

CITY OF PALM BAY, FLORIDA

CODE ENFORCEMENT SPECIAL MAGISTRATE Regular Meeting 2025-04

Held on the 9th day of April 2025 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.

Code Compliance Special Magistrate Frank Scaglione called the meeting to order at approximately 1:15 PM.

SWEARING IN:

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

BUILDING CODE COMPLIANCE OLD BUSINESS:

Began hearing these cases at 1:16 PM.

1. CEB 25710-25 CITY OF PALM BAY VS GLEN GARRAHAN
2683 TOLMAN AVE SE, PALM BAY

This case involved a violation of City Code, Section(s) 185.184, Code of Ordinances of the City of Palm Bay for property located at 2683 Tolman Ave SE, Lot 20, Blk 1159, Unit 24, Subdivision GU, Township 29, Range 37, Section 29, Brevard County, Florida.

This case came into voluntary compliance.

2. CEB 25712-25 CITY OF PALM BAY VS VINCENT STEVENS PAINTING INC
467 FOXDALL AVE NE, PALM BAY

This case involved a violation of City Code, Section(s) 185.181; Code of Ordinances of the City of Palm Bay for property located at 467 Foxdall Ave NE, Lot 10, Blk 101, Unit 6, Subdivision FT, Township 28, Range 37, Section 34, Brevard County, Florida.

Ordered: Set a compliance date of May 9, 2025, or that a fine of \$50.00 per day be imposed for every day the violation continues.

BUILDING CODE COMPLIANCE HEARINGS:

1. CEB 25852-25 CITY OF PALM BAY VS KARLA SALVATIERRA R.A.
1261 PLATT AVE SW, PALM BAY

This case involved a violation of the City Code, Section(s) 93.04; 185.184; Code of Ordinances of the City of Palm Bay for property located at 1261 Platt Ave SW, Lot 21, BLK 1567, Subdivision KK, Township 29, Range 36, Section 13, Brevard County, Florida.

Ordered: The city is considering the permit for this property to be abandoned per chapter one of the administrative code section 105.4.1.1 and requested all construction material including partially constructed material be removed within 60 days. If not, the city request authorization to remove the material at the owner's expense per section 105.5. This request was denied by the Special Magistrate due to the wrong ordinance number on the statement of violation. It was suggested to resend the statement of violation to the property owner with the updated ordinance number.

Finished hearing Building Code Compliance case at 1:27 PM.

REPORTS:

Authorization to Impose Fines:

1. CEB 25374-24 CITY OF PALM BAY VS TIMOTHY APWISCH
1392 SCHNEIDER ST SW, PALM BAY

This case involved a violation of City Code, Section(s) 93.03; 93.03, Code of Ordinances of the City of Palm Bay for property located at 1392 Schneider St SW, Lot 13 & 14, Blk 1703, Unit 36, Subdivision KL, Township 29, Range 36, Section 03, Brevard County, Florida.

Ordered: Granted an extension of the compliance date until April 16, 2025.

2. CEB 25639-25 CITY OF PALM BAY VS PATSY ROSALES
1575 WELTER ST SE, PALM BAY

This case involved a violation of City Code, Section(s) 185.123(A)(1)(d), Code of Ordinances of the City of Palm Bay for property located at 1575 Welter St SE, Lot 8, Blk 2006, Unit 46, Subdivision KQ, Township 29, Range 37, Section 28, Brevard County, Florida.

Ordered: Granted an extension of the compliance date until June 8, 2025.

3. CEB 25661-25 CITY OF PALM BAY VS ROBERT M HUDSON AND
KRISTIE HUDSON
1305 DEEDRA ST NW, PALM BAY

This case involved a violation of City Code, Section(s) 150.40(A), Code of Ordinances of the City of Palm Bay for property located at 1305 Deedra St NW, Lot 14, Blk 1915, Unit 26, Subdivision FB, Township 28, Range 36, Section 34, Brevard County, Florida.

Ordered: Granted an extension of the compliance date until May 9, 2025.

The City requested the Code Enforcement Special Magistrate 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 or about April 3, 2025, and the properties remained in non-compliance.

