

City of Melbourne



Code Compliance Division
900 E. Strawbridge Avenue, Melbourne, FL 32901
Code Enforcement: (321) 608-7905 • E-mail: code.compliance@mlbfl.org

MINUTES – CODE ENFORCEMENT BOARD

March 11, 2026

A. OPENING

1. Call to Order

A regular meeting of the Code Enforcement Board was held in the City Hall Council Chamber on 03/11/26 and was called to order at 6:00 p.m. by Chairperson Rick Dryden. 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 Dryden advised the audience of the purpose and procedures for the Code Enforcement Board Meetings.

4. Roll Call

Board Members Present: Chairperson Rick Dryden; Member Edward Meisenbach; Member James Teele; Member Timothy Loomer; Member Terri Fulton

Board Members Absent: Member Thomas Saam; Member Bruce Mochwart; Member Christopher Tencati

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 Loomer / Teele to approve the minutes of 01/28/26 as presented. Motion carried by majority.

6. Announcements

Code Official Mark Herold advised that the next meeting would be held on Wednesday 04/22/2026.



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: None
Case(s) Announced as Removed / Complied: 13, 26
Administratively Postponed or Removed: 34

B. INSPECTOR GOSSELIN

9. **CE#2025-00403; De Filippo, David K. - 1509 Norman St.**
New Business - Complaint Received 06/04/25
Board History: 1Hr. 01/28/26 Admin Postponed
 - a) **Building, Structure, Property & Yard Maintenance Required. (Generally)** - Sec. 20-314 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC). There is a Required Minimum Level of General Maintenance, Safety, Sanitation & Other Requirements for all areas of a property's buildings, structures or yard areas, including their associated equipment, systems hardware & components. **Specifically: IPMC Section(s): 1) 109.1.1 Unsafe structures, 2) 109.1.3 Structure unfit for human occupancy, 3) 109.1.5 Hazardous structure or premises, 4) 302.1 Sanitation, 5) 302.3 Sidewalks and driveways, 6) 302.4 Weeds, 7) 302.5 Rodent harborage, 8) 302.9 Defacement of property, 9) 304.1.1 Potentially unsafe conditions, 10) 304.2 Protective treatment, 11) 304.7 Roofs and drainage, 12) 304.10 Stairways, decks, porches and balconies, 13) 304.13 Window, skylight and door frames, 14) 304.14 Insect screens, 15) 308.1 Accumulation of rubbish or garbage, 16) 308.2 Disposal of rubbish. Corrective Action: Replace or Repair and maintain all areas of the above-referenced buildings / structures / yards or property up to required maintenance & building code standards.**

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 04/21/26. **Moved by Teele / Meisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) "a" with a compliance date of 04/21/26. Motion carried by majority.**



10. **CE#2025-00787: JTR 3 LLC - 533 Fee Ave.**
Unfinished Business - Complaint Received 10/30/25
Board History: Hr. 01/28/26 Finding Comply by 03/10/26
- 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: Eaves on the northeast side of the building are in disrepair. Corrective Action: Replace, Repair and maintain all areas of above referenced roof structure members and/or components to building code standards with the appropriate permits.**

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

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 03/11/26 until cited violation(s) have been complied. **Moved by Teele / Fulton to start fine and lien the property at \$25.00 per day starting 03/11/26 until cited violation(s) have complied. Motion carried by majority.**



C. INSPECTOR KELLER

11. **CE#2023-00313; Silver Pineapple LLC - 2528 - 2546 Pineapple Ave.**
Unfinished Business - Complaint Received 04/10/23.
Board History: 1Hr. 03/27/24 Finding Comply by 04/14/24; **2Hr.** 05/01/24 Fine & Lien \$100 per day starting 04/15/24; **3Hr.** 07/31/24 Fine Runs; **4Hr.** 10/23/24 Pause Fine at \$19,200
- 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 Permit required for the renovation, including but not limited to, the air conditioning units, the tankless and tank water heaters and for the electrical work for the air conditioners and water heaters.**

The property owner(s)/representative(s) was present, Joel Espino, who testified. City staff announced to the Board complied case status with a fine totaling \$19,200.00. **The Board affirms compliance with a \$19,200 fine. No Board action.**

12. **CE#2023-01113; The Vadimsky Family Revocable Living Trust – 1267 Palmwood Dr.**
Unfinished Business - Complaint Received 11/15/23
Board History: 1Hr. 02/14/24 Finding Comply by 03/26/24; **2Hr.** 03/27/24 Fine & Lien 125 per day; **3Hr.** 07/31/24 Fine Runs; **4Hr.** 10/23/24 Pause Fine at \$26,375; **5Hr.** 12/10/25 (f) Finding Comply by 01/27/26; **6Hr.** 01/28/26 1Ext to 02/18/26
- 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: A Building Permit is required for the renovations including the exterior work. A Building Permit will be required to replace the water plumbing. A Building Permit may be required for the roof repair depending on the scope of work.**
- b) **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: The roof is in disrepair and needs repaired properly.**



- c) **Plumbing Maintenance Required** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. International Property Maintenance Code (IPMC) adopted, Chapter 5, Section 504. Plumbing facilities and plumbing fixtures shall be in good repair, maintained and functionally operating. **Specifically: The house currently has no plumbing to enable people to use the necessary facilities. The property needs to be vacated until the necessary toilet facilities can properly be plumbed. This means nobody is to be living, sleeping, staying or hanging out in the house, tents, vehicles or property until the necessary utilities are restored.**

- d) **Vacant Structure Safety and Security Requirements** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, Sections 301.3. Property must be kept to a minimum standard of security and safety to mitigate an attractive nuisance (children, transients, crime, etc...). Specifically: The house and shed need to be secured properly to prevent them from being an attractive nuisance and to deter trespassing. **ADMINISTRATIVELY DISMISSED.**

