

City of Melbourne



Code Compliance Division

900 E. Strawbridge Avenue, Melbourne, FL 32901

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

MINUTES – CODE ENFORCEMENT BOARD

June 3, 2026

A. OPENING

1. Call to Order

A regular meeting of the Code Enforcement Board was held in the City Hall Council Chamber on 06/03/26 and was called to order at 6:01 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; Assistant Chairperson Edward Meisenbach, Member James Teele; Member Tom Saam; Member Timothy Loomer; Member Terry Fulton; Member Christopher Tencati

Board Members Absent: N/A

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; Administrative Assistant Tammy Sisk

5. Approval of Minutes

Moved by Teele / Meisenbach to approve the minutes of 04/22/26 as presented. Motion carried by majority.

6. Announcements

Code Official Mark Herold advised that the next meeting would be held on Wednesday 07/08/2026.



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: 23
Case(s) Announced as Removed / Complied: 10, 28, 40
Administratively Postponed or Removed: 27, 35, 37

B. INSPECTOR GOSSELIN

9. **CE#2025-00403; De Filippo, David K - 1509 Norman St**
Unfinished Business - Complaint Received 06/04/25
Board History: 1Hr. 01/28/26 Admin Postponed; **2Hr.** 03/11/26 Finding Comply by 04/21/26; **3Hr.** 04/22/26 Fine Lien \$25 per day

- 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 present, Trasia and Joseph Danielle, who testified. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$1,075.00 until the Hearing on 07/08/26. **Moved by Meisenbach / Teele to stay the fine at the current amount of \$1,075.00 until the Hearing on 07/08/26. Motion carried by majority.**



10. **CE#2026-00118; Stephan Properties of Florida Inc - 924 E New Haven Ave #102 Unfinished Business** - Complaint Received 03/06/26
Board History: 1Hr. 04/22/26 Finding comply by 06/02/26

- a) **City of Melbourne, Code of Ordinances, Chapter 28, Fire Prevention and Protection** - Sec 28-44 adopts the current edition of the Florida Fire Prevention Code, Florida Fire Protection Cod NFPA 1, Chapter 4 General Requirements, Section 4.5.8 Maintenance, Inspection, and Testing 4.5.8.1. **Specifically: Fire Sprinkler System needs repair. Corrective Action: Make repairs per last contractor inspection to bring fire sprinkler system up to Fire Prevention Code.**

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

11. **CE#2026-00124; Amen Family Cremation and Funeral Care - 1001 S Hickory St New Business** - Complaint Received 03/11/26
Board History: 1Hr. 04/22/26 Finding comply by 04/27/26

- a) **City of Melbourne, Code of Ordinances, Chapter 28, Fire Prevention and Protection** - Sec 28-44 adopts the current edition of the Florida Fire Prevention Code, Code NFPA 1, Chapter 14 Means of Egress, Section 14.4 Means of Egress Reliability 14.4.1. **Specifically: Two sets of doors on the south side of the building in disrepair. Corrective Action: Repair or replace doors according to city code and with the proper permits and schedule a new Fire Inspection.**

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 07/07/26. **Moved by Saam / Tencati to extend the compliance date until 07/07/26. Motion carried by majority.**



C. INSPECTOR GERMAN

12. **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 **6Hr.** 03/11/26 5Ext to 06/02/26

- 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 present, Tony Ruggiano who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 07/07/26. **Moved by Meisenbach / Teele to extend the compliance date until 07/07/26. Motion carried by majority.**

13. **CE#2024-00213; Shaw, 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; **8Hr.** 03/11/23 items "a & c" Finding Comply by 04/21/26 & item "b" Finding Recurring; **9Hr.** 04/22/26 Fine & Lien \$50 per day

- 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 present, Patrick Shaw and Tatiane Aponte, who testified. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$8,500.00 until the Hearing on 08/26/26. **Moved by Meisenbach / Teele to stay the fine at the current amount of \$8,500.00 until the Hearing on 08/26/26. Motion carried by majority.**



14. **CE#2025-00906; D'Arcy Elaine; Trustee of the D'Arcy Family Trust - 910 Whitmire Dr**
Unfinished Business - Complaint Received 12/26/25
Board History: 1Hr. 04/22/26 Finding Irreparable (d & e) Fine \$10,000 & Finding Comply by 04/29/26
- a) **(IMMINENT SAFETY VIOLATION) Unsecured Pool, Spa, Hot Tub -** 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: Pool is not secure. Corrective Action: Secure pool to Code. Obtain issued permit prior to doing any work requiring a permit.**

 - 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: Pool repair work without permit, including but not limited to, pool repair work, wall work, concrete work, and exterior stair removal without permit. Corrective Action: Obtain issued permit for all work done without permits. Stop work until permits are issued. Issued and completed building permits are required for any interior and exterior work building additions, alterations, upgrades, repairs, demolition or change of occupancy. You must obtain "issued" and completed building permits for above referenced non-permitted work and for any other work requiring building permits.**

