



CITY OF TITUSVILLE

CODE ENFORCEMENT SPECIAL MAGISTRATE

AGENDA

Regular Meeting

August 11, 2025 - 2:00 PM

Council Chamber at City Hall

555 South Washington Avenue, Titusville, FL 32796

The City desires to accommodate persons with disabilities. Accordingly, any person who requires an accommodation, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the hearing, submit a written request to the City Clerk detailing the accommodation required.

Any person who decides to appeal any decision of the special magistrate, with respect to any matter considered at this hearing, will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person or defendant who requests to review or object to any exhibits presented to the special magistrate by the City of Titusville prior to submission to the special magistrate, must stand and state their requests to review the exhibits prior to review by the magistrate at the time their case or agenda item is called for hearing.

Any person found to be in violation of the City of Titusville Code of Ordinances and given a time frame in which to comply shall, upon compliance, be responsible for contacting the code enforcement supervisor for an inspection to verify said compliance. The violation will not be considered to be in compliance until the code enforcement supervisor is notified and verifies compliance.

- 1. CALL TO ORDER**
- 2. SWEARING IN OF WITNESSES**
- 3. APPROVAL OF MINUTES**
 - A. Approval of July 14, 2025, Minutes**
- 4. HEARINGS**
 - A. Municipal Appeals**

B. Lien Reduction Hearings

1. **Skyy Investments LLC**
195 Roosevelt Avenue
Titusville, FL 32780
Parcel ID # 22-35-10-51-2-29
2. **Bianca S Bland**
508 Lucky Street
Titusville, FL 32780
Parcel ID # 22-35-03-54-9-3
3. **Enterprises 4 U LLC**
Rodrigo Rubim da Silva Registered Agent
1229 First Avenue
Titusville, FL 32780
Parcel ID # 22-35-03-54-12-8

C. Massey Hearings

1. **25-68**
Evelyn Louise Ratliff
160 Park Lane, Titusville, FL 32780
Parcel ID# 22-35-10-50-A-5
Notice of Violation: Certified and Posted, Initial March 20, 2025,
Certified mail March 21, 2025.
Hearing Mailed July 21, 2025, and Posted July 28, 2025

D. Continued Hearings

E. Initial Hearings

1. **25-36**
Eric Hampton
Catherine Jefferson
419 Wager Avenue
Titusville, FL 32796
Parcel ID # 22-35-03-03-28-6
Notice of Violations: Certified mailed on April 7, 2025, and posted on
April 7, 2025
Notice of Hearing: Certified mailed July 9, 2025, and Posted July 28, 2025
2. **25-37**
Jessica Cassell

**3700 Miriam Drive
Titusville, FL 32796
Parcel ID # 22-35-06-76-*-19
Notice of violation: Posted June 24, 2025, certified mail sent June 25, 2025.
Notice of Hearing: Sent Certified Mail July 10, 2025, posted on property and City Hall July 16, 2025.**

3. **25-44
Richard Manzo
2655 Alibird Drive
Titusville, FL 32780
Parcel ID # 22-35-17-80-*-6
Notice of Violations: Certified mailed sent June 10, 2025, and Hand Delivered to Owner on June 9, 2025.
Notice of Hearing: Certified mailed sent July 11, 2025 and Hand Delivered to Owner & Posted at City Hall on July 29, 2025.**

4. **25-48
Pop Florida Properties LLC
3675 Cheney Highway
Titusville, FL 32780
Parcel ID # 22-35-30-AV-*-70.02
Notice of Violations: Certified mailed sent Nov. 14, 2024, and Hand Delivered to Employee on June 9, 2025.
Notice of Hearing: Certified mailed sent July 09, 2025 and Hand Delivered to Employee & Posted at City Hall on July 29, 2025.**

5. CODE ENFORCEMENT MANAGER'S REPORT

6. ADJOURNMENT

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From:
Subject: **Approval of July 14, 2025, Minutes**
Department/Office: Code Enforcement

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. July 14 2025 Minutes

MEETING MINUTES

Monday, July 14, 2025, 2:00 PM

CODE ENFORCEMENT SPECIAL MAGISTRATE

I. CALL TO ORDER

The scheduled meeting of the Titusville Code Enforcement Special Magistrate was called to order at 2:00 pm in the City Hall, Council Chambers, 555 S Washington Avenue, Titusville, FL.

PRESENT:

Don Nguyen, Special Magistrate
Glenn Tolleson, Code Enforcement Manager
Jim Flannigan, Code Enforcement Officer
Mae Wright, Code Enforcement Officer

II. SWEARING IN OF WITNESSES

III. APPROVAL OF JUNE 9, 2025, HEARING MINUTES – *Approved by Special Magistrate Nguyen.*

IV. HEARINGS

MUNICIPAL TRESPASS WARNING APPEAL

None

LIEN REDUCTION HEARINGS

24-93

DWB Developers Inc.

Tax ID # 2218100

Parcel ID # 22-35-28-01-28-20

Code Enforcement Officer: Mae Wright

1. Section 6-109; Sub Section 302.4; Overgrowth

On December 9, 2024, Special Magistrate Nguyen ordered a fine to be imposed in the amount of \$100.00 per day related to violation of City Code Sec. 6-109; 2018 IPMC Section 302.4, Overgrowth commencing on October 12, 2024, and continuing daily until the violations are corrected. In addition to the fine imposed herein, the Respondent shall pay the City's costs of prosecution in the amount of \$163.75 (if said costs have not been previously paid).

Property came into compliance on March 25, 2025, and daily fines were stopped. Total fines amounting to \$16,400.00.

On May 19, 2025, Code Enforcement received a lien reduction application from DWB c/o Carl Del Prete requesting a reduction of \$16,000.00.

During the hearing on July 14, 2025, Code Officer Mae Wright was present and testified on behalf of the city. Respondent, Carl Del Prete for DWB Developers Inc was present as well and provided testimony. Code Officer Wright entered a PowerPoint presentation as Exhibit #1.

Special Magistrate Nguyen issued a recommendation to reduce the fine to \$3,000 plus the City's costs of prosecution in the amount of \$198.97. Recommendations will be sent to the City Council for consideration.

MASSEY HEARINGS

25-27

Philip A. D' Andreamatteo Jr.

1435 Brook Drive, Titusville, FL 32780

Parcel ID# 22-35-08-01-3-13

Code Enforcement Officer: Jim Flannigan

1. SEC. 6-109; 2018 IPMC SEC 304.7 Roof and Drainage

On March 10, 2025, this property held its initial hearing. Based on evidence and testimony provided by Code Officer Jim Flannigan, the Special Magistrate ordered the respondent to comply by 12:00pm (noon) on April 11, 2025. If the respondent failed to meet the date given, the Special Magistrate may impose a fine of \$100.00 per day commencing April 12, 2025, and a lien may also be imposed.

During the Massey hearing on April 14, 2025, Code Officer Flannigan testified that the property remains in violation as of the date of this hearing. The respondent was provided notice of this hearing and was present. The Special Magistrate granted the respondent an additional sixty (60) days from the date of the hearing to correct violation. If compliance is not achieved by June 13, 2025, a fine is imposed in the amount of \$100.00 per day, retroactive April 12, 2025, and continuing daily until the violation is corrected to the written satisfaction of the Code Officer.

On July 14, 2025, Code Officer Flannigan testified that the property remains in violation. Based on the evidence provided, the Special Magistrate imposed a fine of \$100.00 per day for Sec. 6-109; 2018 IPMC Sec 304.7 Roof and Drainage, commencing April 12, 2025. In addition to the fine imposed, the Respondent shall pay the city's cost of prosecution in the amount of \$251.80. The city's costs were paid on June 6, 2025.

25-33

Robert C Kirk

Krystal Kirk cook

925 Cleveland Street, Titusville, FL 32780

Parcel ID # 22-35-22-52-20-6

Code Enforcement Officer: Mae Wright

- ~~1. Section 6-109; 2018 IPMC Sec 404.4.4 – Prohibited Occupancy Non-Habitable Space~~
2. Section 12-23 – Junk and Debris
- ~~3. Section 13-73 – Inoperative Vehicles Prohibited~~
4. Section 6-109; 2018 IPMC Section 304.13 – Windows, Skylights, Door Frames

On April 14, 2025, this property held its initial hearing. Code Enforcement Officer Wright entered a Notice of Violation and Affidavit of Posting as Exhibit #1, Notice of Hearing and Affidavit of posting as Exhibit #2, a Cost Recovery Statement in the amount of \$216.58 as Exhibit #3 and a PowerPoint presentation as Exhibit #4.

After the Code Officer's and the respondent's testimony, Special Magistrate Nguyen ordered that the respondent shall remove all the items being stored outside the house and in the backyard and cease utilizing the porch and living room for sleeping purposes by 12:00pm (noon) on June 6, 2025. The Respondent shall further repair or replace the windows to function correctly and obtain any necessary permits by 12:00pm (noon) on July 11, 2025.

If compliance with all violations is not achieved by the above deadlines, a subsequent compliance/Massey hearing will be held. The Magistrate may impose a fine in the amount of \$100.00 per day, per violation beginning June 7, 2025, for any violations not corrected by the June 6, 2025 deadline, and July 12, 2025, for the violation not corrected by the July 11, 2025, deadline. Fines shall continue to accrue daily until the violations are corrected. A lien may also be imposed.

During the Massey hearing on June 9, 2025, Code Officer Wright testified the property complied with Section 6-109; 2018 IPMC Sec 404.4.4 – Prohibited Occupancy Non-Habitable Space during her reinspection on Jun 6, 2025. Code Officer Wright also testified that the property remains in violation of Sec. 12-23 – Junk and Debris.

Based on the testimony and evidence presented, a fine was imposed of \$100.00 per violation per day, commencing June 7, 2025, and continuing daily until the violations are corrected.

On July 14, 2025, this case had its second Massey hearing for code Section 6-109; 2018 IPMC Section 304.13 – Windows, Skylights, Door Frames which Code Officer Mae Wright testified the property remains in violation. Respondent Robert C Kirk was also present and provided his testimony.

Based on testimonies and evidence presented, Special Magistrate Nguyen imposed a fine in the amount of \$100.00 per day, commencing July 12, 2025, and continuing daily until the violations are corrected. In addition to the fine imposed, Respondent shall pay the city's costs of prosecution in the amount of \$216.58 (if said costs have not been paid to the City of Titusville).

MASSEY HEARINGS

25-68

Evelyn Louise Ratliff

160 Park Lane, Titusville, FL 32780

Parcel ID # 22-35-10-50-A-5

Code Enforcement Officer: Jim Flannigan

1. Section 12-23 – Junk and Debris

On July 14, 2025, Code Officer Wright entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a cost recovery statement in the amount of \$216.58 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Based on the evidence provided, Special Magistrate Nguyen ordered respondent to have violation corrected by 12:00 p.m. (noon) on August 8, 2025. If compliance with violation is not achieved by the date given, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$100.00 per day commencing August 9, 2025, and continuing daily until the violation is corrected.

In addition to the fine imposed, Respondent shall pay the city's costs of prosecution in the amount of \$216.58, payable to the "City of Titusville" and delivered to the office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

25-70

BAF Assets 6 LLC

2765 Liberty Avenue, Titusville, FL 32780

Parcel ID # 22-35-15-28-*-221

Code Enforcement Officer: Jim Flannigan

1. Section 20-58 – A Miscellaneous Parking Regulation

On July 14, 2025, Code Officer Flannigan entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a cost recovery statement in the amount of \$216.58 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint as Exhibit #4.

The respondent was provided with a notice of hearing but was not present at the hearing.

Code Officer Flannigan testified that as the date of the hearing, the property is now in compliance. Based on the evidence, the Magistrate ordered the respondent to continue to keep the property in compliance by refraining from parking vehicles in the front yard. Further and future violations of the same sections shall be classified as a repeat violation.