- e) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained 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 excessive items stored outside including junk and debris need removed from outside or disposed of properly.**

- f) **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. **Specifically: The inoperable vehicle, as evidenced by the items stored on and around it, needs to be demonstrated as operable or removed from the property.**



- g) **Mosquito Abatement Required** - Sec. 32-77. Any collection of standing or flowing water, whether natural or man-made, in which any mosquitoes breed, or are likely to breed shall be abated or treated so as to effectively prevent such breeding. Specifically: The containers of standing water need removed to prevent mosquito breeding. **COMPLIED.**

- h) **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: The lawn, including the backyard, needs to be mowed and maintained. **COMPLIED.**

- i) **Sanitation Required** - PART III, Appendix D, Chapter 13, Article III, Sec.13.82. - International Property Maintenance Code adopted, Chapter 3, Sections 302.1 Sanitation. Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. Specifically: The yard shall not be used for urination or defecation. **COMPLIED.**

The property owner(s)/representative(s) was not present. The neighbor was present, Diane Dupuis, who testified. City staff updated the Board on the current case status and recommended reinstating the fine at \$125.00 per day until complied. **Moved by Teele / Meisenbach to reinstate the fine at \$125.00 per day until complied. Motion carried by majority.**

13. **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; **3Hr.** 10/01/25 2Ext to 11/11/25; **4Hr.** 11/12/25 3Ext 12/09/25; **5Hr.** 12/10/25 4Ext to 01/27/26; **6Hr.** 01/28/26 5Ext to 03/10/26

- 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.**

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



14. **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; **3Hr.** 10/01/25 Fine Lien \$50.00 per day; **4Hr.** 11/12/25 Stay Fine at \$2,150 until 01/28/26; **5Hr.** 01/28/26 (c & d) Finding Comply by 03/10/26 & (a) Reinstate Fine \$50.00 per day
- 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: A permanent barrier that complies with Building and City code needs installed.**
 - 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 lawn needs kept maintained. **COMPLIED.**
 - c) **Accessory Structure Maintenance Required** - Sec. 20- 314; Sec. 9.50; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 302.7 & Sec. 306. Accessory structures, their exterior surfaces, associated hardware & components are required to be maintained and in good repair while ensuring structural reliability. **Specifically: The swimming pool needs repaired properly or removed properly. A Permit will be required for repairing or removing the pool.**
 - d) **Pool, Spa & Hot Tub Maintenance Required** - Sec. 36- 39(d) & Sec.13.82 adopting the International Property Maintenance Code (IPMC) Sec. 303.1. Swimming pools, spas & hot tubs are required to be clean, sanitary and in maintained condition. **Specifically: The swimming pool needs repaired properly or removed properly. A Permit will be required for repairing or removing the pool.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended fine should continue to run until complied. **Fine Runs / No Board Action.**



15. **CE#2025-00837; Austin, Eric S. & Lesli , as Co-Trustees of the Austin Family Revocable Living Trust - [REDACTED]** **REDACTED PER F.S 119.071(4)(D)(2.A)**
New Business - Complaint Received 11/19/25.
Board History: None
- a) **(IMMINENT SAFETY VIOLATION) Unsecured Pool, Spa, Hot Tub Abatement** - 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. **Specifically: The baby barrier fencing is an appropriate fencing to mitigate the life safety issue during the swimming pool construction project, but needs to be intact with no open sections. Corrective Action: Keep the swimming pool area secure.**
 - b) **Building Permit Expired/Voided** - Sec. 13.80 adopting the Florida Building Code Sec. 105.4. Permits are conditional and does not authorize the permit holder to violate, cancel, alter, set aside, suspend and/or alter a permit in any way. **Specifically: Permit POOL2020-00052 to install swimming pool expired again on Feb. 2, 2025. Expired/voided permit(s) also creates a work without permit violation pursuant to Section 105.1, also cited. Corrective Action: Obtain current “issued” building permit(s) for above referenced expired/voided building permits and for any other work requiring building permits.**
 - c) **Duty to Request Permit Inspection** - Sec. 13.80 adopting the Florida Building Code and Florida Residential Building Code Sec. 105.4. It shall be the duty of the permit holder or representative to make a request for inspection and provide access to the work needing inspection(s). **Specifically: Permit POOL2020-00052 to install swimming pool has not had a required periodic milestone inspection since Dec. 17, 2024. Missed periodic milestone inspections create a work without permit violation. Corrective Action: Obtain milestone inspections for building Permit(s).**
 - 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: Permit POOL2020-00052 has expired so the incomplete work to install a pool is now considered work without a Permit. Corrective Action: Obtain a new Permit to install the swimming pool or obtain a Permit to remove the incomplete work.**



- e) **Pool, Spa & Hot Tub Maintenance Required** - Sec. 36-39(d) & Sec. 13.82 adopting the International Property Maintenance Code (IPMC Sec. 303.1. Swimming pools, spas & hot tubs are required to be clean, sanitary and in maintained condition. **Specifically: The unfinished swimming pool is not in good repair. Corrective Action: The swimming pool work needs completed with a new Permit and the swimming pool needs maintained in good repair or the pool needs removed properly with an issued Permit.**

- f) **Accessory Structure Maintenance Required** -Sec. 20-314; Sec. 9.50; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 302.7 & Sec. 306. Accessory structures, their exterior surfaces, associated hardware & components are required to be maintained and in good repair while ensuring structural reliability. **Specifically: The unfinished swimming pool is not in good repair. Corrective Action: The swimming pool work needs completed with a new Permit and the swimming pool needs maintained in good repair or the pool needs removed properly with an issued Permit.**