 - c) **IRREPARABLE Land Alteration Requires Permit -** Sec. 50-53. A City Engineering permit is required for any land clearing and all other land disturbing activities. **Specifically: Sod removed, concrete removed, excavation work and other land alteration activities without approval from City Engineering. Corrective Action: Obtain approval for land alteration activity from City Engineering. Stop work on land alteration until approval for work is granted by City Engineering.**



- d) **IRREPARABLE Stormwater Management** - Ch. 50 Art. III Sec. 50-47 b)7 Altering Shorelines Requires Permit. b)8 Increasing the Impervious Area of any Parcel of Land Requires Permit. Changes to the shorelines or banks of bodies of water, whether by design or neglect, and increasing the impervious area of any parcel of land, require permitting from the City Engineering Dept. Specifically: Shoreline has been altered, including by means of extensive excavating. Imperviousness at the property has been increased. Corrective Action: Obtain approval for shoreline activity and obtain approval for increased imperviousness from City Engineering. Stop work on the shoreline and stop work to increase the impervious areas on the land, until approval for work is granted by City Engineering. **FINDING OF IRREPARABLE.**
- e) **IRREPARABLE Stormwater from Commercial or Construction Activity** - Sec. 50-83. Stormwater, erosion, pollutants, sediment and other materials from commercial or construction activity shall be controlled, treated and managed on site so as not to cause an illicit or illegal discharge to the city's MS4 or regulated waters. Specifically: Best management practices are not in use throughout the entire site. Corrective Action: Stormwater from areas of any commercial activity, industrial activity or construction activity shall be controlled, treated and managed on site using best management practices so as not to cause an illicit or illegal discharge to the city's MS4 or regulated waters. **FINDING OF IRREPARABLE.**
- f) **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: Property has open/outside storage, including but not limited to, construction debris, posts and vegetative debris. 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.**



- g) **Recreational Vehicle Residential Restrictions** - Sec.- 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. **Specifically: Trailer stored forward of the front of the house line. Correction Action: Store trailer to the side of the house, or store trailer behind the house or remove trailer from the property.**
- h) **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: Retaining wall work without permit. Fence posts installed prior to fence permit being issued. Corrective Action: Obtain “issued” permits for above referenced non-permitted fence or wall work and for any other work requiring permits.**
- i) **IRREPARABLE Illicit Discharge Prohibited** - Sec. 40-3; Sec. 50-81; 50-82 & 50-83. Any pollutants, waste, materials, debris, sewer, soil, water or other illicit discharge, whether by design or neglect, into stormwater systems including waterways is prohibited. **Specifically: PVC pipes lead from this property toward the river, with open ends aimed at the river, sticking out of the embankment. Corrective Action: Cease allowing illicit discharge. Remove the pipes sticking out of the embankment, aimed at the river.**
- j) **Building/ Structure/ Property Maintenance & Requirements (Generally)** - Sec. 304-Exterior Structure 304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare 304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. **Specifically: Stairway removed from balcony, creating an unsafe condition. Corrective Action: Obtain issued permit to either replace the stairs or to make the balcony safe, then replace the stairs or make the balcony safe.**

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 10/06/26. **Moved by Teele / Meisenbach to extend the compliance date until 10/06/26. Motion carried by majority.**



15. **CE#2026-00112; Hayes, Sean Kelly -1964 Washington Ave**

New Business - Complaint Received 03/04/26

Board History: None

- a) **(IMMINENT SAFETY VIOLATION) Unsecured Pool** - Chpt. 32; Sec. 32-56; & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 303.2. Pools, spas, hot tubs and similar structures designed to hold water, more than 24" inches in depth, shall be secured with approved barriers and latches. **Specifically: Fence around pool in disrepair, including with panels that have fallen and pickets separating from stringers. Corrective Action: Pool must be secured. Fence must be repaired to be able to provide pool security.**
- b) **Fence, Gates & Wall Maintenance Required** - Sec. 20-314; Sec. 9.50; & Sec. 13.82. adopting the International Property Maintenance Code (IPMC) Sec. 302.7 [fences & walls] & 304.19 [gates]. Fences, gates and/or walls, their surfaces and associated hardware/components, are required to be in good repair, continuously aligned vertically/plumb in construction while ensuring aesthetics and structural reliability. **Specifically: Fence around pool in disrepair, including with panels that have fallen and pickets separating from stringers. Corrective Action: Repair and/or maintain fence and gates to Code for pool security, including by ensuring that entire fence and gates are in good repair.**
- c) **Recreational Vehicle Residential Restrictions** - Sec. 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. **Specifically: Boats and trailers are stored forward of the front of the house line. Corrective Action: Store boats and trailers behind the front of the house line and behind the fence, or remove the boats and trailers from the property.**
- d) **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 condition, shall not be kept in a state of disassembly, disrepair, stripped or dismantled and capable of legally operating upon the public roadways or to safely navigate waterways per their manufacture design standards. **Specifically: Ford truck with expired tag. Corrective Action: Remove inoperable vehicles from the property. Schedule an appointment with Inspector to demonstrate that the truck is operable or remove the truck from the property.**