CEB 25431-24	SALTZMAN, CHRISTOPH	\$50.00 PER DAY
CEB 25445-24	GRAHAM, ROBERT H	\$200.00 SET FINE
CEB 25606-25	HOME FINANCING CEN	\$200.00 SET FINE
CEB 25631-25	KARTEN, ROBERT	\$50.00 PER DAY
CEB 25635-25	MENSAH, ERNEST Y	\$50.00 PER DAY
CEB 25636-25	DINAPOLI, LOUISE	\$50.00 PER DAY
CEB 25637-25	PALLADIO DEVELOPME	\$50.00 PER DAY
CEB 25640-25	WIGGINS, BETTY	\$50.00 PER DAY
CEB 25645-25	JOSEPH, JASMINE	\$200.00 SET FINE
CEB 25646-25	TRIPLE CROWN LLC	\$200.00 SET FINE
CEB 25647-25	GOD PLEASING LLC	\$200.00 SET FINE
CEB 25649-25	PALLADIO DEVELOPME	\$200.00 SET FINE
CEB 25651-25	YUNG, TSUNG & HOU, L	\$200.00 SET FINE
CEB 25652-25	KWAN, BOSCO	\$200.00 SET FINE
CEB 25653-25	BROOKS, MARGARET	\$200.00 SET FINE
CEB 25658-25	LUNA CAPITAL INVESTM	\$200.00 SET FINE
CEB 25659-25	UNG, DAVY	\$200.00 SET FINE
CEB 25660-25	ARTURO BARCELLONA	\$200.00 SET FINE
CEB 25662-25	DAMONE, DANIEL	\$200.00 SET FINE
CEB 25663-25	SMITH, CHERYL	\$200.00 SET FINE
CEB 25665-25	RED MAILBOX LLC	\$200.00 SET FINE
CEB 25667-25	MOHAMMED, NEIL ALI	\$200.00 SET FINE
CEB 25669-25	VINCENT, CAROL	\$200.00 SET FINE

CEB 25673-25	RIDLEY, TABATHA	\$200.00 SET FINE
CEB 25676-25	GUADALUPE, GEORGE	\$200.00 SET FINE
CEB 25679-25	WESTLAKE, HAROLD W	\$200.00 SET FINE
CEB 25680-25	HARGRAVE, SHERRI L	\$200.00 SET FINE
CEB 25686-24	SMITH, CLINTON R	\$200.00 SET FINE
CEB 25688-24	PRESSLEY, DERRICK	\$200.00 SET FINE
CEB 25690-25	RAMOS, NORBERTO	\$200.00 SET FINE
CEB 25691-25	TK & TK PROPERTIES LL	\$200.00 SET FINE
CEB 25693-25	WYNTER, SKYLER P	\$200.00 SET FINE
CEB 25698-25	COULTER, NEVA MARL	\$50.00 PER DAY
CEB 25699-25	EVAN, AIDA C	\$50.00 PER DAY
CEB 25703-25	ROBERTS, WINTON W	\$200.00 SET FINE
CEB 25704-25	SAMAYOA, ABIMAE L A	\$200.00 SET FINE

OLD BUSINESS:

1. CEB 25716-25 CITY OF PALM BAY VS LACEANN N AGARIE
1981 DANR DR NE, PALM BAY

This case involved a violation of City Code, Section(s) 184.10; 180.03; 174.066, Code of Ordinances of the City of Palm Bay for property located at 1981 Danr DR NE, VALENTINE ESTATE 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.

Ordered: a compliance date of April 9, 2025 was given or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

2. CEB 25717-25 CITY OF PALM BAY VS ALFRED R AGARIE AND MURINE
N AGARIE
1965 DANR DR NE, PALM BAY

This case involved a violation of City Code, Section(s) 184.10; 180.03; 174.066; Code of Ordinances of the City of Palm Bay for property located at 1965 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.

Ordered: a compliance date of April 9, 2025 was given or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

3. CEB 25718-25 CITY OF PALM BAY VS ALFRED R AGARIE
1987 DANR DR NE, PALM BAY

This case involved a violation of City Code, Section(s) 184.10; 180.03; 174.066, 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.

Ordered: a compliance date of April 9, 2025 was given or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

4. CEB 25727-25 CITY OF PALM BAY VS JASON RYAN AND SARA COLE
349 BUTLER AVE NE, PALM BAY

This case involved a violation of City Code, Section(s) 179.093(A); Code of Ordinances of the City of Palm Bay for property located at 349 Butler Ave NE, Lot 1, Blk 93, Unit 6, Subdivision FT, Township 28, Range 37, Section 34, Brevard County, Florida.

This case was brought into voluntary compliance and is closed.

HEARINGS:

1. CEB 25795-25 CITY OF PALM BAY VS MIGUEL GARAY AND CATHERINE JOY GARAY
1053 JUPITER BLVD NW, PALM BAY

This case involved a violation of City Code, Section(s) 93.03, Code of Ordinances of the City of Palm Bay for property located at 1053 Jupiter Blvd NW, Lot 4, Blk 2515, Unit 48, Subdivision KR, Township 28, Range 36, Section 26, Brevard County, Florida.