- g) **Mosquito Abatement Required** - Sec. 32-77. Any collection of standing or flowing water, whether natural or manmade, in which any mosquitoes breed, or are likely to breed shall be abated or treated so as to effectively prevent such breeding. **Specifically: The unfinished swimming pool without any circulating water, is potentially breeding mosquitoes. Corrective Action: Treat the water in the pool so it cannot breed mosquitoes.**

The property owner(s)/representative(s) was not present. The neighbor was present, Steven Russell, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “c, e & f” with a compliance date of 04/21/26 and a finding of the cited recurring violation(s) item(s) “a, b,& d”. **Moved by Teele / Fulton to find the property in violation of the uncorrected cited violation(s) Item(s) “c, e & f” with a compliance date of 04/21/26 and a finding of the cited recurring violation(s) item(s) “a, b,& d”. Motion carried by majority.**



D. INSPECTOR DURANT

16. **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; **9Hr.** 10/01/25 Fine & Lien \$50 per day; **10Hr.** 01/28/26 Stay Fine at \$6000

- 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 extend staying the fine at the current amount \$6,000.00 until the Hearing on 04/22/26. **Moved by Teele / Fulton to extend stay the fine at the current amount of \$6,000.00 until the Hearing on 04/22/26. Motion carried by majority.**

17. **CE#2025-00036; Williams, Thomas W. - 1129 Aurora Rd**
Unfinished Business - Complaint Received 01/27/25.
Board History: 1Hr. 11/12/25 Finding Comply by 12/09/25; **2Hr.** 12/10/25 1Ext to 01/27/25; **3Hr.** 01/28/26 2Ext to 03/10/26

- 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. **Corrective Action: Obtain permit for work completed inside property including but not limited to hot water heater installation, shower/ tub replacement. Contact the City of Melbourne Building Department (321-608-7905) for instructions to apply for permit online.**

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 04/21/26. **Moved by Teele / Meisenbach to extend the compliance date until 04/21/26. Motion carried by majority.**



18. **CE#2025-00181; Don Bell Incorporated - 2838 Sarno Rd.**
Unfinished Business - Complaint Received 03/26/25.
Board History: 1Hr. 11/12/25 Finding Comply by 03/10/26
- 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. **Corrective Action: Utilization of property requires approved site plan from City of Melbourne Community Development Department. (321-608-7500).**
 - b) **Inoperable Vehicle/Recreational Equipment Prohibited** - Sec. 14-2; Sec. 32-56; 32-104; Sec. 36-14; 36-19; 36-20; 36-21; 36-22 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.8. Vehicles, boats, trailers, other misc. recreational equipment or water vessels must be in operating 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. **Corrective Action: Remove inoperable vehicles stored throughout the property.**
 - c) **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. **Corrective Action: Property being utilized as storage/ junk yard with accumulations of misc items, metal, vehicles, containers, etc.**
 - d) **Paved Parking Required** - Sec. 9.74(g)&(q). All parking areas and vehicular access to parking areas and vehicle use areas shall be paved with an asphalt, concrete or other surfacing approved by the city engineer, afford adequate drainage, and meet engineering specifications. **Corrective Action: Parking on unimproved surfaces is prohibited.**
 - e) **Altering Stormwater Systems Requires Permit** - Sec. 50-47. Any subdividing of land, construction, changes, alterations, additions or disruptions to stormwater runoff patterns, whether by design or neglect, are prohibited without first obtaining engineering permits. **Corrective Action: Retention area originally designated for lot has been filled-in. Contact City of Melbourne Engineering Department (321-608-7300).**



The property owner(s)/representative(s) was present, Attorney G. Philip J. Zies, who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 04/21/26. **Moved by Meisenbach / Teele to extend the compliance date until 04/21/26. Motion carried by majority.**

19. **CE#2025-00189; Badillo, Andre & Gonzalo - 2535 Burns Ave.**

New Business - Complaint Received 03/27/25

Board History: None

- a) **Recreational Vehicle Residential Restrictions** - Sec. 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. **Corrective Action: Trailers must be stored behind front building line of house.**
- b) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12" inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. **Corrective Action: Grass is overgrown and requires cutting, maintenance.**
- c) **Inoperable Vehicle/Recreational Equipment Prohibited** - Sec. 14-2; Sec. 32-56; 32-104; Sec. 36-14; 36-19; 36-20; 36-21; 36-22 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.8. Vehicles, boats, trailers, other misc. recreational equipment or water vessels must be in operating 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. **Corrective Action: Demonstrate that car parked on left side of front yard and SUV in driveway are operable, store according to code (carport/ garage) or remove from property.**

The property owner(s)/representative(s) was present, Andre Badillo, 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 thru c" with a compliance date of 04/21/26. **Moved by Teele / Meisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) "a thru c" with a compliance date of 04/21/26. Motion carried by majority.**



20. **CE#2025-00251; CMP Investments of Brevard Inc - 1700 N Harbor City Blvd.**
New Business - Complaint Received 04/28/25
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. Corrective Action: Obtain a permit for A/C installation.
COMPLIED PRIOR TO HEARING.
- b) **HARB Approval Required** - Sec. 20-135. As a prerequisite to other permits, no building or property within a designated redevelopment district shall be developed or make changes to the exterior areas without first obtaining a certificate of architectural appropriateness from the Historic and Architectural Review Board (HARB). **Corrective Action: Obtain HARB approval for painting the building. Contact Community Development at 321-608-7500.**

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 04/21/26. **Moved by Teele / Meisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) "b" with a compliance date of 04/21/26. Motion carried by majority.**