- e) **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: Property has nuisance open/exterior storage, including discarded panels and boards in the yard. Correction 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.**

The property owner(s)/representative(s) was present, Sean Hayes, 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) “b, c & d” with a compliance date of 07/07/26. **Moved by Meisenbach / Teele to find the property in violation of the uncorrected cited violation(s) Item(s) “b, c & d” with a compliance date of 07/07/26. Motion carried by majority.**

D. INSPECTOR KELLER

- 16. **CE#2025-00095; McCrory, Donna L. & Hendrickson, Conrad, III - 2192 King Richard Rd**
Unfinished Business - Complaint Received 02/17/2025.
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 01/27/25; **5Hr.** 01/28/26 4Ext to 06/02/26
- a) **Nuisance Outside Storage Prohibited** - Part III, App. B, Art. V & Art. VI – Dist. Regulations; Chpt. 32; Sec. 32-104; Sec. 36-39(a); Sec. 48-29; Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 302.1 & 308.1. It is prohibited, to have exterior storage of materials (junk, litter, yard debris, merchandise, mechanical or machine parts, construction items, interior household items, appliances, other misc. items or debris identified to be excessive accumulations). Such items must be kept within a completely enclosed and “permitted” building or dwelling unless authorized for exterior storage via a City approved design plan. **Specifically: The items need removed from outside including the porch, including but not limited to, fence debris, tires, appliances, liquid container, gas cans, junk and plant debris.**



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

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

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

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



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

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 07/07/26. **Moved by Saam / Tencati to extend the compliance date until 07/07/26. Motion carried by majority.**

17. **CE#2025-00406; WMG 2624 Aurora Road Melbourne Owner LLC - 2620-2632 Aurora Rd**

Unfinished Business - Complaint Received 06/25/25

Board History: 1Hr. 11/12/25 Finding Comply by 01/27/26; **2Hr.** 01/28/26 1Ext to 04/21/26; **3Hr.** 04/22/26 2Ext to 06/02/26

- 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: The overgrowth needs removed from the drainage areas, including the swales and retention pond.**
- b) **Fence 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: The fence around the retention pond needs repaired.**



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 07/07/26. **Moved by Teele / Saam to extend the compliance date until 07/07/26. Motion carried by majority.**

18. **CE#2025-00443; Hill, Martha - 1067 Tuskegee Ave**

Unfinished Business - Complaint Received 07/10/25

Board History: 1Hr. 04/22/26 Finding comply by 06/02/26

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

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

- c) **Fence 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: The chain-link fence needs repaired or removed and disposed of properly.**



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 07/07/26. **Moved by Teele / Saam to extend the compliance date until 07/07/26. Motion carried by majority.**

19. **CE#2025-00604; Longwood Homeowners Association Inc - Tax ID# 2701536/ Longwood**

Unfinished Business - Complaint Received 09/02/25

Board History: 1Hr. 04/22/26 Finding comply by 06/02/26

- a) **Altering Stormwater Systems Requires Permit** - Chapter 50 Stormwater. Article III Stormwater Management Plan. Sec. 50-47 Prohibitions. (6) Changing the use of land and/or the construction of a structure or a change in the size of one or more structures. 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. Sec. 50-52 Maintenance. (g) Maintenance of stormwater facilities shall include the performance of the system as originally designed and permitted by the city and/or appropriate governmental agencies and as stated in the written plan. **Specifically: The modification to the control structure for the retention area must be designed by a Licensed Professional Engineer and then submitted for Permitting, then the work needs done accordingly.**

A resident was present, June Lewis who testified. City staff updated the Board on the current case status and recommended extending the compliance date until 07/07/26. **Moved by Saam / Teele to extend the compliance date until 07/07/26. Motion carried by majority.**

20. **CE#2026-00077; Melbourne Holdings 166 LP - 2700 Croton Rd**

New Business - Complaint Received 02/17/26

Board History: None

- a) **Electrical Maintenance Required** - PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 6, Section 604. Electrical equipment and fixtures shall be safe, in good repair, maintained and functionally operating. **Specifically: The lights including the lights at the entrance of the apartment complex needs to be in good repair and operable.**
- b) **Site Plan Adherence and Restrictions Required** - Part III, Appendix B – Zoning, Article IX, Section 3(A). Property must be maintained, utilized and conform to the approved site plan. Specifically: The parking lot lights, the lights along Longview Dr. and the lights at the entrances need to be functional. **Specifically: The street lights at the entrance to the apartment complex are required and need to be operable.**



The property owner(s)/representative(s) was present, Laura Ramirez Noel, 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 07/07/26. **Moved by Meisenbach / Loomer to find the property in violation of the uncorrected cited violation(s) Item(s) “a & b” with a compliance date of 07/07/26. Motion carried by majority.**