Notwithstanding compliance, the respondent shall pay the city's cost of prosecution in the amount of \$216.58, payable to the "City of Titusville" and delivered to the office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

25-71

George Raymond Donall, Sr. Trust
8251 Windover Way, Titusville, FL 32780
Parcel ID # 22-35-30-AV-*-61
Code Enforcement Officer: Mae Wright

1. SEC. 6-109; 2018 IPMC SEC. 302.7 – Accessory Structures
2. SEC. 6-109; 2018 IPMC SEC. 304.1 – General Exterior Maintenance
3. SEC. 6-109; 2018 IPMC SEC. 301.3 – Vacant Structure and Land
4. SEC. 6-109; 2018 IPMC SEC. 305.1 – General Interior Maintenance

On July 14, 2025, Code Officer Wright entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a cost recovery statement in the amount of \$128.53 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint as Exhibit #4.

The respondent's attorney-in-fact, Julie Donall, appeared at the hearing.

Based on the evidence, the Magistrate ordered the respondent to correct the cited violations by securing the structures from unauthorized entry and by applying for the demolition of the structures by 12:00 p.m. (noon) on September 5, 2025. Respondent shall further complete the application process and obtain the permit for the demolition of the structure by October 10, 2025.

If compliance with securing the existing structures is not achieved by September 5, 2025, a subsequent compliance/Massey hearing will be held and the Magistrate may impose a fine in the amount of \$100.00 per day, per violation commencing September 6, 2025, and continuing daily until violations are corrected. A lien may also be imposed.

If compliance with obtaining an issued permit for the demolition is not achieved by October 10, 2025, a subsequent compliance/Massey hearing will be held and the Magistrate may impose a fine in the amount of \$100.00 per day, per violation commencing October 11, 2025, and continuing daily until violations are corrected. A lien may also be imposed.

In addition to the fine imposed, Respondent shall pay the city's costs of prosecution in the amount of \$128.53, payable to the "City of Titusville" and delivered to the office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

25-120

**Sarah & Khadijah Investments LLC
5480 Wendy Lee Drive, Titusville, FL 32780
Parcel ID # 22-35-34-00-260
Code Enforcement Officer: Mae Wright**

- 1. Section 30-39: Tree removal, permit required.*
- 2. Section 30-83: Prohibition: Clearing, Storage of Materials and Equipment*

On July 14, 2025, Code Officer Wright entered a Notice of Hearing and Affidavit of posting as Exhibit #1, a cost recovery statement in the amount of \$163.75 as Exhibit #2, a Notice of Violation and Affidavit of posting as Exhibit #3 and a PowerPoint as Exhibit #4.

The respondent was provided notice of the hearing but did not appear.

Based on the evidence and the irreversible and/or irreparable nature of violation, the Magistrate imposed a fine in the amount of \$5,000.00 per violation, for a total of \$10,000.00.

In addition to the fine imposed, Respondent shall pay the city's costs of prosecution in the amount of \$163.75, payable to the "City of Titusville" and delivered to the office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

V. CODE ENFORCEMENT MANAGER'S REPORT- None.

VI. ADJOURNMENT – 3:49 p.m.

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Code Enforcement Special Magistrate

From:

Subject: Lien Reduction Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: James Flannigan, Code Enforcement Officer
Subject: **Skyy Investments LLC**
195 Roosevelt Avenue
Titusville, FL 32780
Parcel ID # 22-35-10-51-2-29
Department/Office: Code Enforcement

Recommended Action:

Hear the respondents' Skyy Investments LL/ Vern Daniels owner. Request for a lien reduction in the amount of \$13,100.00.

Summary Explanation & Background:

On July 6, 2024, Special Magistrate Jennifer Nix ordered that the fine is imposed in the amount of \$100 per day commencing on July 6, 2024, and continuing daily until the violation is corrected to the written satisfaction of the code officer. In addition to the fine imposed, respondents shall pay the City's cost in the amount of \$216.58.

On November 11, 2024, the property achieved compliance and was verified by Code Department personnel. The total daily fine accrued is \$13,100, and the City's cost of recovery of \$216.58, for a total of \$13,316.58

On November 26, 2024, the Code Enforcement Department received an application for a lien reduction from the property owner, Mr. Matthew Meyers for the property located at 195 Roosevelt Street. The application is presented in accordance with Titusville Code Section 31-71 for the Special Magistrate's consideration.

At the January 13, 2025, meeting, Special Magistrate Don Nguyen heard the request for reduction and the owner was not present at the hearing. After reviewing the request, Special Magistrate Nguyen recommended denial of the reduction in the fine of \$13,100.

At the March 11, 2025, meeting, Regular City Council Meeting, staff presented the request for reduction and the owner who was present at that meeting. After reviewing the request and hearing the testimony of Mr. Meyers. The City Council recommended a reduction in the fine to \$0 dollars and the city cost in the amount of \$216.58 must be paid within 90 days or the fine would return to the original amount of \$13,100.

On June 10, 2025 the Code Enforcement Department verified that the 90 days had expired and the City Cost of \$216.58 had not been paid. Additionally, found that the property had been sold to a new owner, Skyy Investments LLC, on March 6, 2025, five days prior to the City Council meeting, where Mr. Meyers, who represented himself as the owner and provided testimony that he had purchased the property just before the code reduction hearing and wasn't notified of the hearing.

On June 18, 2025 the City Legal Department sent a demand for payment letter to the owner of record that the property was in default of the council approval for the reduction of lien.

On June 25, 2024, the Code Enforcement Department received an application for a lien reduction from the new property owner, Skyy Investments LLC/Vern Daniels, for the property located at 195 Roosevelt Street. The application is presented in accordance with Titusville Code Section 31-71 for the Special Magistrate's consideration.

On July 23, 2025 received a email from Skyy Investments that they would be present for the hearing.

Alternatives:

1. Approve modified amount.
2. Do not approve the lien request.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

1. Lien Reduction Request
2. 195 Roosevelt Demand Letter
3. Skyy Investments deed
4. Lien payout
5. Before Picture
6. Compliance Picture
7. 24-72 195 Roosevelt Order Imposing Fine and Lien_0001 NIX
8. Minutes from March 11, 2025 City Council meeting
9. Quick claim Meyers 2024

CITY OF TITUSVILLE CODE ENFORCEMENT

LIEN REDUCTION APPLICATION

Name & Address of Owner SKYY INVESTMENTS LLC / VERN DANIELS

Telephone Number(s) of Owner (914) 888-4062 Homestead? yes no If yes, submit proof of residency at homestead address.

Code Enforcement Property Address 196 ROUSEVELT ST. Date of Compliance 11/14/24

Amount of lien reduction requested \$ 13,100 All administrative costs, and any costs of enforcement, repair or to secure a structure that are incurred by the City shall not be reduced or waived.

Pursuant to Titusville Code Sec. 31-71 (g): If there are no other outstanding monies owed to the City, and if the Code Enforcement Department confirms that the subject code violation(s) has been brought into compliance and there are no current code violations on the property, the application shall be placed on the agenda for the Special Magistrate's consideration. The Special Magistrate shall consider a reduction of the lien amount based upon the factors below and make a recommendation for Council's approval:

- (a) The gravity of the violation;
- (b) The actions taken by the Applicant to correct the violations and the time in which it took to bring the property into compliance;
- (c) The accrued amount of the code enforcement fine or lien compared to the market value of the property;
- (d) Any previous or subsequent code violations committed by the Applicant;
- (e) The Applicant's prior knowledge of the lien;
- (f) Any financial hardship;
- (g) Whether the property has a homestead exemption; and
- (h) Any other mitigating circumstances which may warrant the reduction of the lien.

Describe the factual basis upon which the reduction of the lien should be granted. Please include an explanation regarding why the violation was not corrected upon issuance of the initial Notice of Violation (include additional sheets and documentation as necessary).

DIDN'T KNOW ABOUT THE LIEN TILL YESTERDAY AND I BOUGHT THE PROPERTY ALREADY

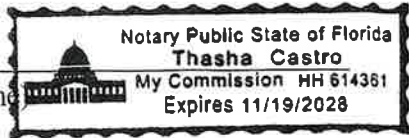
Owners Signature [Signature] Date of Application 6-25-25

STATE OF FLORIDA SKYY INVESTMENTS LLC @ GMAIL.COM
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25 day of June, 2025, by Vern Daniels, who is/are personally known to me or who has/have produced FL Drivers license as identification.

WITNESS my hand and official seal in the county and state aforesaid

[Signature]
Notary Public (print or stamp name)
My commission expires:



Please submit this completed application form to the Code Enforcement Department by email to: codeenforcement@titusville.com or you may hand-deliver or mail the completed application form to: Titusville Police Department, c/o Code Enforcement Department, 1100 John Glenn Blvd, Titusville, FL 32780.

City of Titusville

"GATEWAY TO NATURE AND SPACE"

555 South Washington Avenue
Titusville, FL 32796-3584
Post Office Box 2806 (32781-2806)



FILE COPY

Chelsea A. Farrell, Interim City Attorney
Phone: (321) 383-5693
Fax: (321) 383-5694

June 18, 2025

Via Certified and Regular U.S. Mail

SKYY INVESTMENTS LLC
c/o Vern Daniels
2925 Elmwood Ct
Titusville, FL 32780

Cynthia Daniels
34B Pondway
Staten Island, NY 10303

**RE: Code Enforcement Case No. 24-72
195 Roosevelt Street, Titusville, FL 32780**

Dear SKYY Investments LLC,

Please be advised that the undersigned represents the City of Titusville in proceedings before its Code Enforcement Special Magistrate. As you know, in Code Enforcement Case No. 24-72, the previous owner was found to be in violation of City Code Section 13-28 – Public Nuisance violations (Dead Tree); of the Code of Ordinances of the City of Titusville.

Upon failure to correct the violation to the written satisfaction of the City, the previous owner was assessed and ordered to pay a fine of \$100.00 per day, commencing on July 6, 2024, which continued until the violation was brought into compliance on November 14, 2024.

The Code Enforcement Special Magistrate has turned your case over to my office to commence collection proceedings. Section 162.10, Florida Statutes (2024) entitles the City to recover all costs, including attorney's fees, that it incurs in successfully collecting on its lien. Furthermore, the duly recorded Order Imposing Fine and Lien also constitutes a lien against any other real or personal property owned by you, a lien that the City of Titusville is entitled to enforce through the Sheriff's Office, including a levy against your personal property. A copy of the Order Imposing Fine and Lien is enclosed.

The previous owner had applied for a reduction of the fine amount in accordance with Section 31-71 of the Code of Ordinances of the City of Titusville, a copy of which is enclosed.

SKYY INVESTMENTS LLC

June 18, 2025

Page Two

The fine reduction application regarding property 195 Roosevelt St. came before the Special Magistrate Code Enforcement Board on February 10, 2025. On March 11, 2025, said fine reduction application was approved by the City Council to reduce the code enforcement lien to \$0 based on the information provided by the Code Enforcement Manager and the property owner; therefore, the property owner would only be responsible to pay the City's cost of recovery in the amount of \$216.58. Any reduced lien shall be paid within ninety (90) calendar days from the date of the Council's approval, or as otherwise ordered by the City Council. If payment is not received as ordered, said lien shall revert to the full amount of the recorded lien. As payment for above referenced lien reduction has not been received within the ninety (90) calendar days from the date of City Council's approval March 11, 2025, said lien shall revert to the full amount.

A Daily Fine Total Sheet depicting the amounts due, which is good through June 11, 2025, is also enclosed for your reference. The total fines assessed against the property to date for said violations is \$13,316.58.