E. INSPECTOR GERMAN

21. **CE2022-00125; Keefe, Patrick - 1618 Cypress Ave.**
Unfinished Business Complaint Received 03/07/22.
Board History: **1Hr.** 03/27/24 Finding Comply by 04/30/24; **2Hr.** 05/01/24 1Ext to 06/11/24; **3Hr.** 06/12/24 Fine and Lien \$50 per day; **4Hr.** 12/04/24 Stay Fine at \$8,800 til 01/22/25; **5Hr.** 01/22/25 1Ext Stay Fine at \$8,800 til 03/05/25; **6Hr.** 03/05/25 2Ext Stay Fine at \$8,800 til 07/09/25; **7Hr.** 07/09/25 3Ext Stay Fine at \$8,800 til 08/27/25; **8Hr.** 08/27/25 4Ext Stay Fine at \$8,800 til 12/10/25; **9Hr.** 12/10/25 5Ext Stay Fine at \$8,800 til 03/10/26

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



- b) **Design Requirements for Off-Street Parking Areas - PART III, Appendix D, Chapter 9, Article V, Sec.9.74.** Any new construction, change in use, modifications, or redevelopment of property will require an updated site plan with associated site improvements and other minimum design standards; including, but not limited to, requirements and restrictions for parking areas, drive aisles, setbacks, driveways, service areas, display areas, lay-down yard areas, landscaping, etc. Specifically: Property has never been developed for commercial lay- down yard or open storage and currently is being utilized for commercial lay-down yard and other storage without current approved site plan. Corrective Action: Obtain required approved site plan and permits for current commercial activity. **DISMISSED.**
- c) **District / Zoning Use Restrictions - Part III, Appendix B –Zoning, Article V Section 2(D), Table 1B & Article VI. District Regulations & Use Standards:** No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. Specifically: Commercial Edge (CE) district zoned property being used for storage of junk and debris (junk yard). Junk yards are not permitted within CE districts. Corrective Action: Cease use of property as a junk yard for miscellaneous open storage. **COMPLIED.**
- d) **Business Tax Receipt Required - CHAPTER 54, ARTICLE VIII, Sec.54-3.** A Business Tax Receipt (BTR) is required prior to conducting and/or operating any business. Specifically: Operating Dream Docks, Reese Enterprises, Inc. with no BTR for this location. Corrective Action: Obtain BTR for any business operating from this location or discontinue use of this location for business or other activity. **COMPLIED.**
- e) **Paved Parking Area Required - PART III, Appendix D, CHAPTER 9, ARTICLE V, Sec. 9.74 (q).** Vehicular use areas. Driveways, parking areas, service and display areas, shall be paved according to the city engineering specifications. Specifically: Vehicles and other equipment being stored on unimproved surfaces. Corrective Action: Remove vehicles and equipment from unimproved surface areas. **DISMISSED.**
- f) **Storm water System Requirements and Restrictions - Chapter 50; Article III; Section 50- 7.** No person may subdivide or make any change in the property uses... without first obtaining a permit from the city engineer. Specifically: Millings and other unapproved materials used to increase impervious areas around property without permits from Engineering. Corrective Action: Obtain permits from Engineering for increased impervious areas. **DISMISSED.**



- g) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chpt. 36, Chpt. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. Specifically: Large accumulations of openly stored trash, junk and debris (PVC, metal pipes, crates, wood, culverts, beams, and other misc. materials and debris). Corrective Action: Remove openly storage, trash, junk, debris and other materials unless specifically approved via the site plan process. **COMPLIED.**
- h) **Inoperable Vehicle(s) Prohibited** - Chpt. 36, Sec. 36-22 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82 – International Property Maintenance Code adopted, Chapter 3, Sections 302.8 & Chpt.14 Sec. 2 – Vehicles, including recreational vehicles and/or equipment, must not be in junk condition, must operate successfully and legally by means of navigating roadways and/or waterways per vehicle design standard. Specifically: Vehicles stored on property with no tags, not registered or in other inoperable conditions. Corrective Action: Either remove inoperable vehicles or demonstrate their operability to assigned inspector. **COMPLIED.**
- i) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chpt. 48-82(a)(3) & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations Prohibited. Specifically: Vegetation not being maintained. Including grass and weeds over 12 inches. Corrective Action: Maintain all property vegetation, to include high grass and weeds. **COMPLIED.**
- j) **Fence Permit Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.48. permit is required for any fence construction, alteration and/or repair. Specifically: Fence area north of the building has been replaced without the required issued fence permit. **Corrective Action: Obtain issued permit for the new fence area, or remove unpermitted fence area.**



The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extend staying the fine at the current amount \$8,800.00 until the Hearing on 04/22/26. **Moved by Teele / Meisenbach to extend stay the fine at the current amount of \$8,800.00 until the Hearing on 04/22/26. Motion carried by majority.**

22. **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; **2Hr.** 10/01/25 1Ext to 12/09/25; **3Hr.** 12/10/25 2Ext to 03/10/26

- 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 04/21/26. **Moved by Teele / Meisenbach to extend the compliance date until 04/21/26. Motion carried by majority.**

23. **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; **4Hr.** 10/01/25 3Ext to 12/09/25; **5Hr.** 12/10/25 4Ext to 03/10/26

- 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 06/02/26. **Moved by Teele / Meisenbach to extend the compliance date until 06/02/26. Motion carried by majority.**



24. **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; **2Hr.** 10/01/25 1Ext to 11/11/25; **3Hr.** 11/12/25 2Ext to 12/09/25; **4Hr.** 12/10/25 3Ext to 01/27/26; **5Hr.** 01/28/26 (a) 4Ext to 03/10/26 & (b, c & d) Finding Comply by 03/10/26
- 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, discarded furniture, cardboard boxes, headboard, wood and metal items, tarps, containers, ladders, appliance, buckets, tubing, accumulations under tarp and miscellaneous** **Corrective Action: Accumulations of open storage, debris, materials, trash, etc. must be removed from the property.**
- b) **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. **Specifically: New wood fence constructed without permit. Corrective Action: Obtain issued fence permit for new wood fence or remove new wood fence.**
- c) **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: Chain link fence in disrepair, including with section(s) that cannot stand on their own. Corrective Action: Repair and/or maintain chain link fence, including by ensuring chain link fence is in good repair, continuously aligned vertically/plumb in construction while ensuring aesthetics and structural reliability.**



- d) **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 has overgrowth of grass and weeds, including around and between trees, on fence, near fence, along fence, along the house, and in back yard.**
Corrective Action: Mow, cut, trim and/or edge all landscaping and collective yard areas, perimeter areas, fence lines.