21. **CE#2026-00211; Countryman, Jennifer & Lilenfield, Randy A. - 4811 Springwater Cir**

New Business - Complaint Received 04/14/26

Board History: None

- a) **REPEAT VIOLATION (SEE CE#2024-00808 & CE#2025-00237 & CE#2025-00572) - District / Zoning Use Restrictions** - Part III, Appendix B – Zoning, Article V District Regulations & Use Standards: No property shall be used for any purpose other than a purpose specifically permitted (P) by right or by conditional use (CU) in the use district in which such property is located. **Specifically: The bounce rental business is not operating within the restrictions for a home-based business. Do not have any of the business-related items, including but not limited to inflated or deflated inflatables, generators, pressure washer, dollies or tarps outside. The trailer needs parked in the garage or behind the fence.**

- b) **REPEAT VIOLATION (see CE#2025-00572 - Home Businesses Requirements / Restrictions** - Part III, App. B, Art. VII, Sec. 2(E) & Sec. 54-201 - 207. Home businesses must have a business tax receipt and shall adhere performance standards of this code as well as City required development and use standards (reference: Part III, App. B, Art. V & VI, Dist. Regulations & Use Standards). **Specifically: The bounce rental business is not operating within the restrictions for a home-based business. Do not have any of the business-related items, including but not limited to inflated or deflated inflatables, generators, pressure washer, dollies or tarps outside. The trailer needs parked in the garage or behind the fence.**



- c) **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: Items may not be stored outside, including but not limited to the inflated or deflated inflatables, generators, pressure washer, dollies and tarps.**

The property owner(s)/representative(s) was present, Jennifer and Noah Countryman, who testified. Property neighbor(s) were present, Anthony Boehm, Richard Millard and Ben Guest, who testified. City staff testified into the record due process requirements and case facts. City staff updated the Board on the current case status and recommended a finding of the cited repeat violation(s) item(s) “a & b” & to impose a one-time fine and lien the property at \$400.00 per day: 01/24/26, 04/10/26, 04/11/26 and 04/23/26 totaling \$1,600. **Moved by Fulton / Meisenbach to find the property in repeat violation of the cited repeat violation(s) item(s) “a & b” & to impose a one-time fine and lien the property at \$400.00 per day: 01/24/26, 04/10/26, 04/11/26 and 04/23/26 totaling \$1,600. Motion carried by majority.**

E. INSPECTOR ANDRE

22. **CE#2024-00396; The Brevard Hindu Mandir- 1517 Avenida Del Rio Unfinished Business** - Complaint Received 06/05/24
Board History: 1Hr. 0422/26 Finding comply by 06/02/26

- a) **Conditional Uses Adherence and Restrictions Required** - PART III - LAND DEVELOPMENT REGULATIONS; Appendix B - ZONING; ARTICLE IX. - ZONING APPLICATIONS AND PROCEDURES; Sec. 5(E). Violations of conditions use agreements and safeguards shall be deemed a violation. **Specifically: Approved conditional use agreements and safeguards shall be adhered to. Corrective Action: Violation of Conditional Use -- Ordinance No. 2011-10 that was approved on March 22, 2011.**



- 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: A Permit is required for the work that was done on the property Including the Wooden Deck and the Pavers. Corrective Action: Issued and completed building permits are required for any exterior work building additions, alterations, upgrades, repairs, demolition or change of occupancy. You must obtain "issued" and completed building permits for above referenced non-permitted work and for any other work requiring building permits. **COMPLIED.**

The property owner(s)/representative(s) was not present. City staff updated the Board on the current case status and recommended to commence a fine and lien the property at \$50.00 per day beginning 06/03/26 until cited violation(s) have been complied. **Moved by Saam / Tencati to start fine and lien the property at \$50.00 per day starting 06/03/26 until cited violation(s) have complied.**
Motion carried by majority.

23. **CE#2024-00945; Richards, Elizabeth - 819 Almond Blvd**
New Business - Complaint Received 12/09/24
Board History: 1Hr. 04/22/26 Admin Postponed

- a) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.50; Chpt. 20, Art. X, Sec. 20-314 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. International Property Maintenance Code (IPMC) adopted, Chapter 3, Section 304.2, Section 304.5 & 6 [Exterior] / Section 305.3 [Interior] & Section 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: Repairing all exterior wall holes, cracks and other deteriorated or unmaintained exterior wall areas are required to be repaired. 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) **Sanitary System Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 5, Section 506. Approved Sanitary System Required. All sanitary systems and their associated hardware /components shall be properly connected to an approved sanitary system, be in good repair, sanitary, safe, maintained and functionally operating. **Specifically: Plumbing in bathroom not functional properly/Water coming through toilet. Water leak in the kitchen. Corrective Action: Repair faulty plumbing.**