As the property has been brought into compliance, you may seek a reduction of the fine amount in accordance with Section 31-71 of the Code of Ordinances of the City of Titusville, a copy of which is enclosed. Please contact my office at (321) 383-5693, within ten (10) days from your receipt of this letter to discuss the requirements to request a reduction or payment of the outstanding fines. If you fail to do so, I have been authorized and instructed to pursue all available remedies on behalf of the City to enforce its Order Imposing Fine and Lien.

In order to seek reduction of the code enforcement fines, any other utility or stormwater liens upon the property must be paid in full, and no other financial obligations owed to the City.

This is an attempt to collect a debt. PLEASE GOVERN YOURSELF ACCORDINGLY.

Very truly yours,



Chelsea A. Farrell, Esq.
Interim City Attorney

CAF: sb

cc: Glenn Tolleson, Code Enforcement Manager



CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567-3770

Daily Fine Total

06/12/2025

195 Roosevelt St

Case Number	Fine	Credits	Total
24-0172	BD Admin Costs		\$216.58
25-0241	Completed Daily Fines Case 24-72 Section 13-28 - Dead Tree		\$13,100.00
			\$13,316.58

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF TITUSVILLE, FLORIDA**

CITY OF TITUSVILLE, FL

Petitioner,

v.

JAMES MICHAEL KARNA

Mailing address:

2130 Barna Ave., Titusville, FL 32780

Respondent.

CASE NO: 24-72

Subject Property: 195 Roosevelt Street

TITUSVILLE FL 32780

Parcel ID# 22-35-10-51-2-29

ORDER IMPOSING FINE AND LIEN

This case came on for a *Massey*/compliance hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on July 8, 2024. Based on the evidence and testimony presented, the Special Magistrate finds and orders as follows:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent did not appear.
2. The Magistrate previously found Respondent in violation of City Code City Code Sec. 13-28 Public Nuisance violations (Dead Tree), and ordered compliance by 12:00 p.m. (noon) on July 5, 2024, or a subsequent hearing would be held and a fine in the amount of \$100.00 per day may be imposed.
3. The following was admitted into evidence:
Ex. 1 – Findings of Fact, Conclusion of Law and Order executed June 17, 2024.
Ex. 2 - City's Affidavit of mailing/posting and Notice of Hearing;
Ex. 3 - City's PowerPoint presentation.
4. Code Officer Jim Flannigan testified that the cited violation of City Code City Code Sec. 13-28 Public Nuisance violations (Dead Tree), still exists on the property in the same condition, with dead and fallen trees and miscellaneous branches remaining on the Subject Property.

Conclusions of Law

5. Proper notice was provided to Respondent.
6. The Magistrate incorporates the testimony and evidence presented into this Order. Based on the testimony and evidence presented by the Code Enforcement Officer, including but not limited to testimony and/or photographs regarding dead and fallen trees and miscellaneous branches which remain on the Subject Property, Respondent either failed or refused to correct such violation by the date provided in the Special Magistrate's prior Order, and, thus, continues to be in non-compliance with: 1) City Code Sec. 13-28 Public Nuisance violations (Dead Tree).

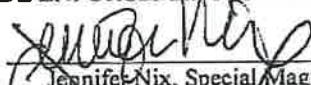
BASED UPON THE FOREGOING FACTS AND CONCLUSIONS, IT IS HEREBY ORDERED:

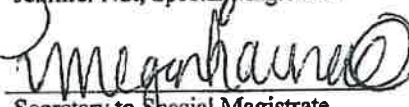
1. A fine is hereby imposed in the amount of **\$100.00 per day** related to violation of City Code Sec. 13-28 Public Nuisance violations (Dead Tree), commencing on **July 6, 2024, and continuing daily until** the violation is corrected to the written satisfaction of the Code Enforcement Officer. Respondent must contact the City of Titusville Code Enforcement Department at (321) 567-3770 to request an inspection to verify compliance in order to stop the fines from running.

2. A certified copy of this Order may be recorded in the public records and shall constitute a lien against the subject property and any other real or personal property owned by Respondent.

DONE AND ORDERED this 15th day of July 2024.

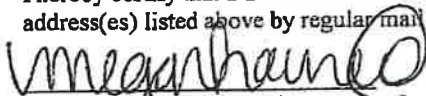
CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

By: 
Jennifer Nix, Special Magistrate

Attest: 
Secretary to Special Magistrate

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s)'s mailing address(es) listed above by regular mail and certified mail this 15 day of July 2024.


Secretary to Special Magistrate



**I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.
CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA
DATE 10/23/24
SIGNATURE E. Campbell**

Sec. 31-71. - Administrative fines and liens.

- (a) The Enforcement Board or Special Magistrate, upon notification by the Code Inspector that an order of the board or Special Magistrate has not been complied with by the set time or upon finding that a repeat violation has been committed, may order the violator to pay a fine.
- (b) The order of the Board or Special Magistrate may require the violator to pay a fine, not to exceed two hundred fifty dollars (\$250.00) per day, for each day that the violation continues past the date set in the order for compliance. In the case of a repeat violation the Board or Special Magistrate may order the repeat violator to pay a fine not to exceed five hundred dollars (\$500.00) a day, for each day the repeat violation continues past the date of notice to the violator of the repeat violation. If a finding of violation or repeat violation has been made, then a hearing shall not be necessary for the issuance of an order imposing the fine. A certified copy of an order imposing a fine may be recorded in the public records of Brevard County, Florida; and once recorded, it shall constitute a lien against the property upon which the violation was found to exist, and upon any other real or personal property owned by the violator, and upon petition to the Circuit Court it may be enforced in the same manner as a court judgment by the Sheriffs of this state, including levy against the personal property, but shall not be deemed otherwise to be a judgment of the Court except for enforcement purposes. The lien shall be superior to all other liens or encumbrances, including prior recorded mortgages or judgments and only inferior to liens for taxes. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose the lien, which occurs first. After three (3) months from the filing of any such unpaid lien, the Board or Special Magistrate may authorize the City Attorney to foreclosure upon the lien. The duration and effect in such lien shall be consistent with Florida law, which is a period of twenty (20) years.
 - (1) In determining the amount of the fine, if any, the Enforcement Board or Special Magistrate shall consider the following factors:
 - a. The gravity of the violation;
 - b. Any action taken by the violator to correct the violation; and
 - c. Any previous violation committed by the violator.
 - (2) The Enforcement Board or Special Magistrate may reduce a fine imposed pursuant to this section.
- (c) A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator.
 - (1) A fine imposed pursuant to this chapter shall continue to accrue until the violator comes into compliance or until judgement is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever occurs first.

- (2) After three (3) months from the filing of any such lien which remains unpaid, the Enforcement Board or Special Magistrate may authorize the local governing body attorney to foreclose on the lien. No lien created pursuant to the provisions of this chapter may be foreclosed on real property which is a homestead under Section 4, Article X of the State Constitution.
 - (3) The lien shall be superior to all other liens or encumbrances, including prior recorded mortgages or judgments and only inferior to liens for taxes.
- (d) Duration of lien. No lien shall continue for a period longer than twenty (20) years after the certified copy of an order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In an action to foreclose on a lien, the prevailing party is entitled to recover all costs, including a reasonable attorney's fee that it incurs in the foreclosure.
 - (e) The lien may be enforced as authorized by Chapter 162, Florida Statutes (1989), as amended.
 - (f) An aggrieved party, including the City Council, may appeal a final administrative Order of the Code Enforcement Board or Special Magistrate to the Circuit Court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Code Enforcement Board or Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.
 - (g) Reduction and release of liens.
 - (1) Where a certified copy of an order imposing a lien as described in this section has been recorded in the public records of Brevard County, Florida, and has become a lien against the property of the violator, such violator, or their successors or assigns, may apply for a reduction of such lien. The sworn application for reduction of lien shall be submitted in writing to the Code Enforcement Department on its requisite form and shall include, at a minimum, the following information:
 - a. Subject property address and contact information for the applicant/current owner;
 - b. The code enforcement case number(s);
 - c. The date upon which the subject property was brought into compliance and when a notice of compliance was issued by the City;
 - d. The factual basis upon which the reduction of the lien should be granted;
 - e. The amount of reduction sought; and
 - f. Any other supplemental information the applicant deems pertinent to the request.
- If there are no other outstanding monies owed to the City, and if the Code Enforcement Department confirms that the subject code violation(s) has been brought into compliance and there are no current code violations on the property nor any other properties owned by the

applicant, then the application shall be placed on the agenda for the Special Magistrate's consideration. The Special Magistrate shall consider a reduction of the lien amount based upon the factors below and make a recommendation for Council's approval:

- aa. The gravity of the violation;
- bb. The actions taken by the Applicant to correct the violations and the time in which it took to bring the property into compliance, and any scheduled maintenance plans to avoid future repeat violations, as appropriate;
- cc. The accrued amount of the code enforcement fine or lien compared to the current market value of the property;
- dd. Any previous or subsequent code violations committed by the Applicant;
- ee. The Applicant's prior knowledge of the lien;
- ff. Any financial hardship;
- gg. Whether the property has a homestead exemption; and
- hh. Any other mitigating circumstances which may warrant the reduction of the lien.

The Special Magistrate's recommendation shall not include a reduction or waiver of city administrative costs, costs of enforcement, any repair costs, or costs to secure any structure incurred by the City. After a recommendation has been rendered by the Special Magistrate, the item shall be placed on the City Council agenda for final action. If the Applicant fails to comply with any decision of or condition imposed by the City Council, the lien amount shall revert to the full amount as of the recorded lien. Any reduced lien shall be paid within ninety (90) calendar days from the date of Council's approval, or as otherwise ordered by the City Council. If payment is not received as ordered, said lien shall revert to the full amount of the recorded lien.

- (2) Partial release of lien. The City Council may approve requests for a partial release of lien upon receipt of a recommendation from the City Manager or City Attorney. The code lien would be released as to a specific piece of property encumbered by the lien, but the lien would remain in effect and continue to encumber the property in violation and any other properties subject to the applicable lien pursuant to law. City Council may impose conditions on the release in its sole discretion.
- (3) Lien reduction agreements. The City may enter into a Lien Reduction Agreement with a contract purchaser of real property when the City, in its sole discretion, determines that the Agreement will advance the development or re-development of a non-compliant property. An application must be completed with all applicable information and submitted to the Special Magistrate for a recommendation to City Council. The Agreement shall indicate the status of the violations, the lien settlement amount, a date for achieving compliance, and that the

Agreement is conditioned upon payment of all outstanding debts owed to the City. If the property is the subject of a pending tax deed or foreclosure sale, and there is insufficient time to obtain a recommendation from the Special Magistrate, the request may be considered by City Council without such recommendation.

- (4) The City Council may, when deemed to be in the best interest of the City of Titusville, and not inconsistent with law, waive any or all requirements or provisions set forth in this section and proceed thereafter to take whatever action is deemed to be in the best interest of the City of Titusville.
- (5) The decision on whether to reduce the lien or grant a partial release of lien is an administrative decision as to whether to accept less for a debt owed to the City, not a quasi-judicial one. The lien reduction process is not intended to create any additional substantive or procedural due process rights.
- (6) When a lien is satisfied as a result of payment as ordered, or if conditions of release are satisfied, the City Attorney, City Manager, or designee shall execute and record a satisfaction or release of lien as applicable in the public records of Brevard County, Florida. Nothing herein shall require an application in the event a lien is recorded in error by the City. The City Attorney, City Manager, or designee may execute and record a release of lien, in whole or in part, that was recorded in error by the City or is deemed vacated or void by operation of law.