The property owner(s)/representative(s) was present, Deborah Raskett, who testified. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$25.00 per day beginning 03/11/26 until cited violation(s) have been complied. **Moved by Teele / Loomer to start fine and lien the property at \$25.00 per day starting 03/11/26 until cited violation(s) have complied. Motion carried by majority.**

25. **CE#2024-00213; Swaw, Patrick - 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; **5Hr.** 10/01/25 Stay Fine at \$6,350; **6Hr.** 12/10/25 1Ext Stay Fine at \$6,350; **7Hr.** 01/28/26 2Ext Stay Fine at \$6,350 to 03/11/26

- 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. **COMPLIED.**

- 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 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 & c" with a compliance date of 04/21/26 and a finding of the cited recurring violation(s) item(s) "b." **Moved by Teele / Fulton to find the property in violation of the uncorrected cited violation(s) Item(s) "a & c" with a compliance date of 04/21/26 and a finding of the cited recurring violation(s) item(s) "b." Motion carried by majority.**



26. **CE#2024-00639; 99 Bottles Hospitality LLC - 712 & 716 E New Haven Ave.**
Unfinished Business - Complaint Received 08/23/24.
Board History: 1Hr. 05/28/25 Finding Comply by 07/08/25; **2Hr.** 07/09/25 1Ext to 08/26/25; **3Hr.** 08/27/25 2Ext to 12/09/25; **4Hr.** 12/10/25 3Ext to 03/10/26

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

Case announced as complied without a fine. **The Board affirms compliance without a fine. No Board action.**

27. **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; **5Hr.** 10/01/25 1Ext Stay Fine at \$2,300 til 12/10/25; **6Hr.** 12/10/25 2Ext Stay Fine at \$2,300 til 03/11/26

- 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 reinstating the fine at \$25.00 per day until complied. **Moved by Teele / Meisenbach to reinstate the fine at \$25.00 per day until complied. Motion carried by majority.**

F. INSPECTOR ANDRE

- 28. **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; **5Hr.** 10/01/25 1Ext Stay Fine @ \$8,950 til 11/12/25; **6Hr.** 11/12/25 2Ext Stay Fine @ \$8,950 til 12/10/25; **7Hr.** 12/10/25 3Ext Stay Fine @ \$8,950 til 01/28/26; **8Hr.** 01/28/26 4Ext Stay Fine @ \$8,950 til 03/11/26

- 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. **COMPLIED.**



- 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. **COMPLIED.**

- 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. **COMPLIED.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended reinstating the fine at \$25.00 per day until complied. **Moved by Teele / Meisenbach to reinstate the fine at \$25.00 per day until complied. Motion carried by majority.**

29. **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 1Ext to 08/26/25; **4Hr.** 08/27/25 2Ext to 09/30/25; **5Hr.** 10/01/25 3Ext to 12/09/25; **6Hr.** 12/10/25 4Ext to 01/27/26; **7Hr.** 01/28/26 4Ext to 03/10/26

- 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 04/21/26. **Moved by Teele / Meisenbach to extend the compliance date until 04/21/26. Motion carried by majority.**



30. **CE#2024-00962; Crane Creek West LLC. - 1070 Prospect Ave.**
Unfinished Business - Complaint Received 12/12/24
Board History: 1Hr. 10/01/25 Admin Postponed; **2Hr.** 11/12/25 Finding Comply by 01/27/26; **3Hr.** 01/28/26 1Ext to 03/10/26
- 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.**

The property owner(s)/representative(s) was present, Scott Herber, who testified. 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 03/11/26 until cited violation(s) have been complied. **Moved by Teele / Loomer to start fine and lien the property at \$50.00 per day starting 03/11/26 until cited violation(s) have complied. Motion carried by majority.**



31. **CE#2025-00029; Waters, Lakeonte Lashea. - 109 Prince Ave.**
New Business - Complaint Received 06/04/25.
Board History: None

- a) **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: Occupied home's electrical service has been disconnected due to fire damage. Corrective Action: The property owner Must: 1). Connect, repair, and/or maintain an approved electrical system by repairing all fire-damaged electrical components. 2). Obtain a required electrical permit prior to performing any repairs to the electrical system. 3). Ensure that all work is completed by properly licensed contractors in accordance with applicable City codes and inspections.**
- b) **Approved Water Utilities Required. Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 505.**
Approved Water System Required - All water systems shall be designed properly and connected to an approved water system and be supplied with hot and cold running water. **Specifically: Occupied home's water service has been disconnected since 4-10-25 for non payment. Corrective Action: Connect, repair and/or maintain above referenced water service by means of: Reestablishing water service from the City of Melbourne.**

The property owner(s)/representative(s) was present, Lakeonte Waters, 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 & b" with a compliance date of 04/21/26. **Moved by Teele / Mesisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) "a & b" with a compliance date of 04/21/26. Motion carried by majority.**



32. **CE#2025-00091; Burr, Johnny C, Burr, Curtis L & Burr, Aaron Raymond - 506 Williams St.**