- c) **Accessory Structure Maintenance Required** - 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: Accessory/Shed behind the home is deteriorated with no roof or doors. Corrective Action: Replace or repair walls, doors and roof on accessory structure.**

- d) **Window Maintenance Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. – International Property Maintenance Code (IPMC) adopted, Chapter 3, International Property Maintenance Code, Section 304.13 [Exterior] / 305.3 [Interior] & Section 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: Window around the home is deteriorated with cracked glazing and currently cannot open and close as designed. Corrective Action: Repair all window cracks and other deteriorated or unmaintained components around the window.**

- e) **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: Accumulation of construction debris and trash. Corrective Action: All trash and debris around the home including the broken pile of concrete needs to be removed.**

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



24. **CE#2025-00029; Waters, Lakeonte Lashea - 109 Prince Ave**
Unfinished Business - Complaint Received 06/04/25
Board History: 1Hr. 03/11/26 Finding Comply by 04/21/26; **2Hr.** 04/22/26 1Ext to 06/02/26
- 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 not present. City staff updated the Board on the current case status and recommended extending the compliance date until 07/07/26. **Moved by Saam / Teele to extend the compliance date until 07/07/26. Motion carried by majority.**



25. **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; **3Hr.** 03/11/26 2Ext to 04/21/26; **4Hr.** 04/22/26 3Ext to 06/02/26

- 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 07/07/26. **Moved by Saam / Teele to extend the compliance date until 07/07/26. Motion carried by majority.**

26. **CE#2025-00146; Turner, Andre Lysell & Tompkins, Minnie L Guardian - 3310 James St**

Unfinished Business - Complaint Received 03/13/25

Board History: 1Hr. 11/14/25 Finding Comply by 12/09/25; **2Hr.** 12/10/25 1Ext to 01/27/26; **3Hr.** 01/28/26 2Ext to 04/21/26; **4Hr.** 04/22/26 3Ext to 06/02/26

- 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: 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.**

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 07/07/26. **Moved by Saam / Tencati to extend the compliance date until 07/07/26. Motion carried by majority.**



27. **CE#2025-00177; Bell, Wid T - 2808 S Harbor City Blvd**

New Business - Complaint Received 03/25/25

Board History: 1Hr. 03/11/26 Admin Postponed

- 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.**



28. **CE#2025-00308; Hubbard, Hannah & Gregory II - 2805 Dairy Rd**
Unfinished Business - Complaint Received 05/16/25
Board History: 1Hr. 03/11/26 Finding Comply by 04/21/26

- 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 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: Garbage, containers, Auto parts, Furniture and other Misc. items around the property and on the disable pick-up truck. Corrective Action: All exterior storage of items must be relocated within a completely enclosed and "permitted" structure or removed from the property.**

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



29. **CE#2025-00518; Moltor LLC - 2401 & 2405 Stone St**
Unfinished Business - Complaint Received 08/05/25
Board History: 1Hr. 04/22/26 Finding comply by 06/02/26
- a) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - PART III, Appendix D, CHAPTER 9, ARTICLE III, Sec. 9.50; Chpt. 20, Art. X, Sec. 20-314 & PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.82. International Property Maintenance Code (IPMC) adopted, Chapter 3, Section 304.2, Section 304.5 & 6 [Exterior] / Section 305.3 [Interior] & Section 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: Repairing all exterior wall holes, cracks and other deteriorated or unmaintained exterior wall areas are required to be repaired. 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) **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: Building in state of major disrepair. Corrective Action: Repair and/or maintain above referenced exterior foundation and surface areas or demolish home.**
 - c) **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.**

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 07/07/26. **Moved by Saam / Tencati to extend the compliance date until 07/07/26. Motion carried by majority.**



30. **CE#2025-00714; Blackmon, Shemeka - 3215 Plummer Cir**
Unfinished Business - Complaint Received 09/29/25
Board History: 1Hr. 04/22/26 Finding comply by 06/02/26
- 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.
COMPLIED.
- 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, junk and misc. items stored around the yard. 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) **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 pool is not being maintained with green / blackish water and floating debris. Corrective Action: Repair and/or maintain above referenced pool by means of: Repairing pump, shocking pool and removing debris.**



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 06/03/26 until cited violation(s) have been complied. **Moved by Tencati / Teele to start fine and lien the property at \$25.00 per day starting 06/03/26 until cited violation(s) have complied. Motion carried by majority.**

31. **CE#2026-00095; St Maximilian LLC - 2600 Race St Unfinished Business** - Complaint Received 02/26/26
Board History: 8k 04/22/26 Finding comply by 06/02/26
- a) **Roof Systems & Structural Members Maintenance** - 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.**