Ordered: Set a compliance date of May 9, 2025, or that a fine of \$50.00 00 per day be imposed for every day the violation continues

2. CEB 25802-25 CITY OF PALM BAY VS ANTHONY JAIMUNGAL AND ANITA JITTA
577 MACON ST SW, PALM BAY

This case involved a violation of City Code, Section(s) 185.123(A)(1)(c), 179.076, Code of Ordinances of the City of Palm Bay for property located at 577 Macon St SW, Lot 13, Blk 1433, Unit 30, Subdivision KJ, Township 29, Range 36, Section 36, Brevard County, Florida.

Ordered: Set a compliance date of July 8, 2025, or that a fine of \$50.00 00 per day be imposed for each violation and for every day the violation continues.

3. CEB 25803-25 CITY OF PALM BAY VS ANTHONY JAIMUNGAL
 & ANITA JITTA
 597 MACON ST SW, PALM BAY

This case involved a violation of City Code, Section(s) 179.076; Code of Ordinances of the City of Palm Bay for property located at 597 Macon St SW, Lot 11, Blk 1433, Unit 30, Subdivision KJ, Township 29, Range 36, Section 36, Brevard County, Florida.

Ordered: Set a compliance date of July 8, 2025, or that a fine of \$50.00 00 per day be imposed for each violation and for every day the violation continues.

4. CEB 25804-25 CITY OF PALM BAY VS DEYSE ARENCIBIA
 1914 JUPITER BLVD SW, PALM BAY

This case involved a violation of City Code, Section(s) 179.076, Code of Ordinances of the City of Palm Bay for property located at 1914 Jupiter Blvd SW, Lot 19, Blk 996, Unit 20, Subdivision GI, Township 29, Range 36, Section 02, Brevard County, Florida.

Ordered: Set a compliance date of April 16, 2025, or that a fine of \$50.00 00 per day be imposed for each violation and for every day the violation continues.

5. CEB 25812-25 CITY OF PALM BAY VS DAVID & JOYCE YANNAYON
 425 SARAGASSA AVE SW, PALM BAY

This case involved a violation of City Code, Section(s) 93.03, Code of Ordinances of the City of Palm Bay for property located at 425 Saragassa Ave SW, Lot 10, Blk 1075, Unit 19, Subdivision 25, Township 29, Range 36, Section 01, Brevard County, Florida.

Ordered: Set a compliance date of April 24, 2025, or that a fine of \$50.00 per day be imposed for every day the violation continues.

6. CEB 25796-25 CITY OF PALM BAY VS JEANINE F SEMB AND
 BRIAN S BEMB

1310 MEDINA AVE NW, PALM BAY

This case involved a violation of City Code, Section(s) 93.03, Code of Ordinances of the City of Palm Bay for property located at 1310 Medina Ave NW, Lot 39, BLK 1933, Unit 42, Subdivision KN, Township 28, Range 36, Section 23, Brevard County, Florida.

Ordered: Set a compliance date of April 16, 2025, or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

7. CEB 25794-25 CITY OF PALM BAY VS ENIDE VILMA REVOCABLE TRUST
1086 LOCUST AVE NW, PALM BAY

This case involved a violation of City Code, Section(s) 179.080, Code of Ordinances of the City of Palm Bay for property located at 1086 Locust Ave NW, Lot 9, Blk 2122, Unit 42, Subdivision KN, Township 28, Range 36, Section 27, Brevard County, Florida.

Ordered: Set a compliance date of October 6, 2025, or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

8. CEB 25810-25 CITY OF PALM BAY VS NICHOLAS TELEMACHOS,
MIORA PALIMARU AND ZOICA GUITA
520 WILDMER RD SW, PALM BAY

This case involved a violation of City Code, Section(s) 2021 IPMC 301.13; Code of Ordinances of the City of Palm Bay for property located at 520 Wildmer Rd SW, Lot 14, Blk 1041, Unit 20, Subdivision GI, Township 29, Range 36, Section 02, Brevard County, Florida.

Ordered: Set a compliance date of May 9, 2025, or that a fine of \$50.00 per day be imposed for each violation for every day the violation continues.

9. CEB 25785-25 CITY OF PALM BAY VS KARIM KHOJA
1853 WABUN ST NE, PALM BAY

This case involved a violation of City Code, Section(s) 2021 IPMC 304.6; 2021 IPMC 505.3; 93.03, Code of Ordinances of the City of Palm Bay for property located at 1853 Wabun St NE, HIAWATHA GARDENS SEC 2 LOTS 14 TO 17, S 15 FT OF LOTS 18, 19, ALL OF LOTS 20 TO 23 BLK C TOGETHER WITH HIAWATHA GARDENS LOTS 7, 13, BLK C, Subdivision 50, Township 28, Range 37, Section 13, Brevard County, Florida.