Unfinished Business - Complaint Received 02/17/25

Board History: 1Hr. 11/14/25 Finding Comply by 01/27/25; **2Hr.** 01/28/26 1Ext to 03/10/26

- a) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - Sec. 20- 14 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 304.2, Sec. 304.5 & 6 [Exterior] / Sec.305.3 [Interior] & Sec. 306.1. Walls, doors, door & window frames, ornamental cornices, trim, masonry, & other structure surfaces their associated hardware /components shall be in good repair, maintained, vertical/plumb and free from cracks, holes, breaks, rust and loose or rotting materials; maintained, weather tight with weatherproofing, properly surfaced/textured or treated and coated to prevent deterioration while ensuring structural reliability. **Specifically: Exterior of building have holes along with loose and rotted materials. Corrective Action: Repair and/or maintain above referenced exterior foundation and surface areas by means of: Repairing all exterior wall holes, all rotted wood and other deteriorated or unmaintained exterior areas.**

- b) **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: Roof is missing shingles. Corrective Action: Replace, Repair and maintain all areas of above referenced roof structure members and/or components to building code standards.**

- c) **Door Maintenance Required** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 304.15 [Exterior] / 305.6 [Interior] & Sec. 306.1. All door 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 components, be weather tight and be able to easily open, hold open and then close as designed. Specifically: Doors are missing or in disrepair. Corrective Action: Repair doors or replace. **COMPLIED.**



- d) **Board Ups Beyond One (1) Year Expired** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 110.2 General. “Temporary” abatement by boarding up for future repair shall be authorized for certain conditions. By administrative policy, such temporary board up shall not extend beyond one year. Specifically: Home has been boarded up for over a year. Corrective Action: Boarding of property awaiting repairs is beyond 1 year and requires repair, maintenance and/or replacement. **COMPLIED.**

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 04/21/26. **Moved by Teele / Meisenbach to extend the compliance date until 04/21/26. Motion carried by majority.**

- 33. **CE#2025-00092; Cooper, Hattie M. - 1301 Baker St.**
Unfinished Business - Complaint Received 02/17/25
Board History: 1Hr. 11/14/25 Admin Postponed; **2Hr.** 01/28/26 Finding Comply by 03/10/26

- a) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - Sec. 20- 14 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 304.2, Sec. 304.5 & 6 [Exterior] / Sec.305.3 [Interior] & Sec. 306.1. Walls, doors, door & window frames, ornamental cornices, trim, masonry, & other structure surfaces their associated hardware/components shall be in good repair, maintained, vertical/plumb and free from cracks, holes, breaks, rust and loose or rotting materials; maintained, weather tight with weatherproofing, properly surfaced/textured or treated and coated to prevent deterioration while ensuring structural reliability. **Specifically: Exterior walls of building have holes along with loose and rotting materials. Significant peeling paint of exterior wall areas allowing for weathering deterioration. Correction Action: Repair and/or maintain above referenced exterior foundation and surface areas by means of: Repairing all exterior wall holes, all rotted wood and other deteriorated or unmaintained exterior areas.**
- b) **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: Windows are broken or in disrepair. Corrective Action: Replace, Repair and maintain all windows and/or components to building code standards.**



- c) **Door Maintenance Required** - Sec. 13.82 adopting the International Property Maintenance Code (IPMC), Sec. 304.15 [Exterior] / 305.6 [Interior] & Sec. 306.1. All door 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 components, be weather tight and be able to easily open, hold open and then close as designed. **Specifically: Doors including the garage door are missing or in disrepair. Correction Action: Repair doors or replace.**

- d) **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: Occupied home's water service has been disconnected. Corrective Action: Connect, repair and/or maintain above referenced water service by means of reestablishing water service. **COMPLIED PRIOR TO HEARING.**

- e) **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: Roof is missing shingles and currently has had a tarp for an extended undetermined period of time. Corrective Action: Replace, Repair and maintain all areas of above referenced roof structure members and/or components to building code standards.**

- f) **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: Occupied home's electrical service has been disconnected. Corrective Action: Connect, Repair and/or maintain approved above referenced electrical system by means of reestablishing electrical service. **COMPLIED PRIOR TO HEARING.**



- g) **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: Yard is not maintained. Corrective Action: Property needs to be mowed and maintained. **COMPLIED PRIOR TO HEARING.**

- h) **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: Miscellaneous openly stored items and trash around the property. Corrective Action: All openly stored items and trash needs to be cleaned up. **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 to commence a fine and lien the property at \$25.00 per day beginning 03/11/26 until cited violation(s) have been complied. **Moved by Teele / Meisenbach to start fine and lien the property at \$25.00 per day starting 03/11/26 until cited violation(s) have complied. Motion carried by majority.**

- 34. **CE#2025-00177; Bell, Wid T - 2808 S Harbor City Blvd.**
New Business - Complaint Received 03/25/25.
Board History: None

- a) **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: Fence shall be in good repair.**



- b) **Fence Design Requirements** - Part III, App. D, Chpt. 9, Art. III. Fences or walls and their associated hardware/components are required to be designed and constructed per code. This includes material type, setup, design, framing location, height, etc. **Specifically: The screening on the fence needs to be removed.**

- c) **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.**

- d) **Invasive Vegetation Removal Required [2003]** - Part III, App. D, Chpt. 9, Art. XV, Sec. 9.275. Invasive vegetation on developed property, after 2003’, shall be removed and prevented from re-growth into perpetuity. **Specifically: All heavy vegetation on the property needs to be removed.**

- e) **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: Property needs to be cleared of trailers, scrap metal, wood, garbage and other misc. items.**

