

## **CITY OF PALM BAY, FLORIDA**

### **CODE ENFORCEMENT BOARD Regular Meeting 2021-07**

Held on the 14<sup>th</sup> day of July 2021 in the Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law and is on file in the Code Compliance Office, 120 Malabar Rd SE, Palm Bay, Florida.

Chairperson James Boothroyd called the meeting to order at approximately 1:05 PM.

<b>CHAIRPERSON:</b>	James Boothroyd	Present
<b>VICE CHAIRPERSON:</b>	James Ritter	Present
<b>MEMBER:</b>	Jimmie Glover	Present
<b>MEMBER:</b>	Victor Silva-Martinez	Present
<b>MEMBER:</b>	Alfred Agarie	Present
<b>MEMBER:</b>	Alan Borkowski	Present
<b>MEMBER:</b>	Susan Walberg	Present
<b>STAFF:</b>	Jason M Gordon	Present
<b>STAFF:</b>	Rodney Edwards	Present

#### **SWEARING IN:**

All respondents, complainants, and City staff required to testify were sworn in.

#### **OLD BUSINESS:**

1. CEB 22110-21      CITY OF PALM BAY vs ALFRED R AGARIE & M AGARIE  
4371 DIXIE HWY NE, PALM BAY

This case involved a violation of City Code, Section(s) 185.181(A); 170.113; 2015 IPMC 308.1, Code of Ordinances of the City of Palm Bay for property located at 4371 Dixie Hwy NE, HOPSONS SUBD PART OF LOTS 10, 11 AS DES IN ORB 377 PGS 45, 47 EX HWY R/W, Subdivision 29, Township 28, Range 37, Section 24, Brevard County, Florida.

Motion by Mr. Borkowski, seconded by Mr. Glover, to find the respondent in violation based on the findings of fact, Section(s) 185.181(A); 170.113; 2015 IPMC 308.1, The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Motion by Mr. Borkowski, seconded by Mr. Glover, to set a compliance date to October 12, 2021 or that a fine of \$250.00 be imposed for every day the violations continued. The

motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Mr. Agarie and Mr. Ritter abstained from voting on this case.

2. CEB 22111-21      CITY OF PALM BAY vs ALFRED R AGARIE  
1987 DANR DR NE, PALM BAY

This case involved a violation of City Code, Section(s) 185.010; 185.181(A), Code of Ordinances of the City of Palm Bay for property located at 1987 Danr DR NE, VALENTINE ESTATE SUBD, PT OF LOT 2 AS DESC IN ORB 3749 PG 1239, Subdivision FK, Township 28, Range 37, Section 14, Brevard County, Florida.

Motion by Mr. Borkowski, seconded by Mr. Glover, to find the respondent in violation based on the findings of fact, Section(s) 185.010; 185.181(A), The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Motion by Mr. Borkowski, seconded by Mr. Glover, to set a compliance date to November 11, 2021 or that a fine of \$250.00 be imposed for every day the violations continued. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Mr. Agarie and Mr. Ritter abstained from voting on this case.

3. CEB 22115-21      CITY OF PALM BAY vs LACEANN N AGARIE  
1981 DANR DR NE, PALM BAY

This case involved a violation of City Code, Section(s) 185.181(A); 185.010, Code of Ordinances of the City of Palm Bay for property located at 1981 Danr DR NE, VALENTINE EST SUBD, PART OF S ½ OF LOT 2 W OF FEC RR AS DESC IN ORB 2564 PG 305 EXC ORB 3251 PG 4905, Subdivision FK, Township 28, Range 37, Section 14, Brevard County, Florida.

Motion by Mr. Borkowski, seconded by Mr. Glover, to find the respondent in violation based on the findings of fact, Section(s) 185.181(A); 185.010, The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Motion by Mr. Borkowski, seconded by Mr. Glover, to set a compliance date to November 11, 2021 or that a fine of \$250.00 be imposed for every day the violations continued. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Mr. Agarie and Mr. Ritter abstained from voting on this case.

## **REPORTS:**

### **1. Authorization to Impose Fines:**

The City requested the Board find all respondents / cases listed in the Authorization to Impose Fines Report in non-compliance for the period stated in the report. Inspections were performed on July 1, 2021 and the properties remained in non-compliance.