(Ord. No. 01-2020, § 1, 1-28-20; Ord. No. 29-2022, § 1, 8-23-22)



Prepared by and Return to:
Tiffany Scarboro, an employee of
First International Title, LLC
3125 S. Washington Ave
Titusville, FL 32780

File No.: 251773-44

WARRANTY DEED

This indenture made on **March 06, 2025** by **Matthew K. Meyers**, whose address is: 857 Westport Dr, Rockledge, FL 32955 hereinafter called the "grantor", to **Skyy Investments LLC, a Florida Limited Liability Company**, whose address is: 2925 Elmwood Court, Titusville, FL 32780, hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Brevard County, Florida**, to-wit:

Lot 29, Block 2, RESUBDIVISION OF BOUGAINVILLEA PARK, according to the Plat thereof, recorded in Plat Book 10, Page 8, of the Public Records of Brevard County, Florida.

Parcel Identification Number: 22-35-10-51-2-29

The land is not the homestead of the Grantor under the laws and Constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.


Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

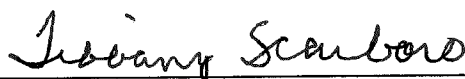
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2024.

In Witness Whereof, the grantor(s) has hereunto set their hand(s) and seal(s) the day and year first above written.


Matthew K. Meyers

Signed, sealed and delivered in our presence:



1st Witness Signature

Print Name: Tiffany Scarborough

Address: _____
3125 S Washington Ave
Titusville, FL 32780

State of FL

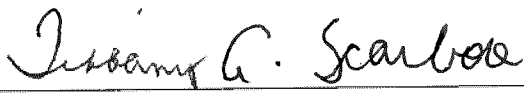
County of Brevard


2nd Witness Signature

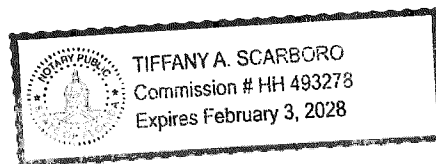
Print Name: Jason Foye

Address: 3125 S Washington Ave
Titusville, FL 32780

The Foregoing Instrument Was Acknowledged before me by means of () physical presence or () online notarization on March 6, 2025, by **Matthew K. Meyers**, who () is/are personally known to me or who () produced a valid drivers license as identification.


Notary Public Signature
Printed Name:
My Commission Expires:

(NOTARY SEAL)





CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN *Our* COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

Daily Fine Total

11/14/24

195 ROOSEVELT ST

Case Number	Fine	Credits	Total
24-0142/ 24-72	\$100.00 Per Day for active fine violation of Section 13-28 (Dead Tree)		\$13,100.00
	Daily fines will continue to accrue until compliance is achieved.		
			\$13,100.00



photo by JF
December 04, 2023 8:39 AM



photo by JF

February 03, 2025 11:01 AM

**CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF TITUSVILLE, FLORIDA**

CITY OF TITUSVILLE, FL

Petitioner,

v.
JAMES MICHAEL KARNA
Mailing address:
2130 Barna Ave., Titusville, FL 32780

CASE NO: 24-72
Subject Property: 195 Roosevelt Street
TITUSVILLE FL 32780
Parcel ID# 22-35-10-51-2-29

Respondent.

ORDER IMPOSING FINE AND LIEN

This case came on for a *Massey*/compliance hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on July 8, 2024. Based on the evidence and testimony presented, the Special Magistrate finds and orders as follows:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent did not appear.
2. The Magistrate previously found Respondent in violation of City Code City Code Sec. 13-28 Public Nuisance violations (Dead Tree), and ordered compliance by 12:00 p.m. (noon) on July 5, 2024, or a subsequent hearing would be held and a fine in the amount of \$100.00 per day may be imposed.
3. The following was admitted into evidence:

Ex. 1 – Findings of Fact, Conclusion of Law and Order executed June 17, 2024.
Ex. 2 - City's Affidavit of mailing/posting and Notice of Hearing;
Ex. 3 - City's PowerPoint presentation.
4. Code Officer Jim Flannigan testified that the cited violation of City Code City Code Sec. 13-28 Public Nuisance violations (Dead Tree), still exists on the property in the same condition, with dead and fallen trees and miscellaneous branches remaining on the Subject Property.

Conclusions of Law

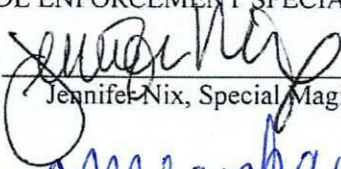
5. Proper notice was provided to Respondent.
6. The Magistrate incorporates the testimony and evidence presented into this Order. Based on the testimony and evidence presented by the Code Enforcement Officer, including but not limited to testimony and/or photographs regarding dead and fallen trees and miscellaneous branches which remain on the Subject Property, Respondent either failed or refused to correct such violation by the date provided in the Special Magistrate's prior Order, and, thus, continues to be in non-compliance with: 1) City Code Sec. 13-28 Public Nuisance violations (Dead Tree).

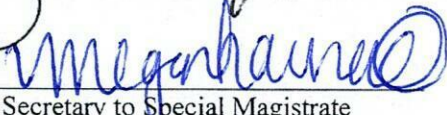
BASED UPON THE FOREGOING FACTS AND CONCLUSIONS, IT IS HEREBY ORDERED:

1. A fine is hereby imposed in the amount of **\$100.00 per day** related to violation of City Code Sec. 13-28 Public Nuisance violations (Dead Tree), commencing on **July 6, 2024, and continuing daily until** the violation is corrected to the written satisfaction of the Code Enforcement Officer. Respondent must contact the City of Titusville Code Enforcement Department at (321) 567-3770 to request an inspection to verify compliance in order to stop the fines from running.
2. A certified copy of this Order may be recorded in the public records and shall constitute a lien against the subject property and any other real or personal property owned by Respondent.

DONE AND ORDERED this 15th day of July 2024.

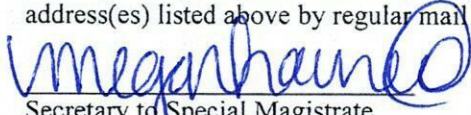
CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

By: 
Jennifer Nix, Special Magistrate

Attest: 
Secretary to Special Magistrate

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s)'s mailing address(es) listed above by regular mail and certified mail this 15 day of July 2024.


Secretary to Special Magistrate

- 9. Kinetic Staffing LLC
- 10. Sunshine Enterprise Consulting

Stan Johnston stated that he was not in support of this item. He discussed an email he sent to staff on February 17, 2025. Mr. Johnston discussed the hiring process that occurred when City Manager Larese was hired. He recommended that council hire someone internally.

Toni Shifalo discussed citizens input on the selection of the City Manager. She recommended that the City hold a public engagement with citizens, businesses, stakeholders and nonprofits to review the hiring process and gather their insights. Ms. Shifalo suggested that the City conduct a survey to gather citizens' input on the qualities they wanted in a City Manager.

Member Nelson stated that she was in support of Colin Baenziger & Associates. She stated that they seemed to complete a better background check and reference check.

Member Stoeckel stated that she was also in support of Colin Baenziger & Associates.

Motion: Member Nelson moved to approve the rankings of firms responding to RFP SV25P025LR, Executive Search & Recruiting Services; and authorize staff to negotiate the terms and conditions of the contract with the #1 ranked firm, Colin Baenziger & Associates at a cost not to exceed \$ 34,500. Should the City be unable to negotiate a satisfactory contract with the #1 ranked firm, staff shall undertake negotiations with the #2 ranked firm, and so forth in accordance with Procurement Policy until a contract can be entered into between the City and a firm. Additionally, authorize the City Manager to execute the pertinent agreement subject to the approval of the agreement terms by Human Resources Department Director, City Manager and City Attorney and approve the associated budget amendment. Vice-Mayor Cole seconded the motion.

Discussion: Member Stoeckel stated that she wanted to ensure that Community Engagement was included.

The motion carried unanimously.

xxx

NEW BUSINESS

Code Enforcement Lien Reduction Request for 195 Roosevelt Street – City Manager Larese advised the request was to approve the Special Magistrate's recommendation for a code enforcement lien reduction to be denied in the amount of the daily fine amount of \$13,100. This was for the property located at 195 Roosevelt Street. The Magistrate based his findings on the requirements of City Code Section 31-71(g).

On November 11, 2024, the property achieved compliance and was verified by Code Department personnel. The total daily fine accrued was \$13,100, and the City's cost of recovery of \$216.58, for a total of \$13,316.58

On November 26, 2024, the Code Enforcement Department received an application for a lien reduction from the property owner (Mr. Matthew Meyers) for the property located at 195 Roosevelt Street. The application was presented in accordance with Titusville Code Section 31-71 for the Special Magistrate's consideration.

At the January 13, 2025, meeting, Special Magistrate Don Nguyen heard the request for reduction and the owner was not present at the hearing. After reviewing the request, Special Magistrate Nguyen recommended denial of the reduction in the fine amount of \$13,100.

Code Enforcement Manager Glenn Tolleson reviewed the Lien Reduction Request for 195 Roosevelt Street.

Matthew Meyers stated that he was unaware of the January 13, 2025 Special Magistrate meeting and had no knowledge of the lien on the property. Mr. Meyers asked council to reduce the lien.

Motion: Member Nelson moved to approve reducing the code enforcement lien to \$0 based on the information provided by the Code Enforcement Manager and the property owner; therefore, the property owner would only pay the City's cost of recovery in the amount of \$216.58. Member Moscoso seconded the motion. The motion carried unanimously.

Council requested an update on the Request for Proposal (RFP) to outsource the registry of foreclosed property in a more efficient manner. This was a request from a previous meeting.

xxx

Titusville Community Service Award – City Manager Larese advised the request was for Council discuss the Titusville Community Service Award.

At their regular City Council meeting on February 25, 2025, Mayor Connors requested the recipient of the Titusville Community Service Award (previously known as the Harry R. Lee Titusville Unity Award) be recognized at the Boards and Commissions Ceremony versus the Flag Day Event hosted by the Flag and Memorial Committee. At this meeting, Council provided an advisability to bring the item back to a future City Council meeting for further discussion.

Vice-Mayor Cole stated that he previously served on the Titusville Community Service Award Board and he believed the award was diluted by Flag Day. He stated that this was a prestigious award and he believed it should be awarded in the Council Chambers at City Hall or at the Boards and Commissions Recognition Ceremony.

Member Stoeckel stated that she agreed with Member Cole.

Member Nelson stated that she was in support of recognizing the award at both the Boards and Commissions Recognition Ceremony and at a City Council meeting in the Council Chambers.