 - b) **Walls & Other Surfaces Maintenance & Protective Treatment Required** - Sec. 20-314 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 304.2, Sec. 304.5 & 6 [Exterior] / Sec. 305.3 [Interior] & Sec. 306.1. Walls, doors, door & window frames, ornamental cornices, trim, masonry, & other structure surfaces their associated hardware/components shall be in good repair, maintained, vertical/plumb and free from cracks, holes, breaks, rust and loose or rotting materials; maintained, weather tight with weatherproofing, properly surfaced/textured or treated and coated to prevent deterioration while ensuring structural reliability. **Specifically: Exterior walls of building have holes along with loose and rotting materials...Significant peeling paint of exterior wall areas allowing for weathering deterioration. Corrective Action: Repair and/or maintain above referenced exterior wall foundation and surface areas by means of repairing all exterior wall holes, cracks and other deteriorated or unmaintained exterior wall areas to prevent continued weathering and deterioration.**



- c) **Unsecured Structure Abatement. Chpt. 32; Sec. 32-56; & Sec. 13.82** - adopting the International Property Maintenance Code (IPMC) Sec. 301.3. **Specifically: Unoccupied and unsecured structures are an attractive nuisance and shall be abated, secured and/or made safe to eliminate the attractive nuisance by board up or other measures. If such conditions, are not corrected they shall be abated by the City. Corrective Action: Structure entry points must be secured to prevent access by unauthorized persons.... Secure/Board up all broken doors and windows. If such conditions, are not corrected they shall be abated by the City.**

- d) **Nuisance Overgrowth Abatement** - Sec. 32-56; Sec. 32-104; Sec. 48-82 & Sec. 13.82 adopting the International Property Maintenance Code (IPMC) Sec. 301.3 & 302.4. 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 and if not corrected shall be abated by the City. **Specifically: Property is overgrown with high grass, weeds and/or unkempt landscaping and has not been mowed, cut, trimmed, edged or maintained. Corrective Action: Mow, cut, trim and/or edge all collective yard areas, perimeter areas, fence lines, sidewalks, grass strips contiguous alleys, curbs, rights-of way to the edge of the pavement on any public street.**

- e) **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 (fence debris, tires, appliances, liquid container, gas cans, junk and plant debris). 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.**



- f) **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.**

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 06/03/26 until cited violation(s) have been complied. **Moved by Teele / Loomer to start fine and lien the property at \$25.00 per day starting 06/03/26 until cited violation(s) have complied. Motion carried by majority.**

F. INSPECTOR DURANT

32. **CE2021-00929; Riverside of Melbourne LLC - 592 Montreal Ave**
Unfinished Business - Complaint Received 08/11/21
Board History: 1Hr. 10/23/24 Admin Removed; **2Hr.** 12/04/24 Finding Comply by 01/21/25; **3Hr.** 01/22/25 1Ext to 03/04/25; **4Hr.** 03/05/25 2Ext to 04/08/25; **5Hr.** 04/09/25 Fine & Lien \$50 per day; **6Hr.** 07/09/25 Fine Runs; **7Hr.** 01/28/26 Fine Runs
- 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. **Obtain permits for ALL work completed on property; including but not limited to: pavers, light poles, accessory structures, electrical, plumbing, etc.**
- b) **Certificate of Occupancy Required** - PART III, Appendix D, CHAPTER 13, ARTICLE III, Sec. 13.80. – Florida Building Code adopted. Chpt. 1, Section 111 111.1 A [property] building or structure shall not be used or occupied, [nor shall] ... a change in [its] ... existing use or occupancy classification ... or portion thereof shall ... be made, until the building official has issued a certificate of occupancy. **Property has been or is being occupied and utilized for events and other commercial activity without Certificate of Occupancy. Cease occupying and using property without first obtaining all required permits, finals on issued permits and a Certificate of Occupancy.**



The property owner(s)/representative(s) was present, Katie Kaminski, who testified. City staff updated the Board on the current case status and recommended staying the fine at the current amount \$21,050.00 until the Hearing on 07/08/26. **Moved by Misenbach/ Teele to stay the fine at the current amount of \$21,050.00 until the Hearing on 07/08/26. Motion carried by majority.**

33. **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; **11Hr.** 03/11/26 1Ext Stay Fine at \$6000 to 04/22/26; **12Hr.** 04/22/26 2Ext Stay Fine at \$6000 to 06/03/26

- 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, 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 announced to the Board compiled case status with a fine totaling \$6,000.00. **The Board affirms compliance with a \$6,000.00 fine.**

34. **CE#2024-00073; 791 Holdings LLC - 791 Washburn Rd**
Unfinished Business - Complaint Received 02/06/24
Board History: 1Hr. 01/22/25 Finding comply by 03/04/25; **2Hr.** 03/05/25 1Ext to 04/08/25; **3Hr.** 04/09/25 2Ext to 07/08/25; **4Hr.** 07/09/25 3Ext to 08/26/25; **5Hr.** 08/27/25 4Ext to 11/11/25; **6Hr.** 11/12/25 5Ext to 01/27/26; **7Hr.** 01/28/26 6Ext to 06/02/26