CEB 20767-20	MAYURI INVESTMENTS	\$200.00 per day
CEB 22024-21	GRAVES, ALEXIS E	\$50.00 per day
CEB 22063-21	JENNETTE, JACQUELINE F.	\$200.00 set fine
CEB 22066-21	SASNETT, EDWARD C	\$50.00 per day
CEB 22067-21	BURNETT, MARY J	\$50.00 per day
CEB 22072-21	PIERRE, ROODY	\$50.00 per day
CEB 22077-21	DUMADAG, LORETO	\$200.00 set fine
CEB 22078-21	CORIO LAN, DANIEL A	\$200.00 set fine
CEB 22086-21	SPENCER, MENDES	\$200.00 set fine
CEB 22089-21	PUN, BRIAN S	\$200.00 set fine
CEB 22090-21	GHIGLIOTTY, IGNACI	\$200.00 set fine
CEB 22091-21	MESHAKA, ABRAHA	\$200.00 set fine
CEB 22092-21	ADHEMAR, AMOS J	\$200.00 set fine
CEB 22093-21	THOMAS, PEARLIE M	\$200.00 set fine
CEB 22094-21	SHEN, MEI HSIU HUN	\$200.00 set fine
CEB 22096-21	WJHFL LLC D/B/A WJ	\$200.00 set fine
CEB 22102-21	SILVER PALM HOMES	\$200.00 set fine
CEB 22154-21	SILVER PALM HOMES	\$50.00 per day
CEB 22155-21	WINTERS, STUART A	\$50.00 per day

CEB 22156-21	159 NEMO CIR NE
CEB 22157-21	551 THOR AVE SE
CEB 22158-21	1018 MALABAR LAKE DR NE

CEB 22164-21	122 ANDERSON AVE NE
CEB 22165-21	340 DE CASTRO AVE SE
CEB 22166-21	1170 EMERALD RD SE
CEB 22168-21	3611 JUPITER BLVD SE
CEB 22172-21	1570 DEGROODT RD SW
CEB 22197-21	3179 TROPICAL CIR SE
CEB 22198-21	846 DRIFTWOOD AVE SE
CEB 22200-21	2595 SOUTHOVER DR NE
CEB 22201-21	1901 ROBERT J CONLAN BLVD NE

Motion by Mr. Boothroyd, seconded by Mr. Ritter, to find the cases listed by the Board Secretary in violation based on the findings of fact entered into evidence. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Ritter, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Borkowski, aye; Mr. Agarie, aye; Ms. Walberg, aye.

Motion by Mr. Boothroyd, seconded by Mr. Glover, to give the respondents in these cases a compliance date of July 29, 2021 or that a fine of \$50.00 be imposed for every case for each and every day the violations continue. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Ritter, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Agarie, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Board find the respondents in violation of the violations not in compliance and that the Code Board set a reasonable time for compliance and a flat fine to be imposed if the respondents fail to come into compliance by the time set.

CEB 22159-21	2115 FALLON BLVD NE
CEB 22160-21	1377 HELLOWELL ST NW
CEB 22161-21	1833 DELKI ST NW
CEB 22162-21	1385 PAKENHAM ST NW
CEB 22163-21	1566 PAISLEY ST NW
CEB 22169-21	740 GRANDEUR ST SE
CEB 22170-21	681 CAPEADOR ST NW
CEB 22174-21	405 HARRISON ST SW

CEB 22175-21	422 GANLEY ST SW
CEB 22176-21	451 LAMKIN ST SW
CEB 22177-21	1135 WING RD SW
CEB 22178-21	1082 WING RD SW
CEB 22179-21	2181 SAN FILIPPO DR SE
CEB 22180-21	1380 TORGERSON RD SE
CEB 22181-21	2356 RHINEHART RD SE
CEB 22182-21	1650 TILLY ST SE
CEB 22183-21	1255 WADE ST SE
CEB 22184-21	897 AUTUMN ST SE
CEB 22185-21	959 CARVER RD SE
CEB 22187-21	827 BRITTAN AVE SE
CEB 22188-21	1625 SALAZAR ST SE
CEB 22189-21	180 DAILEY ST SE
CEB 22190-21	160 DAILEY ST SE
CEB 22191-21	2672 FIELDS AVE SE
CEB 22192-21	1340 RAN RD SE
CEB 22193-21	2151 WHITESIDE AVE SE
CEB 22194-21	1361 TOWTON ST SE
CEB 22196-21	1150 RAOUL ST SE
CEB 22199-21	1901 ACADEMY ST NE

Motion by Mr. Boothroyd, seconded by Mr. Glover, to find the cases listed by the Board Secretary in violation based on the findings of fact entered into evidence. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Ritter, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Agarie, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

Motion by Mr. Boothroyd, seconded by Mr. Borkowski, to give the respondents in these cases a compliance date of July 24, 2021 or that a set fine of \$200.00 be imposed for the violation; and authorize the City to correct the violation at the expense of the property owner if not complied within the date given and charge the property owner with the reasonable cost of the actions along with the fine imposed. The motion carried with the members voting as follows: Mr. Boothroyd, aye; Mr. Ritter, aye; Mr. Glover, aye; Mr. Silva-Martinez, aye; Mr. Agarie, aye; Mr. Borkowski, aye; Ms. Walberg, aye.

**ADJOURNMENT:**

The meeting adjourned at approximately 1:50 PM.

ATTEST:

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Jeanne Pinsi, Board Secretary

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James Boothroyd, Chairperson