Quitclaim Deed

RECORDING REQUESTED BY Matthew Meyers

AND WHEN RECORDED MAIL TO:

Matthew K Meyers, Grantee(s)

857 Westport Dr
Rockledge Fla. 32955

Consideration: \$ 100⁰⁰

Property Transfer Tax: \$ _____

Assessor's Parcel No.: 22 3510-51-2-29

PREPARED BY: Matthew K Meyers certifies herein that he or she has prepared this Deed

[Signature]
Signature of Preparer

6/7/2024
Date of Preparation

Matthew K Meyers
Printed Name of Preparer

THIS QUITCLAIM DEED, executed on 6/7/2024 in the County of Brevard, State of Florida

by Grantor(s), James Michael Karna,

whose post office address is 2130 BARNER AVE Titusville FL, 32780,

to Grantee(s), Matthew K Meyers,

whose post office address is 857 Westport Dr, Rockledge Fla.,

WITNESSETH, that the said Grantor(s), James Michael Karna,

for good consideration and for the sum of (100⁰⁰) one hundred dollars

(\$ 100⁰⁰) paid by the said Grantee(s), the receipt whereof is hereby acknowledged,

does hereby remise, release and quitclaim unto the said Grantee(s) forever, all the right, title,

interest and claim which the said Grantor(s) have in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Brevard, State of Florida and more specifically described as set forth in EXHIBIT "A" to this Quitclaim Deed, which is attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Grantor(s) has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

GRANTOR(S):

James Michael Karna
Signature of Grantor

Signature of Second Grantor (if applicable)

James Michael Karna
Print Name of Grantor

Print Name of Second Grantor (if applicable)

Jane Atkins
Signature of First Witness to Grantor(s)

Sandra Hobson
Signature of Second Witness to Grantor(s)

Laura Atkins
Print Name of First Witness to Grantor(s)
857 Westport Dr Rockledge FL
32955

Sandra Hobson
Print Name of Second Witness to Grantor(s)
119 Admiral CR Sebastian, FL
32953

GRANTEE(S):

[Signature]
Signature of Grantee

Signature of Second Grantee (if applicable)

Matthew R Meyers
Print Name of Grantee

Print Name of Second Grantee (if applicable)

Jane Atkins
Signature of First Witness to Grantee(s)

Sandra Hobson
Signature of Second Witness to Grantee(s)

Laura Atkins
Print Name of First Witness to Grantee(s)
857 Westport Dr Rockledge, FL
32955

Sandra Hobson
Print Name of Second Witness to Grantee(s)
119 Admiral CR Sebastian, FL
32953

NOTARY ACKNOWLEDGMENT

State of Florida

County of Brevard

On 6/7/2024, before me, Heather L. Hobson, a notary public in and for said state, personally appeared, James Michael Karnh

who are known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Heather L. Hobson
Signature of Notary

Affiant Known Produced ID _____

Type of ID _____

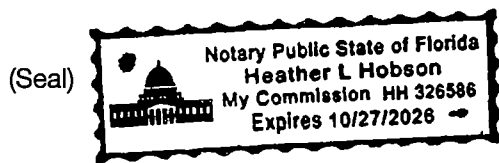


Exhibit "A"

195 Roosevelt st

Tax ID 22 3510-51-2-29 Land

Description Bougainvillea, Resubd of
Lot 29 Blk 2

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: James Flannigan, Code Enforcement Officer
Subject: **Bianca S Bland**
508 Lucky Street
Titusville, FL 32780
Parcel ID # 22-35-03-54-9-3

Department/Office: Code Enforcement

Recommended Action:

Hear the respondents' Bianca Bland owner. Request for a lien reduction in the amount of \$154,500.00

Summary Explanation & Background:

This case was originally heard on August 13, 2007. The respondent, Daisy Mitchell, did not attend the meeting. The respondent was given until September 5, 2007, to correct the violations on the property:

If compliance is not achieved, a fine in the amount of \$25.00 per day per violation commences on September 5, 2007, and continues daily until the violation is corrected, and a lien is imposed. Administrative costs in the amount of \$384.32 was also imposed.

On September 5, 2007, Massey Hearing testimony was presented by the City showing the respondent had failed to correct violations of Sec. 12-23A Junk and Debris, and Sec. 13-26 overgrowth on or before September 5, 2007. The respondent, Daisy Mitchell, did not attend the meeting. Fines were imposed in the amount of \$50.00 per day per violation starting on September 5, 2024, continuing daily until the violations are corrected. Administrative costs were also imposed at \$198.97.

On April 8, 2019. The respondent, Pertrade KFT, did not attend the meeting. The respondent was given until May 8, 2019, to correct the violations on the property,

On May 13, 2019, Massey Hearing testimony was presented by the City showing the respondent had failed to correct violations of Sec. IPMC 108.1.5 Dangerous Structure, Sec. 12-23A Junk and Debris, and Sec. 13-26 overgrowth on or before May 8, 2019. The respondent, Daisy Mitchell, did not attend the meeting. Fines were imposed in the amount of \$150.00 per day per violation starting on April 16, 2019, continuing daily until

the violations are corrected. Administrative costs were also imposed at \$81.94.

On July 23, 2019, at the Regular City Council meeting, item 9D authorized the demolition of the structure located at 508 Lucky Street. The structure was removed and on February 25, 2020, at the City Council meeting, Resolution 10-2020 set forth a special assessment imposing a method of payment for the removal of the structure.

On June 2, 2025, the property achieved compliance and was verified by Code Officer Jim Flannigan. The total daily fine accrued is \$154,500 and the City's cost of \$4,651.01 for a total of \$159,151.01. The applicant is requesting a reduction in the amount of \$154,500.00.

On May 30, 2025, the Code Enforcement Department received an application for a lien reduction from Bianca Bland, owner. The application is presented in accordance with Titusville Code of Ordinances Section 31-71 for the Special Magistrates' consideration.

On July 25, 2025 Mr. Burse acknowledged receipt of notice of hearing.

Alternatives:

- 1. Approve modified amount.
- 2. Do not approve the lien request.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

- 1. Lien Reduction Request
- 2. 508 Lucky Street Payoff
- 3. 2007 Code Board order imposing fine and lien
- 4. 2019 Code Board order imposing fine and lien
- 5. 508 Lucky 2 Before
- 6. Demo compliance
- 7. October 4 2024 QC
- 8. December 21 2023 QC

9. September 22 2023 QC
10. April 18 2023 QC
11. 1019 LLC
12. Resolution 10-2020
13. Resolution 38-2019
14. Current picture with new residence.

CITY OF TITUSVILLE CODE ENFORCEMENT

LIEN REDUCTION APPLICATION

Name & Address of Owner Bianca Bland

Telephone Number(s) of Owner 321-525-2105 Homestead? yes X no If yes, submit proof of residency at homestead address.

Code Enforcement Property Address 508 Lucky ST Date of Compliance

Amount of lien reduction requested \$ 155,500 All administrative costs, and any costs of enforcement, repair or to secure a structure that are incurred by the City shall not be reduced or waived.

Pursuant to Titusville Code Sec. 31-71 (g): If there are no other outstanding monies owed to the City, and if the Code Enforcement Department confirms that the subject code violation(s) has been brought into compliance and there are no current code violations on the property, the application shall be placed on the agenda for the Special Magistrate's consideration. The Special Magistrate shall consider a reduction of the lien amount based upon the factors below and make a recommendation for Council's approval:

- (a) The gravity of the violation;
(b) The actions taken by the Applicant to correct the violations and the time in which it took to bring the property into compliance;
(c) The accrued amount of the code enforcement fine or lien compared to the market value of the property;
(d) Any previous or subsequent code violations committed by the Applicant;
(e) The Applicant's prior knowledge of the lien;
(f) Any financial hardship;
(g) Whether the property has a homestead exemption; and
(h) Any other mitigating circumstances which may warrant the reduction of the lien.

Describe the factual basis upon which the reduction of the lien should be granted. Please include an explanation regarding why the violation was not corrected upon issuance of the initial Notice of Violation (include additional sheets and documentation as necessary).

Property brought from last owner who purchase it through tax deed. Current owner paid all city liens in the amount of exceeding \$18,000. Code enforcement Lien exceed 50% of the home value

Owners Signature [Signature] Date of Application 30 May 25

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 30 day of May, 2025, by Bianca Bland, who is/are personally known to me or who has/have produced [] as identification.

WITNESSES my hand and official seal in the county and state aforesaid
Notary Public (print or stamp name)
My commission expires:
[Notary Seal: Thomas Evans, My Commission Expires November 21, 2025, #IH 197903, Bonded thru Troy Fain, Insurance]

Please submit this completed application form to the Code Enforcement Department by email to: codeenforcement@titusville.com or you may hand-deliver or mail the completed application form to: Titusville Police Department, c/o Code Enforcement Department, 1100 John Glenn Blvd, Titusville, FL 32780.



CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN *Our* COMMUNITY.

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

Daily Fine Total

06/02/2025

508 LUCKY ST

Case Number	Fine	Credits	Total
05-001460M	Admin Costs		\$306.37
07-003185M	Completed Daily Fine 25.00/day 12-23 Junk and Debris		\$23,250.00
07-003185M	Completed Daily Fine 25.00/day 13-26 Overgrowth		\$23,250.00
18-006940	Admin Costs		\$81.94
18-006940	Completed Daily Fine 150.00/day 12-23 Junk and Debris		\$36,000.00
18-006940	Completed Daily Fine 150.00/day 108.I.5 Dangerous Structure or Premises		\$36,000.00
18-006940	Completed Daily Fine 150.00/day 13-26 Overgrowth		\$36,000.00
18-006940	Demo/Board Up Cost		\$3,505.20
20-0004	Admin Costs		\$75.00
20-0004	Recording Fee		\$35.00
20-0004	Lot Cleaning Fee		\$60.00

20-0559	Admin Costs		\$75.00
20-0559	Recording Fee		\$35.00
20-0559	Lot Cleaning Fee		\$60.00
21-0597	Admin Costs		\$75.00
21-0597	Recording Fee		\$35.00
21-0597	Lot Cleaning Fee		\$75.00
21-1402	Admin Costs		\$85.00
21-1402	Recording Fee		\$35.00
21-1402	Lot Cleaning Fee		\$112.50
			\$159,151.01



**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD**

CASE NO. 07-69

**Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780**

**CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,**

vs.

**DAISY MITCHELL
P.O. BOX 6336
TITUSVILLE, FL 32782,**

Defendant.

FINAL JUDGMENT ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE came before the Board on September 10, 2007. Assistant City Attorney Richard Broome appeared on behalf of the City of Titusville. The Defendant, DAISY MITCHELL, did not appear before the Board.

WITNESS

Danielle Trazzera, Code Inspector for the City of Titusville, testified under oath and informed the Board that on September 5, 2007 the Defendant remained in violation of all code sections as previously determined by the Board.

FINDINGS OF FACT

After due consideration of the testimony presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, DAISY MITCHELL, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 508 Lucky Street, Titusville, Florida, more particularly described as:

22-35-03-54-00009.0-0003.00

3. The Defendant is in continuing violation(s) of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 12-23A	Junk & Debris
Section 13-26	Overgrowth

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, DAISY MITCHELL, is hereby adjudged to be in continuing violation of Section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

2. The Defendant is assessed and ordered to pay the fine of \$25.00 per day, per continuing code violation (\$50 per day, total), commencing on September 5, 2007, and a like sum each and every day thereafter until the violation(s) as set forth in the Findings of Fact herein are corrected or eliminated to the written satisfaction of the Code Enforcement Officer.

3. In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.

4. In addition to the fine imposed herein, the Defendant shall pay the previously assessed costs in the sum of \$384.32, in the event said costs have not been paid to the City of Titusville.

5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violation(s) exists, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.

6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violation(s) is not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 27 day of September, 2007.

CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD

BY: 
CHAIRMAN

ATTEST:


BOARD SECRETARY

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA
DATE 11/7/2007

 Asst City Clerk

**CODE ENFORCEMENT BOARD
CITY OF TITUSVILLE, FLORIDA**

CITY OF TITUSVILLE, FL
Petitioner,
v.

CASE NO: 19-10
Subject Property: 508 Lucky St.,
Titusville, FL
Tax Parcel ID# 22-35-03-54-9-3

Pertrade KFT
Mailing address: 508 Lucky St Titusville FL 32780
Respondent.

ORDER IMPOSING FINE AND LIEN

This case came on for hearing before the Code Enforcement Board of the City of Titusville, Florida, on May 13, 2019 Based on the evidence and testimony presented, the Board finds:

Findings of Fact

1. Respondent is the owner of the Subject Property.
2. This Board previously found Respondent in violation of City Code sections: 12-23 - junk and debris; 6-109/IPMC section 108.1.5 - dangerous structure or premises; and 13-26 overgrowth, and ordered Respondent to correct the violations on or before April 15, 2019, or a fine may be imposed in the amount of \$150.00 per day, per violation.
3. Code Enforcement Officer, Ken Hutchings, testified he inspected the property and determined that all violations still exist as of the date of this hearing.
4. Respondent was given notice of this hearing but did not appear.