- a) **Site Plan Required - Part III, Appendix B – Zoning, Article V. – District Regulations, Section 1. Property requires a site plan and permits for any use and must meet district regulations for development **Corrective Action: A site plan is required for any business, storage utilization or other use of property.****
- b) **Paved Parking Area Required - PART III, Appendix D, CHAPTER 9, ARTICLE V, Sec. 9.74 (q). Vehicular use areas. Driveways, parking areas, service and display areas, shall be paved according to the city engineering specifications. **Corrective Action: Vacant lot is required to be utilized according to approved site plan and must have improved surfaces (paved).****



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

35. **CE#2024-00284; Gravel, Martin - 1634 Cypress Ave**
New Business - Complaint Received 04/30/24
Board History: None

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

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

36. **CE#2025-00034; Kilbourne, Edward L - 2647 Pepper Ave**
New Business - Complaint Received 01/27/25
Board History: None

- 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.
Corrective Action: Roof, soffit and associated components are in disrepair and require repair/ maintenance.
- b) **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. **Corrective Action: Structure and components are in need of repair including but not limited to window/ door replacement, roof maintenance, stucco/ painting exterior walls, etc.**



- c) **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: House has been boarded up for well beyond one year.**

The property owner(s)/representative(s) was not present. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) “a & b” with a compliance date of 07/07/26. **Moved by Teele / Meisenbach to find the property in violation of the uncorrected cited violation(s) Item(s) “a & b” with a compliance date of 07/07/26. Motion carried by majority.**

37. **CE#2025-00106; Hobbs, Eric - 2557 Burns Ave**
New Business - Complaint Received 02/26/25
Board History: None

- a) **Repeat Violation for 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: Demonstrate that vehicle (blue car) in driveway and truck alongside street (gas tank down) are operable, store according to code, or remove from property.**
- b) **Repeat Violation for Recreational Vehicle Residential Restrictions** - Sec. 9.74(p); App. B, Art. V, Sec. 2(E)(2)(e) & Sec. 2(F)(2)(d). Recreational equipment or recreational vehicles parked or stored within residential districts are restricted to location, use and other restrictions. **Specifically: Trailer in the front yard and trailer alongside the street must be stored behind the front building line of the house.**

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



38. **CE#2025-00107; Aquina, Lida - 1962 Garner Ave**
New Business - Complaint Received 02/26/25
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 building permit for the addition to outside back porch area and wood fence.
 - b) **Fence, Gates & Wall Maintenance Required** - Sec. 20-314; Sec. 9.50; & Sec. 13.82. adopting the International Property Maintenance Code (IPMC) Sec. 302.7 [fences & walls] & 304.19 [gates]. Fences, gates and/or walls their surfaces and associated hardware/components are required to be in good repair, continuously aligned vertically/plumb in construction while ensuring aesthetics and structural reliability. Corrective Action: Repair or remove broken, leaning portions of back yard fence.
COMPLIED PRIOR TO HEARING.

The property owner(s)/representative(s) was present, Lidia Aquina and Esmeralda Alvarez, who testified. City staff testified into the record Due Process requirements and case facts. Staff recommended a finding of the uncorrected cited violation(s) of item(s) "a" with a compliance date of 07/07/26. **Moved by Meisenbach / Loomer to find the property in violation of the uncorrected cited violation(s) Item(s) "a" with a compliance date of 07/07/26. Motion carried by majority.**

39. **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; 2Hr. 03/11/26 1Ext to 04/21/26; 3Hr. 04/22/26 2Ext to 06/02/26
- 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 not present. City staff updated the Board on the current case status and recommended extending the compliance date until 07/07/26. **Moved by Teele / Meisenbach to extend the compliance date until 07/07/26. Motion carried by majority.**

40. **CE#2025-00189; Badillo, Andre & Gonzalo - 2535 Burns Ave**
Unfinished Business - Complaint Received 03/27/25
Board History: 1Hr. 03/11/26 Finding Compy by 04/21/26; **2Hr.** 04/22/26 1Ext to 06/02/26

- 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. **COMPLIED.**



- 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. **COMPLIED.**

- 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.**

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

41. **CE#2025-00601; Molin Trust, Arthur - 1684 Avocado Ave**
Unfinished Business - Complaint Received 08/28/25
Board History: 1Hr. 04/22/26 Finding comply by 06/02/26

- 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: House is in disrepair with windows, doors boarded up. House requires repair and maintenance to comply with building code.**

- b) **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: Several boats on the side of house and in back yard are derelict. Boats have been at the property for several years in an inoperable state.**



- c) **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: Obtain permit for wood fencing installed along the back perimeter of property along the alleyway.**

- d) **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: Remove excessive items in back yard/ side yard and under carport area.**

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 07/07/26. **Moved by Saam / Teele to extend the compliance date until 07/07/26. Motion carried by majority.**

- 42. **CE#2026-00088; Molin, Glenn; Estate of Molin, Arthur - 1693 N Harbor City Blvd**
Unfinished Business - Complaint Received 02/24/26
Board History: 1Hr. 04/22/26 Finding comply by 06/02/26