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



35. **CE#2025-00514; Gillard, Shirley Jean; Wynche, Shelia Rana - 2720 Bruce D Buggs St.**
Unfinished Business - Complaint Received 08/05/25
Board History: 1Hr. 01/28/26 Finding Comply by 02/18/26
- 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: Large accumulations of open storage, including but not limited to, Cabinets, Scrap metal and other metal item, auto parts, junk vehicle(s), rotted wood, miscellaneous equipment and plastic containers and items around the yard. **Corrective Action: Remove all scraping/junk items from the rear yard.**
- 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: Scrapping activity within residentially zoned property (R1A). Corrective Action: Cease scrapping activity in the residential zoning district property.**
- c) **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. legally operating upon the public roadways or to safely navigate waterways per their manufacture design standards. **Specifically: Vehicle(s) with flat tires, no current registration, no vehicle batteries, and unable to start. Corrective Action: Vehicle(s) in the driveway must be observed as operationally roadworthy, or stored in compliance with code, or removed from the property to a code compliant location.**



- d) **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: Fence has missing panel and is not in continuous alignment. Corrective Action: Repair above referenced fence by means of: Replacing missing fence panel straighten & secure fence to be in continuous vertical alignment.**

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 04/21/26. **Moved by Teele / Meisenbach to extend the compliance date until 04/21/26. Motion carried by majority.**

36. **CE#2025-00573; Estate of King, Craig M. - 422 Earl Ave.**
New Business - Complaint Received 08/19/25
Board History: None

- a) **Overgrowth Prohibited / Landscape Maintenance Required** - Sec. 9.273(d)(2); Sec. 32-56; Sec. 36-39(a)(c); Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. Landscaping shall be maintained. Overgrowth of grass and weeds over 12" inches in height and any excessive accumulations or untended growth of undergrowth, landscaping or other dead or living plant life shall be prohibited. **Specifically: Property 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) **Nuisance Open/Exterior 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: There is nuisance open/exterior storage of (debris, animal cage, tires, junk and misc. items stored around the yard and in the broken truck(s) bed. Corrective Action: All open/exterior storage of nuisance items must be relocated within a completely enclosed and “permitted” structure or removed from the property by means of proper disposal methods.**
- c) **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: Vehicles with flat tires, no current registration, no vehicle batteries, and unable to start. Corrective Action: Vehicles and / or equipment including recreational types must be observed as operationally roadworthy, or stored in compliance with code, or removed from the property to a code compliant location.**
- 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. Examples: Must be parked in a carport, enclosed building, or to the rear of the front building line. Be registered to the property and its occupants. Be for the personal off-site recreational use. Not be used for commercial purposes (home based business exceptions). Not be connected to utilities to accommodate residential use. Not to be parked on vacant property. **Specifically: Recreational vehicles must be parked within a carport, enclosed building, or to the rear of the front building line. Corrective Action: Vehicles and / or equipment including recreational types must be observed as operationally roadworthy, or stored in compliance with code, or removed from the property to a code compliant location.**



The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a thru d” with a compliance date of 04/21/26. **Moved by Teele / Meisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) “a thru d” with a compliance date of 04/21/26. Motion carried by majority.**

G. CODE COMPLIANCE OFFICIAL HEROLD

37. CE#2023-00376; Igneous LLC - 1715 Steele St.

Unfinished Business - Complaint Received 04/21/23.

Board History: 1Hr. 07/26/23 Finding Comply by 09/05/23; **2Hr.** 09/06/23 1Ext to 10/24/23; **3Hr.** 10/25/23 2Ext to 11/28/23; **4Hr.** 11/29/23 3Ext to 01/02/24; **5Hr.** 01/03/24 4Ext to 02/13/24; **6Hr.** 02/14/24 5Ext to 04/30/24; **7Hr.** 05/01/24 6Ext to 07/30/24; **8Hr.** 07/31/24 7Ext to 09/03/24; **9Hr.** 09/04/24 8Ext to 10/22/24; **10Hr.** 10/23/24 9Ext to 01/21/25; **11Hr.** 01/22/25 10Ext to 03/04/25; **12Hr.** 03/05/25 Fine & Lien \$50 per day; **13Hr.** 07/09/25 Stay Fine \$6,350 until 08/27/25; **14Hr.** 08/27/25 1Ext Stay Fine \$6,350 until 11/12/25; **15Hr.** 11/12/25 2Ext Stay Fine \$6,350 until 01/28/26; **16Hr.** 01/28/26 3Ext Stay Fine \$6,350 until 03/11/26

- a) **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 not have or keep materials or other items openly stored unless specifically zoned and site planned for such storage. **Specifically: Several separate lots being used for granite business with openly stored granite and other materials. M1 zoned property has not been site planned or permitted for open storage. To Correct This Violation: Remove accumulated open storage from property or obtain site / development plan approval and permits.**

- b) **Site Plan Required - Part III, Appendix B** – Zoning, Article V. – District Regulations, Section 1. Property requires a site plan and permits for any use and must meet district regulations for development. **Specifically: Several separate lots being used for granite business along with openly stored granite and other materials. This M1 zoned property has not been site planned or permitted for open storage or current use. To Correct This Violation: Cease business activity and remove accumulated open storage from property or obtain site / development plan approval and permits.**



- c) **Business Parking Use, Design, Improvement & Maintenance Standards** - Part III, Appendix D – Land Development Code, Chapter 9. Off Street parking, use and/or design must adhere to code requirements. Specifically: Unimproved M1 zoned lots being utilized for off street parking and open storage without meeting design requirements. **To Correct This Violation: Cease off street parking and storage of unimproved M1 district property or obtain approved site / development plan and permitting.**

- d) **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, shelving, debris, sign merchandise, building material, or other obstruction. **Specifically: Granite and other inventory placed within city right-of-way. To Correct This Violation: Remove granite and other inventory or items from city right-of- way.**

- e) Improvements or Alteration of Right-of-Way without Permit - Sec. 52- 65. A permit is required for improvements to the city's right- of- way. **Specifically: The city's right-of-way has been altered without permits. To Correct This Violation: Obtain permits for altered right- of- way or return right-of-way to original conditions as determined by the Engineering Department.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extend staying the fine at the current amount \$6,350.00 until the Hearing on 07/08/26. **Moved by Teele / Meisenbach to extend stay the fine at the current amount of \$6,350.00 until the Hearing on 07/08/26. Motion carried by majority.**



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

Unfinished Business - Complaint Received 04/21/23.