Conclusions of Law

6. Proper notice of the violations and notice of hearing was provided to Respondent.
7. Based on the testimony provided, the Board finds that the subject property did not come into compliance by the April 15, 2019 compliance date and remains in violation of City Code sections: 12-23 - junk and debris; 6-109/IPMC section 108.1.5 - dangerous structure or premises; and 13-26 overgrowth as of this date.
8. The City is entitled to recover its costs incurred in prosecuting the case before the Board pursuant to section 162.07(2), Florida Statutes.

Order

Based upon the Findings of Fact and Conclusions of Law, it is hereby ORDERED:

Respondent is ordered to pay a fine of \$150.00 per day per violation commencing April 16, 2019, which shall continue to accrue until the property is brought into compliance to the satisfaction of the Code Enforcement Officer. Respondent must contact the City of Titusville Code Enforcement Department at (321)567-3770, to request an inspection to verify compliance.

In addition to the fine imposed herein, Respondent shall pay the City's costs of prosecution in the amount of \$81.94, in the event said costs have not been paid to the City of Titusville.

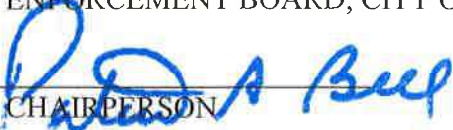
A certified copy of this Order shall be recorded in the public records and shall constitute a lien against the subject property and any other real or personal property owned by Respondent.

The fine and costs shall be made payable to the "City of Titusville" and delivered to the Office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

DATED this 14 day of May, 2019.

CODE ENFORCEMENT BOARD, CITY OF TITUSVILLE

BY:


CHAIRPERSON

ATTEST:


BOARD SECRETARY

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s)'s mailing address(es) listed above by regular mail and certified mail this 14 day of May 2019.


Board Secretary





THIS QUIT-CLAIM DEED,

Executed this 27th day of September, 2024, from

Derrick Bland

First Party, To

Bianca S. Bland

Second party: 3690 Buttonwood Drive, Titusville, Fla. 32796

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation wherever the context so admits or requires)

Witnesseth, That the said first party, for and in consideration of 0.00, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title interest, claim and demand which the said first party has in and to the following described lot, piece, or parcel of land situate, lying and being in the County of Brevard, State of Florida, to wit.

Lot 3, Block 9, READ & ALLENS SUBDIVISION, according to the plat thereof, as recorded in Plat Book 2, page 20, public records of Brevard County, Florida.


Parcel ID#22-35-03-54-9-3 / Property is vacant land.

Deed prepared without benefit of title search or examination

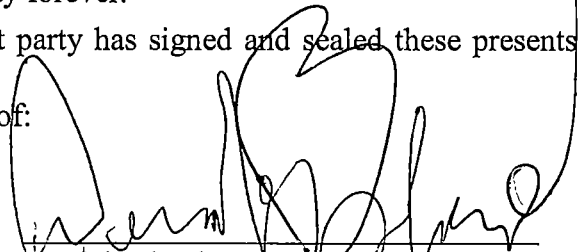
To have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use and benefit of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

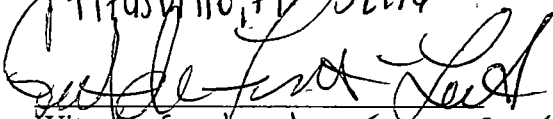
Signed, sealed and delivered in the presence of:



Witness: Tammie Christian
1607 Palmetto St.
Titusville, FL 32794



Derrick Bland
3690 Buttonwood Drive
Titusville, Fla. 32796



Witness: Gertrude Freeman Ford
1102 W Highland Dr. Cocoa, FL 32922

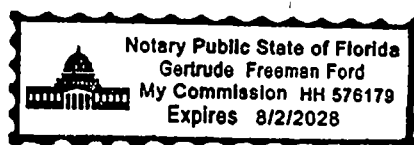
State of Florida // County of: Brevard

The foregoing instrument was acknowledged before me this 27th day of September, 2024, by Derrick Bland, who is personally known to me.



Notary Public, State of Florida

Prepared by and
Return to:
Bianca Bland
3690 Buttonwood Drive
Titusville, Fla. 32796



Quitclaim Deed

RECORDING REQUESTED BY Bianca Bland

AND WHEN RECORDED MAIL TO:
3690 Buttonwood Dr, Grantee(s)
Titusville, FL 32786

Consideration: \$ 0

Property Transfer Tax: \$ _____

Assessor's Parcel No.: 22-35-54-9-3 508 Lucky St Titusville FL
Reac: Allens Subd Lot 3 BK 9

PREPARED BY: Bianca Bland certifies herein that he or she has prepared this Deed.

Bianca Bland
Signature of Preparer

21 Dec 2023
Date of Preparation

Bianca Bland
Printed Name of Preparer

THIS QUITCLAIM DEED, executed on 21 Dec 2023 in the County of Brevard, State of Florida

by Grantor(s), Bianca S. Bland,

whose post office address is 3690 Buttonwood Dr Titusville, FL 32786

to Grantee(s), Bianca S Bland ; Derrick Bland

whose post office address is 3690 Buttonwood Dr Titusville, FL 32786

WITNESSETH, that the said Grantor(s), Bianca S. Bland,
for good consideration and for the sum of 0

(\$ 0) paid by the said Grantee(s), the receipt whereof is hereby acknowledged,
does hereby remise, release and quitclaim unto the said Grantee(s) forever, all the right, title,

interest and claim which the said Grantor(s) have in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Brevard, State of Florida and more specifically described as set forth in EXHIBIT "A" to this Quitclaim Deed, which is attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Grantor(s) has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

GRANTOR(S):

Bianca S. Bland
Signature of Grantor

Bianca S. Bland
Print Name of Grantor

Lisa Arthur
Signature of First Witness to Grantor(s)

Lisa Arthur
Print Name of First Witness to Grantor(s)

Signature of Second Grantor (if applicable)

Print Name of Second Grantor (if applicable)

Michael Jackson
Signature of Second Witness to Grantor(s)

Michael Jackson
Print Name of Second Witness to Grantor(s)

GRANTEE(S):

Signature of Grantee

Print Name of Grantee

Signature of First Witness to Grantee(s)

Print Name of First Witness to Grantee(s)

Signature of Second Grantee (if applicable)

Print Name of Second Grantee (if applicable)

Signature of Second Witness to Grantee(s)

Print Name of Second Witness to Grantee(s)

NOTARY ACKNOWLEDGMENT

State of Florida

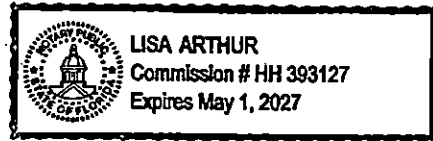
County of Brevard

On December 21, 2023, before me, Lisa Arthur, a notary public in and for said state, personally appeared, Bianca Blend

who are known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Lisa Arthur
Signature of Notary



Affiant Known _____ Produced ID X

Type of ID Florida Driver License

(Seal)

Prepared by:
Derrick Burse
3690 Buttonwood Dr
Titusville, FL 32796

This Quit-Claim Deed,

Executed this 22 day of September, A.D. : , by 2023

first party, to 1019, LLC

whose post office address is 3690 Buttonwood Dr, Titusville, FL 32796

second party: Bianca Bland
3690 Buttonwood Dr, Titusville, FL 32796

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of \$
in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise,
release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand
which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and

508 Lucky St, Titusville, FL 32780
Reel : Allens Subd, Lot 3 Blk 9

To Have and to Hold the same together with all and singular the appurtenances thereunto
belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim what-
soever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said
second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year
first above written.
Signed, sealed and delivered in the presence of:

Josiah Wilson
Name: Josiah Wilson
5746 San Sebastian Way
Rockledge, FL
Name: Robynn Burse
118 Aurora St
Cocoa, FL 32922
Name:

[Signature] [LS]
Name & Address: 1019, LLC
3690 Buttonwood Dr
Titusville, FL 32796
Bianca Bland [LS]
Name & Address:
[LS]

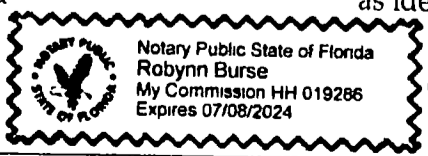
Name _____ Name & Address _____ [LS]

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this 22 day of September, 2023
by

who is personally known to me or who has produced
and who take an oath.

as identification



[Signature]

Print Name _____
Notary Public _____
My Commission Expires _____

Prepared BY:
Aqil Khan (AK)
25-39 14 ST
Astoria, NY
11102

QUIT CLAIM DEED

Know all Men by these Presents that Aqil Khan
_, ("Grantor"), whose mailing address is **2539 14TH STREET**
ASTORIA NY 11102

For sum of **TEN** Dollars only (\$10.00) Dollars
Quit-claims to **1019 LLC** ("Grantee"), whose mailing
address is **3690 Buttonwood Dr Titusville FL32796**
described premises situated in **BERVARD COUNTY, FLORIDA** to wit:

Property location: 508 LUCKY ST
TITUSVILLE FL 32780
Property ID Number:
22-35-03-54-9-3
READ & ALLENS SUBD LOT 3 BLK 9

Subject to any Easements. Rights-of-Way. Exceptions and Reservations, and zoning ordinances, if any. Any improvement done to the property will not be refunded. This property is sold as is where is.

Date 4/18 2023

Presence of

[Signature]
Witness RAFIA KHAN

[Signature]
Witness James Heffernan

[Signature]
Aqil Khan
2539 14TH STREET ASTORIA
NY11102

ACKNOWLEDGMENTS

State of Florida

SS: County of Brevard

On this, the 18 day of Apr., 2023, before me James Heffernan Notary Public.

The undersigned individual, personally appeared Aqil Khan, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

Property location:
508 LUCKY ST TITUSVILLE FL 32780
Property ID Number:
22-35-03-54-9-3
Legal Description:
READ & ALLENS SUBD LOT 3 BLK9

[Signature]
Notary Public

Drafted By **AQIL KHAN**
2539 14TH
STREET
ASTORIA
NY11102

Recorded and Return to
1019 LLC
3690 Buttonwood Dr
Titusville FL 32796



JAMES HEFFERNAN
Commission # HH 248804
Expires April 4, 2026



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
1019, LLC

Filing Information

Document Number	L21000348383
FEI/EIN Number	87-2686282
Date Filed	08/02/2021
Effective Date	08/02/2021
State	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	01/09/2025

Principal Address

3690 BUTTONWOOD DR
TITUSVILLE, FL 32796

Mailing Address

3690 BUTTONWOOD DR
TITUSVILLE, FL 32796

Registered Agent Name & Address

BURSE, DERRICK Q
3690 BUTTONWOOD DR
TITUSVILLE, FL 32796

Name Changed: 09/26/2023

Authorized Person(s) Detail

Name & Address

Title Ceo

BLAND, BIANCA S
3690 BUTTONWOOD DR
TITUSVILLE, FL 32796

Title Secretary

Burse, Derrick Q
3690 BUTTONWOOD DR
TITUSVILLE, FL 32796

Annual Reports

Report Year	Filed Date
2023	09/26/2023
2024	01/09/2025
2025	01/09/2025

Document Images

01/09/2025 -- REINSTATEMENT	View image in PDF format
09/26/2023 -- REINSTATEMENT	View image in PDF format
12/22/2022 -- REINSTATEMENT	View image in PDF format
08/02/2021 -- Florida Limited Liability	View image in PDF format