- 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: House is in disrepair with windows, doors boarded up. House requires repair and maintenance to comply with building code.**



- 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: Back area of property (inside & outside of fence) has excessive amounts of piles of wood, clothing, misc. items that require removal.**

- c) **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: Pool is in disrepair with dirty, dark tinted water in the bottom. Pool requires repair and maintenance.**

- 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: Entire perimeter fence of property is in disrepair and requires repair or replacement. Old wood fencing needs to be properly disposed of.**

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 \$100.00 per day beginning 06/03/26 until cited violation(s) have been complied. **Moved by Meisenbach / Loomer to start fine and lien the property at \$100.00 per day starting 06/03/26 until cited violation(s) have complied. Motion carried by majority.**



G. RESCISSION

43. **CE#2023-01122; Teele, James P. & Sheila M. - 2442 Empire Ave**
Unfinished Business - Complaint Received 11/17/23
Board History: 1Hr. 05/01/24 Admin Postponed; **2Hr.** 07/31/24 Finding Comply by 09/03/24; **3Hr.** 09/04/24 Admin Postponed; **4Hr.** 10/23/24 1Ext to 12/03/24; **5Hr.** 12/04/24 Admin Postponed; **5Hr.** 01/22/25 Admin Postponed; **6Hr.** 03/05/25 2Ext to 07/08/25; **7Hr.** 07/09/25 Fine Lien \$25 per day; **8Hr.** 08/27/25 Stay Fine at \$1,250 til 10/01/25; **9Hr.** 10/01/25 1Ext Stay Fine at \$1,250 til 11/12/25; **10Hr.** 11/12/25 Complied with fine \$1,250
- a) **Open/Outside Storage of Trash, Junk, Debris, Litter, Other Prohibited** - Chpt. 32, Sec. 56; Chapter 36, Chapter. 48, Sec. 29 & Sec. 82: & PART III, Appendix D, Chapter 13, Article III, Sec. 13.82. – International Property Maintenance Code adopted, Chapter 3, Sections 302.1 & 308.1. Property must be maintained as to prevent a public nuisance. ... litter, household items, trash, construction debris and/or materials, broken items and/or unmaintained items, debris and other open storage of accumulations. Specifically: There is a large accumulation of open storage, debris, materials, trash, etc. located in the backyard including in trailers and a boat. The accumulations of open storage including, but not limited to metal, junk, debris, materials, trash, etc. needs to be relocated to a permitted enclosed structure or removed from the property. **COMPLIED.**
- b) **Overgrowth / Dead Trees / Accumulations Prohibited** - Chpt.32-56; Chapter. 48- 82(a)(3) & PART III, Appendix D, Chapter 13, Article III, Sec.13.82. International Property Maintenance Code adopted, Chapter 3, Sections 301.3 & 302.4-. Overgrowth / Dead Standing Trees and Vegetative Accumulations Prohibited. Specifically: The overgrowth needs removed from the backyard. The lawn needs maintained including the backyard. **COMPLIED.**
- c) **Junked, Abandoned and Wrecked Property** - Chapter 36, Article II Tangible Personal Property, Section 36-19 Storage of Vehicles - Section 36-20 Evidence of abandonment, junking, etc., of vehicle. The absence of a current license plate for the current year and /or the absence of a current motor vehicle registration shall be prima facie evidence creating a rebuttable presumption that such vehicle is abandoned, junked or discarded. Section 36- Removal of abandoned, junked vehicles from private property. Section 36-22. Dismantled or inoperable vehicle. Specifically: The vehicles including those stored in the backyard that do not have a current registration/license plate as of the date of this Notice need to be demonstrated as operable. **COMPLIED.**



The property owner(s)/representative(s) was present, James Teele, who testified. City staff updated the Board on the case history and City's justification for recommending denial of the rescission request. **Moved by Saam / Meisenbach recommending City Council deny request to rescind the fine balance amount of \$1,250.00. Motion carried by majority.**

H. Board/Staff Comments

44. Board Members Term Lengths (Requested by City Council)

Consensus is:

1. There is no need for term limits because the Council already has the discretion to appoint or remove members.
2. There is already a shortage of members and if term limits are put into place there would be a additional vacancies.
3. A Board would loss long-term knowledge brought about by term limits.

I. ADJOURNMENT

Moved by Saam / Meisenbach to adjourn the meeting at 09:15 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>Teale James P.</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Code Board</i>
MAILING ADDRESS <i>2442 EmPReAve</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Melbourne, FL</i>	COUNTY <i>BREVARD</i>
DATE ON WHICH VOTE OCCURRED <i>6/3/24</i>	NAME OF POLITICAL SUBDIVISION: MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" 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, James P. Teek, hereby disclose that on 6/3, 20 24:

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

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

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

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

6/3/24
Date Filed

James P. Teek
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.