Ordered: Set a compliance date of June 08, 2025, or that a fine of \$50.00 per day be imposed for every day the violation continues.

The following cases were withdrawn due to voluntary compliance.

CEB 25844-25	4500 LIPSCOMB ST NE # 072-A
CEB 25784-25	1801 MANGO ST NE
CEB 25834-25	326 GARVEY RD SW

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

CEB 25778-25	874 HAMPTON DR NE
CEB 25779-25	2386 ROYAL PALM DR NE
CEB 25780-25	1749 BIG CYPRESS ST NE
CEB 25781-25	1906 SAGO PALM ST NE
CEB 25782-25	1931 MANGO ST NE
CEB 25783-25	1805 MANGO ST NE
CEB 25786-25	3711 PINWOOD DR NE
CEB 25787-25	1167 WILD ROSE DR NE
CEB 25788-25	1936 LIVE OAK ST NE
CEB 25789-25	2401 COCONUT PALM DR NE
CEB 25790-25	4870 BABCOCK ST NE
CEB 25791-25	400 HOMESTEAD AVE NE
CEB 25792-25	1282 CRICKET DR NE
CEB 25793-25	1788 FALLON BLVD NE
CEB 25797-25	242 EMERSON DR NW
CEB 25798-25	976 ELMONT ST NW
CEB 25799-25	2000 AGORA CIR SE #202
CEB 25800-25	686 ALFORD ST SE
CEB 25801-25	1150 TARGEE ST SE
CEB 25805-25	328 GATES ST SW
CEB 25806-25	473 HOLIN AVE SW

CEB 25807-25	1127 DEGROODT RD SW
CEB 25808-25	190 MALABAR RD SW
CEB 25809-25	474 SCANLON RD SW
CEB 25811-25	1701 SAWGRASS DR SW
CEB 25813-25	260 MEEHAN AVE NW
CEB 25814-25	111 MASSINI AVE NW
CEB 25815-25	482 CORAL AVE SE
CEB 25816-25	426 ALVARADO AVE SE
CEB 25817-25	710 FRISCO ST SE
CEB 25818-25	107 HEARTHSIDE AVE NW
CEB 25819-25	263 FERNANDINA ST NW
CEB 25820-25	482 DOMINICAN AVE SE
CEB 25821-25	685 GLENEAGLES DR SE
CEB 25822-25	3130 TROPICAL CIR SE
CEB 25823-25	2781 DAHLIA RD SE
CEB 25824-25	2765 DAHLIA RD SE
CEB 25825-25	137 BELLBROOK ST SE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these cases a compliance date of April 24, 2025, or that a fine of \$50.00 be imposed for each violation on each case for each and every day the violations continue.

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Special Magistrate find the respondents in violation of the violations not in compliance and that the Code Enforcement Special Magistrate 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 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.

CEB 25826-25	2380 ERSOFF BLVD NE
CEB 25827-25	1470 COUNTRY CLUB DR NE
CEB 25828-25	550 JUPITER BLVD NW
CEB 25829-25	591 LONDONDERRY CIR SE
CEB 25830-25	975 ZAMBRANA ST SE

CEB 25831-25	1255 WADE ST SE
CEB 25832-25	1059 GEARY ST SW
CEB 25833-25	496 LADYSLIPPER ST SW
CEB 25835-25	112 CRESCENT ST SE
CEB 25836-25	1586 WICHITA BLVD SE
CEB 25837-25	1691 WALKER ST SE
CEB 25838-25	1410 DENALI ST SE
CEB 25839-25	3217 SAN MIGUEL AVE SE
CEB 25840-25	398 SILVER FROST ST SE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these cases a compliance date of April 19, 2025, 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 City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Special Magistrate find the respondents in violation of the violations not in compliance and that the Code Enforcement Special Magistrate 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 25841-25	3052 DIXIE HWY NE
CEB 25842-25	2020 PALM BAY RD NE #08
CEB 25843-25	2155 ROBERT J CONLAN BLVD NE
CEB 25845-25	1156 MALABAR RD SE #A
CEB 25846-25	1271 HATHAWAY RD SW
CEB 25847-25	1474 SCHMITT AVE SW
CEB 25848-25	2778 FREEHOLD AVE SE
CEB 25849-25	2920 FLAGSTAFF AVE SE
CEB 25850-25	1631 SARDINIA ST SE
CEB 25851-25	2208 RAVEL RD SE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these

cases a compliance date of April 19, 2025, or that a set fine of \$200.00 be imposed for the violation.

ADJOURNMENT:

The meeting adjourned at approximately 3:02 PM.

ATTEST:

Jeanne Pinsi, Secretary

Frank Scaglione, Code Enforcement Special Magistrate