RESOLUTION NO. 10-2020

A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA APPROVING AND CONFIRMING THE SPECIAL ASSESSMENT OF THE REMOVAL OF A CONDEMNED AND HAZARDOUS STRUCTURE, LOCATED AT 508 Lucky Street IN THE CITY OF TITUSVILLE AS SET FORTH IN RESOLUTION 22-2019 AND RESOLUTION 38-2019 AND DETERMINING THE METHOD OF PAYMENT OF SPECIAL ASSESSMENT IMPOSED AGAINST A CERTAIN PROPERTY AS DESCRIBED IN THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Titusville, Florida adopted Resolution 22-2019 on June 11, 2019 declaring the necessity for the removal of a condemned and hazardous structure at 508 Lucky Street within the City Limits of the City of Titusville, hereinafter described, and establishing a date for a public hearing on Tuesday July 23, 2019 in the Council Chambers of City Hall; and

WHEREAS, the City Council of the City of Titusville adopted Resolution 38-2019 on July 23, 2019 and determined to proceed with said improvement; and

WHEREAS, a public hearing was held on July 23, 2019 and no objections or defenses have been presented or filed by any person or person so desiring and all parties to be heard were given opportunity to do so; and

WHEREAS, the public improvement has been completed consisting of the removal of an existing structure and removal of debris; and

WHEREAS, the City Council of the City of Titusville has caused to be prepared an assessment list, showing the name of the property owner, a description of the parcel of land proposed to be assessed for said improvement and the amount proposed to be assessed against this parcel of land; and

WHEREAS, due and legal notice was given by publication in two issues, and at least seven days apart in the Florida Today, that the assessment was completed, stating the nature of the improvement and the general character of the work which has been performed, the name by which such improvement is generally known, and the location of such improvement, and further stating that the assessment list had been delivered and was open for inspection at the office of the City Clerk of the City of Titusville; and

WHEREAS, said improvement has been constructed and said assessment made and levied in conformity with law.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA: as follows:

Section 1. The assessment for the improvement described as a removal of a condemned and dangerous structure at 508 Lucky Street within the City limits of the City of Titusville Florida is hereby approved and confirmed as follows:

Property Owners:

Pertrade Kft
508 Lucky Street
Titusville, Florida 32780

The legal description of the property is:

Tax Acct. 2200960 Parcel ID 22-35-03-54-9-3, Read & Allens Subd Lot3 Blk9, Plat Book/Page: 0002/0020 (A/K/A 508 Lucky Street).

Amount: \$3,505.20

Section 2. That the property benefited by the above described improvement shall pay the total costs and expenses as determined by this assessment. That the property assessed is benefited by said improvement in the amount equal to the amount assessed against the same; and from the date of this Resolution such assessment shall constitute a lien upon the respective lots or parcels of land, superior to all other items, except those for City and County Taxes.

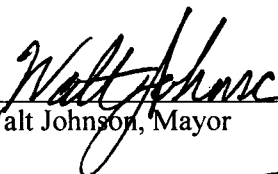
Section 3. For a period of thirty days from date hereof, any person aggrieved shall have the right to contest the legality of said special assessment, after which time no suit, action, writ or special proceedings in any matter questioning the legality of the said special assessment shall lie for any cause whatsoever.

Section 4. The foregoing special assessment shall be payable in cash within 90 days from the adoption of this resolution. Any special assessment not paid in cash within 90 days shall be considered delinquent and interest shall be payable at the rate of 6% (six percent) per annum and collected as provided by law.

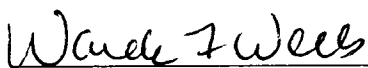
Section 5. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

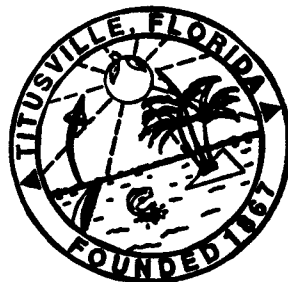
Section 6. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 25th day of February, 2020.


Walt Johnson, Mayor

ATTEST:


Wanda Wells, City Clerk



cc: Glenn-Code
Charlene



TITUSVILLE CITY-CITY CLERK
PO BOX 2806 CITY CLERK ATTN:DEBRA DENMAN
TITUSVILLE, FL 32781

RESOLUTION NO. 38-2019

**A RESOLUTION OF THE CITY OF TITUSVILLE,
FLORIDA TO PROCEED WITH THE REMOVAL OF A
CONDEMNED AND HAZARDOUS STRUCTURE,
LOCATED AT 508 LUCKY STREET IN THE CITY OF
TITUSVILLE; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the City Council of the City of Titusville, Florida, on June 11, 2019 adopted Resolution 22-2019 declaring the necessity for the removal of a condemned and hazardous structure at 508 Lucky Street within the City Limits of the City of Titusville, hereinafter described, and setting a public hearing after for the purpose of hearing any objections or protests on Tuesday July 23, 2019 in the Council Chambers of City Hall; and

WHEREAS, the City Council of the City of Titusville finds that the removal of the condemned and hazardous structure at 508 Lucky Street in the City of Titusville will benefit the property; and

WHEREAS, a public hearing was held on said date for hearing any objections or protests and considered same.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF TITUSVILLE, FLORIDA: as follows:**

Section 1. That the City of Titusville does believe that it is expedient to proceed with the removal of a condemned and dangerous structure at 508 Lucky Street within the City limits of the City of Titusville legally described as follows:

The legal description of the property is:

Tax Acct. 2200960 Parcel ID 22-35-03-54-9-3, Read & Allens Subd Lot3 Blk9, Plat Book/Page: 0002/0020 (A/K/A 508 Lucky Street).


Section 2. That the property benefited by the removal of a condemned and hazardous structure at 508 Lucky Street shall pay 100 percent of the total cost of said improvements. The estimated cost of demolition and debris removal is \$7,500. The City Council of the City of Titusville, does hereby direct that all property benefited by the improvements shall be assessed 100 percent of the total cost for such improvements.

Section 3. That the City Manager is hereby authorized to take the necessary action, to include contracting with a private firm, in order to effect the demolition.

Section 4. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

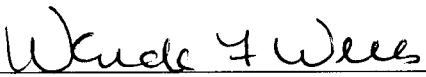
Section 5. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 23rd day of July, 2019.



Walt Johnson, Mayor

ATTEST:



Wanda Wells, City Clerk



cc: Glenn - Code
Charlene





Photo by FL
July 24, 2025 10:41 AM

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: James Flannigan, Code Enforcement Officer
Subject: **Enterprises 4 U LLC**
Rodrigo Rubim da Silva Registered Agent
1229 First Avenue
Titusville, FL 32780
Parcel ID # 22-35-03-54-12-8

Department/Office: Code Enforcement

Recommended Action:

Hear the respondents' Enterprises 4 U LLC/Rodrigo Rubim da Silva owner. Request for a lien reduction in the amount of \$1,109,100.00.

Summary Explanation & Background:

This case was originally heard on August 11, 2008. The respondent, William & M Sanchez Residential Land Trust, did not attend the meeting. The respondent was given until September 5, 2008, to correct the violations on the property:

If compliance is not achieved, a fine in the amount of \$100.00 per day per violation commences on September 5, 2007, and continues daily until the violation is corrected, and a lien is imposed. Administrative costs in the amount of \$394.87 was also imposed.

On September 8, 2008, Massey Hearing testimony was presented by the City showing the respondent had failed to correct violations of Sec.13-26 overgrowth, Sec. IMPC 301.3 Vacant Structures, Sec. IMPC 110.0 Demolition, on or before September 8, 2008. The respondent, William & M Sanchez Residential Land Trust, did not attend the meeting. Fines were imposed in the amount of \$100.00 per day per violation starting on September 8, 2008, continuing daily until the violations are corrected. Administrative costs were also imposed at \$394.87.

On April 8, 2019. The respondent, Pertrade KFT, did not attend the meeting. The respondent was given until May 8, 2019, to correct the violations on the property,

On May 9, 2016, Massey Hearing testimony was presented by the City showing the respondent had failed to correct violations of Sec. IPMC 108.1.1 Unsafe Structure, and Sec. 13-26 overgrowth on or before May 8, 2019. The respondent, Pertrade KFT, did not attend the meeting. Fines were imposed in the amount of \$100.00 per day

per violation starting on April 8, 2016, continuing daily until the violations are corrected. Administrative costs were also imposed at \$392.30.

On July 23, 2019, at the Regular City Council meeting, item 9C authorized the demolition of the structure located at 1229 First Avenue. The structure was removed and on February 25, 2020, at the City Council meeting, Resolution 9-2020 set forth a special assessment imposing a method of payment for the removal of the structure.

On June 10, 2025, the property achieved compliance and was verified by Code Officer Jim Flannigan. The total daily fine accrued is \$1,109,100.00 and the City's cost of \$5,874.87 for a total of \$1,114,974.87. The applicant is requesting a reduction in the amount of \$1,109,100.00.

On June 10, 2025, the Code Enforcement Department received an application for a lien reduction from Enterprises 4 U LLC./ Rodrigo Rubim da Silva, owner. The application is presented in accordance with Titusville Code of Ordinances Section 31-71 for the Special Magistrates' consideration.

On July 24, 2025, contact was made with Rodrigo Rubim de Silva and verified attendance at hearing.

Alternatives:

- 1. Approve modified amount.
- 2. Do not approve the lien request.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

- 1. Lien Reduction Request Rodrigo Rubim da Silva
- 2. 1229 FIRST AVE DAILY FINE PAYOFF
- 3. 08-82 Final Judgment
- 4. 16-47 Final Judgment
- 5. 2008 Code Board file

6. August 11, 2008 CEB minutes
7. September 8, 2008 CEB minutes
8. Apr 11, 2016 CEB minutes
9. May 9, 2016 CEB minutes
10. 1229 First Ave. Demo
11. Resolution 21-2019
12. Resolution 2020-09 (Read-Only)
13. Demand Ltr Re 1229 first
14. Current Picture

Rodrigo Rubim da Silva
Registered Agent
Enterprises4U, LLC
132 Hills Bay Dr
Davenport, FL 33896
Gabie@Connections-4u.com
732-693-6158

Date: June 10, 2025

City of Titusville
Office of the City Attorney
555 South Washington Avenue
Titusville, FL 32796

Re: Request for Lien Reduction – Property Address 1229 First Avenue, Titusville, FL (Parcel ID: 22-35-03-54-12-8)

Dear City Attorney,

On behalf of Enterprises4U, LLC, the current owner of the property located at 1229 First Avenue, Titusville, Florida, I respectfully submit this letter and the attached affidavit in support of our formal request for reduction of liens assessed against this property.

Our request is grounded in the following key considerations:

Gravity of Violation: The violations cited primarily concern overgrowth, debris accumulation, and unpaid utility charges. These are non-structural and non-hazardous issues, largely related to maintenance and aesthetics, and do not pose significant risks to public safety or property integrity.

Corrective Actions Taken: Upon acquiring the property via tax deed sale on May 15, 2025, Enterprises4U, LLC acted promptly to remediate all noted violations. The lot was immediately cleared of debris and overgrowth, and the company has remained cooperative with all applicable code enforcement efforts, demonstrating our good-faith commitment to compliance.

Disproportionality of Lien Amount: The lien balance of \$1,145,224.81 is extraordinarily disproportionate relative to the fair market value of approximately \$25,000.00. This discrepancy imposes an unreasonable and punitive financial burden that undermines productive ownership and property revitalization efforts.

Applicant's Clean Record: Enterprises4U, LLC is the original and sole titleholder since purchase and has no prior history of violations in Titusville or elsewhere. This isolated case reflects our responsible approach to property management.

Limited Prior Knowledge of Liens: Due to the nature of tax deed sales, we had limited ability to uncover all existing liens and violations before acquisition. No prior direct notice was received, underscoring the unintentional nature of these encumbrances.

Financial Hardship and Community Investment: As a small business dedicated to improving underutilized properties, the current lien amount places unsustainable financial strain on Enterprises4U, LLC. Reducing the lien would enable continued investment in this property and contribute positively to the broader community.