Board History: **1Hr.** 07/26/23 Finding Comply by 09/05/23; **2Hr.** 09/06/23 1Ext to 10/24/23; **3Hr.** 10/25/23 2Ext to 11/28/23; **4Hr.** 11/29/23 3Ext to 01/02/24; **5Hr.** 01/03/24 4Ext to 02/13/24; **6Hr.** 02/14/24 5Ext to 04/30/24; **7Hr.** 05/01/24 6Ext to 07/30/24; **8Hr.** 07/31/24 7Ext to 09/03/24; **9Hr.** 09/04/24 8Ext to 10/22/24; **10Hr.** 10/23/24 9Ext to 01/21/25; **11Hr.** 01/22/25 10Ext to 03/04/25; **12Hr.** 03/05/25 Fine & Lien \$50 per day; **13Hr.** 07/09/25 Stay Fine \$6,350 until 08/27/25; **14Hr.** 08/27/25 1Ext Stay Fine \$6,350 until 11/12/25; **15Hr.** 11/12/25 2Ext Stay Fine \$6,350 until 01/28/26; **16Hr.** 01/28/26 3Ext Stay Fine \$6,350 until 03/11/26

- a) **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 not have or keep materials or other items openly stored unless specifically zoned and site planned for such storage. **Specifically: Several separate lots being used for granite business with openly stored granite and other materials. M1 zoned property has not been site planned or permitted for open storage. To Correct This Violation: Remove accumulated open storage from property or obtain site / development plan approval and permits.**

- b) **Site Plan Required** - Part III, Appendix B – Zoning, Article V. – District Regulations, Section 1. Property requires a site plan and permits for any use and must meet district regulations for development. **Specifically: Several separate lots being used for granite business along with openly stored granite and other materials. This M1 zoned property has not been site planned or permitted for open storage or current use. To Correct This Violation: Cease business activity and remove accumulated open storage from property or obtain site / development plan approval and permits.**

- c) **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, shelving, debris, sign, merchandise, building material, or other obstruction. **Specifically: Granite and other inventory placed within city right-of-way. To Correct This Violation: Remove granite and other inventory or items from city right-of-way.**



- d) **Improvements or Alteration of Right-of-Way without Permit - Sec. 52-65.** A permit is required for improvements to the city's right-of-way. **Specifically: The city's right-of-way has been altered without permits. To Correct This Violation: Obtain permits for altered right-of-way or return right-of-way to original conditions as determined by the Engineering Department.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended extend staying the fine at the current amount \$6,350.00 until the Hearing on 07/08/26. **Moved by Teele / Meisenbach to extend stay the fine at the current amount of \$6,350.00 until the Hearing on 07/08/26. Motion carried by majority.**

39. **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.** 05/28/25 4Ext to 07/08/25; **6Hr.** 07/09/25 4Ext to 08/26/25; **7Hr.** 08/27/25 5Ext to 09/30/25; **8Hr.** 10/01/25 5Ext to 01/27/26; **9Hr.** 01/28/26 6Ext to 03/10/26

- 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) **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.**

- g) **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.**

- h) **Altering Shorelines Requires Permit** - Sec. 50-47 (b)(7). Changes to the shorelines or banks of bodies of water, whether by design or neglect, require permits from the City Engineering Dept. **Specifically: Shoreline has been altered by means of installing rip rap gravel and other materials along Lot 13 & tract T3.1. Corrective Action: Approvals and Permits from the City Engineering Department are required for the already installed alterations. Approvals and Permits will also be required from the City Engineering Dept if alterations are removed and the shoreline is returned to its originally approved site development.**

- i) **Altering Stormwater Systems Requires Permit / Increasing Impervious Areas** - Sec. 50-47 (b)(8): Any subdividing of land, construction, changes, alterations, additions or disruptions to stormwater runoff pattern, whether by design or neglect are prohibited without first obtaining Engineering permits. **Specifically: Pavers, gravel and other materials installed along Lot 13 & T3.1 without permits from the Engineering Department. Corrective Action: Approvals and Permits from the City's Engineering Department are required for the already installed alterations. Approvals and Permits will also be required for City Engineering if alterations are removed and the property is returned to its originally approved site development.**



The property owner(s)/representative(s) was present, Attorney G. Philip J. Zies, Ed Aubry & Tom DeMark, 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) "h & i" and extending the compliance date of item(s) "a thru g" with a compliance date of 04/21/26. **Moved by Teele / Fulton to find the property in violation of the uncorrected cited violation(s) Item(s) "h & i" and extending the compliance date of item(s) "a thru g" with a compliance date of 04/21/26. Motion carried by majority.**

H. Board/Staff Comments

I. ADJOURNMENT

Moved by Loomer / Teele to adjourn the meeting at 8:33 p.m. Motion Carried by Majority.

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

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>TIM LOOMEN</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
MAILING ADDRESS <i>209 BONNIE CR</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>MtB Broward</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>3-12-26</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTEE

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 LOOMER, hereby disclose that on MARCH 11, 2026:

(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:

I have worked with MR. BURLINGHAM

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.

3-11-26
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.