)/representative(s) was present, Conrad Hendrickson, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 11/11/25. **Moved by Mochwart / Loomer to extend the compliance date until 11/11/25. Motion carried by majority.**



43. **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; **2Hr.** 07/09/25 1Ext to 08/26/25; **3Hr.** 08/27/25 2Ext to 09/30/25

- 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.**

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

44. **CE#2025-00242; Thompson, Kim M. - 1543 Riverside Dr.**
Unfinished Business - Complaint Received 04/28/25.
Board History: 1Hr. 08/27/25 Finding Comply 09/30/25

- a) **(IMMINENT SAFETY VIOLATION) Unsecured Pool** - Chpt. 32; Sec. 32-56; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 303.2. Pools, spas, hot tubs and similar structures designed to hold water, more than 24" inches in depth, shall be secured with approved barriers and latches. If such unsafe conditions are not corrected, they shall be abated by the City. **Specifically: The swimming pool needs to be secured properly with a 48 inch in height barrier. Any gates or doors need to be self-closing and self-latching. The exterior latches for any gates need to be at least 54 inches from the bottom of the gate.**
- b) **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: Building Permit required for wall 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 11/11/25. **Moved by Saam / Mochwart to extend the compliance date until 11/11/25. Motion carried by majority.**



45. **CE#2025-00439; Gustin, Thomas S. - 2603 King Richard Rd.**
New Business - Complaint Received 07/09/25.
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 Building Permit is required for the air conditioner replacement.**

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

G. CODE COMPLIANCE OFFICIAL HEROLD

46. **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; **5Hr.** 07/09/25 4Ext to 08/26/25; **6Hr.** 08/27/25 5Ext to 09/30/25

- 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 not present. City staff updated the Board on the current case status and recommended extending the compliance date until 01/27/26. **Moved by Mochwart / Dryden to extend the compliance date until 01/27/26. Motion carried by majority.**

H. Board/Staff Comments

Board member Loomer asked that board members be considerate and respectful of other board members' comments and allow them to speak.

I. ADJOURNMENT

Moved by Loomer / Mochwart to adjourn the meeting at 8:043 p.m. Motion Carried by Majority.

A handwritten signature in blue ink, appearing to read "Mark Herold", located below the adjournment text.

Mark Herold
Code Enforcement Official
c: Case Files



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>Teele 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>McLaurie, FL</i> COUNTY <i>BREVARD</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>10/1/25</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, James P. Teele, hereby disclose that on 10/1/2025, 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.

10/1/25
Date Filed

James P. Teele
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.



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS	
LAST NAME—FIRST NAME—MIDDLE NAME <i>Loxmer - TIM SCOTT</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS <i>709 BONNIE CR Bradwell</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>M/5</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>Code</i>	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.

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, TIM KOOWA, hereby disclose that on OCT 1 2025, 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.

10-1-2025
Date Filed

[Signature]
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.