Given these facts, we believe a substantial reduction of the lien amount is justified and aligns with the City's interests in fairness, economic revitalization, and community betterment.

We respectfully request your favorable consideration of this matter and look forward to working collaboratively toward an equitable resolution.

Thank you for your time and attention.

Sincerely,

Rodrigo Rubim da Silva
Registered Agent
Enterprises4U, LLC

AFFIDAVIT IN SUPPORT OF LIEN REDUCTION REQUEST AND PROPOSAL OF
RESOLUTION

STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, the undersigned authority, personally appeared Rodrigo Rubim da Silva, who, being duly sworn, deposes and states the following:

1. Affiant Information

My name is Rodrigo Rubim da Silva, and I am the authorized representative of Enterprises4U, LLC, the current owner of the property located at 1229 First Avenue, Titusville, FL 32780 (Parcel ID: 22-35-03-54-12-8).

2. Property Acquisition

Enterprises4U, LLC acquired the subject property by way of tax deed sale on May 15, 2025, and has held continuous ownership since that date.

3. Condition of Property and Nature of Violations

Upon acquisition, the property was found to be overgrown and contained scattered debris, which were pre-existing conditions. These violations were non-structural and non-hazardous in nature, and posed no imminent threat to public health or safety.

4. Corrective Actions Taken

Enterprises4U, LLC took immediate and proactive steps to bring the property into compliance by:

- Clearing all overgrowth;
- Removing all trash and debris;
- Cooperating fully with local authorities as needed.

These efforts were made voluntarily and in good faith, shortly after acquisition.

5. Lack of Prior Notice and Knowledge

Due to the nature of tax deed sales, Enterprises4U, LLC had limited prior knowledge of the existing liens or violations at the time of purchase. No formal notices of violation or fines were issued to Enterprises4U, LLC prior to acquiring the property.

6. Disproportionate Lien Amount

The current lien balance of \$1,145,224.81 is excessive and disproportionate compared to the market value of approximately \$25,000.00, imposing an undue financial burden on our small business.

7. Clean Record and Good Faith Intent

Enterprises4U, LLC has no prior history of code violations in the City of Titusville or

elsewhere, and is committed to investing in and rehabilitating underutilized properties to benefit the local community.

8. Proposal of Resolution

In the interest of equitable resolution and continued community improvement, Enterprises4U, LLC respectfully proposes to pay 50% of the original base violation charges, as follows:

- o Stormwater base violation amount: \$492.13
Proposed payment: \$246.07
- o Utility services base violation amount: \$15,258.08
Proposed payment: \$7,629.04
- o Code enforcement base violation amount: \$4,337.70
Proposed payment: \$2,168.85

This proposal reflects a fair and reasonable compromise to resolve outstanding liens, while enabling Enterprises4U, LLC to continue investing in the property and the community.

9. Request for Relief

Given the corrective measures taken, the nature of the original violations, the financial hardship presented, and the above proposal, I respectfully request the City to accept this payment plan as full or partial satisfaction of the lien, and to reduce or waive the remaining balance accordingly.

FURTHER AFFIANT SAYETH NAUGHT.

Signature: [Signature]
Name: Rodrigo Rubim da Silva
Title: Authorized Representative, Enterprises4U, LLC
Date: 6/12/25

NOTARY SECTION

STATE OF FLORIDA
COUNTY OF Polk

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 12 day of June, 2025, by Rodrigo Rubim da Silva, who is personally known to me or who has produced FL Driver License as identification.

Notary Public Signature: [Signature]
Printed Name: Kamlesh Valand
My Commission Expires: May 15, 2027
Commission Number: HH 398001



CITY OF TITUSVILLE CODE ENFORCEMENT

LIEN REDUCTION APPLICATION

Name & Address of Owner Enterprises 4U, LLC 132 Hills bay dr, Davenport, FL

Telephone Number(s) of Owner 732-693-6158 Homestead? yes no If yes, submit proof of residency at homestead address.

Code Enforcement Property Address 1229 First Avenue Titusville, FL Date of Compliance 6/10/2025

Amount of lien reduction requested \$ 1,135,180.85 All administrative costs, and any costs of enforcement, repair or to secure a structure that are incurred by the City shall not be reduced or waived.

Pursuant to Titusville Code Sec. 31-71 (g): If there are no other outstanding monies owed to the City, and if the Code Enforcement Department confirms that the subject code violation(s) has been brought into compliance and there are no current code violations on the property, the application shall be placed on the agenda for the Special Magistrate's consideration. The Special Magistrate shall consider a reduction of the lien amount based upon the factors below and make a recommendation for Council's approval:

- (a) The gravity of the violation;
(b) The actions taken by the Applicant to correct the violations and the time in which it took to bring the property into compliance;
(c) The accrued amount of the code enforcement fine or lien compared to the market value of the property;
(d) Any previous or subsequent code violations committed by the Applicant;
(e) The Applicant's prior knowledge of the lien;
(f) Any financial hardship;
(g) Whether the property has a homestead exemption; and
(h) Any other mitigating circumstances which may warrant the reduction of the lien.

Describe the factual basis upon which the reduction of the lien should be granted. Please include an explanation regarding why the violation was not corrected upon issuance of the initial Notice of Violation (include additional sheets and documentation as necessary).

[Empty rectangular box for describing the factual basis]

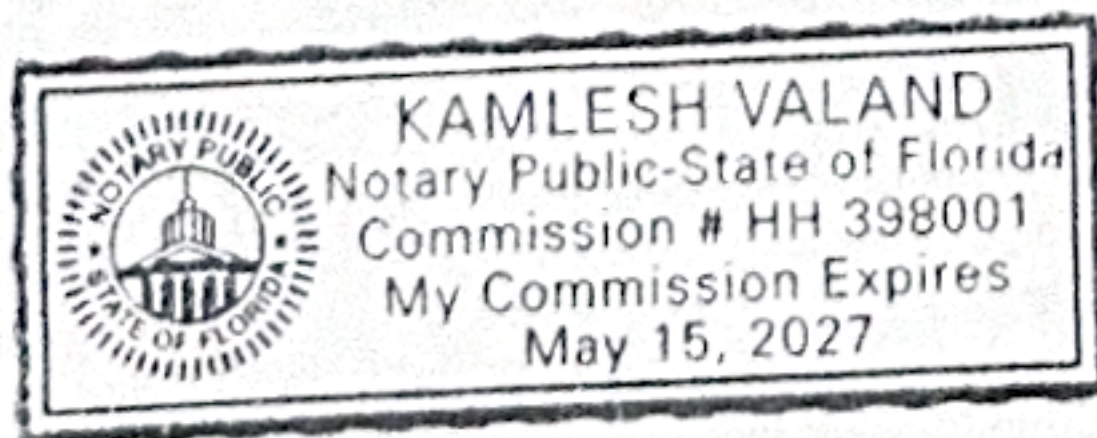
Owners Signature [Handwritten Signature]

Date of Application 6/12/25

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12 day of June, 2025, by Rodrigo Rubim da Silva, who is/are personally known to me or who has/have produced FL Driver License as identification.

WITNESS my hand and official seal in the county and state aforesaid



[Handwritten Signature]
Notary Public (print or stamp name)
My commission expires: May 15, 2027

Please submit this completed application form to the Code Enforcement Department by email to: codeenforcement@titusville.com or you may hand-deliver or mail the completed application form to: Titusville Police Department, c/o Code Enforcement Department, 1100 John Glenn Blvd, Titusville, FL 32780.



CODE ENFORCEMENT

PROMOTING
TEAMWORK
WITHIN *Our* COMMUNITY.

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

04/02/2025

Daily Fine Total

1229 FIRST AVE

Case Number	Fine	Credits	Total
08-000613M	Admin Fee		\$394.87
08-000613M	Completed Daily Fine 100.00/day 301.3 Vacant Structure & Land commencing September 5, 2008		\$278,900.00
08-000613M	Completed Daily Fine 100.00/day 110.1 Demolition commencing September 5, 2008		\$278,900.00
08-000613M	Completed Daily Fine 100.00/day 13-26 Overgrowth commencing September 5, 2008		\$278,900.00
13-014386	Lot Cleaning Fee		\$45.50
13-014386	Admin Fee		\$75.00
13-014386	Recording Fee		\$35.00
15-005193	Admin Fee		\$392.30
15-005193	Demolition Fee		\$3,680.20

15-005193	Completed Daily Fine 100.00/day 13-26 Overgrowth commencing April 8, 2016		\$136,200.00
15-005193	Completed Daily Fine 100.00/day 6-109 Unsafe Structures commencing April 8, 2016		\$136,200.00
20-0005	Admin Fee		\$75.00
20-0005	Lot Cleaning Fee		\$60.00
20-0005	Recording Fee		\$35.00
21-0596	Admin Fee		\$75.00
21-0596	Lot Cleaning Fee		\$75.00
21-0596	Recording Fee		\$35.00
21-1399	Admin Fee		\$85.00
21-1399	Lot Cleaning Fee		\$112.50
21-1815	Admin Fee		\$150.00
21-1815	Lot Cleaning Fee		\$112.50
24-0191	Admin Fee		\$75.00
24-0191	Lot Cleaning Fee		\$132.00
24-0373	Admin Fee		\$75.00
24-0373	Lot Cleaning Fee		\$120.00
24-0373	Recording Fee		\$35.00
TOTAL AMOUNT DUE:			\$1,114,974.87

CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD

CASE NO. 08-82

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,

Plaintiff,

vs.

WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST
C/O WILLIAM SANCHEZ
1091 ROCK SPRINGS DR.
MELBOURNE, FL 32940,

Defendant.

Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780

CFN 2008213653, OR BK 5897 PAGE 8627,
Recorded 1/13/2008 at 06:29 AM, Scott Ellis, Clerk of
Courts, Brevard County
79512

FINAL JUDGMENT ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE came before the Board on September 8, 2008. Assistant City Attorney Richard Broome appeared on behalf of the City of Titusville. No representative of the Defendant appeared before the Board.

WITNESS

Tom Floyd, Code Inspector for the City of Titusville, testified under oath and informed the Board the Defendant remained in violation of all code sections as previously determined by the Board.

FINDINGS OF FACT

After due consideration of the testimony presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 1229 First Ave., Titusville, Florida, more particularly described as:

22-35-03-54-00012-0-0008.00

3. The Defendant is in continuing violation of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 13-26	Overgrowth
Section 6-109	Property Maintenance Code
SubSection 301.3	Vacant Structure & Land
SubSection 110.1	Demolition

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, is hereby adjudged to be in continuing violation of Section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.
2. The Defendant is assessed and ordered to pay the fine of \$100.00 per day, per continuing code violation (\$300.00 per day, total), commencing on September 5, 2008, and a like sum each and every day thereafter until the violation(s) as set forth in the Findings of Fact herein are corrected or eliminated to the written satisfaction of the Code Enforcement Officer.
3. In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.
4. In addition to the fine imposed herein, the Defendant shall pay the previously assessed costs in the sum of \$394.87, in the event said costs have not been paid to the City of Titusville.
5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violation(s) exists, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.
6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violation(s) is not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 16 day of Sept, 2008.

**CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD**

BY: *M. J. [Signature]*
CHAIRMAN

ATTEST:

Laurie B. [Signature]
BOARD SECRETARY

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE:
CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA
DATE 10/20/08



CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD
CASE NO. 16-47

Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,

CFN 2016155296, OR BK 7682 PAGE 823.
Recorded 08/09/2016 at 01:03 PM, Scott Ellis, Clerk of Courts
Brevard County
Page: 2

vs.
WILLIAM & M SANCHEZ RESIDENTIAL LAND TRUST C/O WILLIAM SANCHEZ
1061 EGRET LAKE WAY
MELBOURNE, FL 32940,

Defendant.

FINAL JUDGMENT ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE came before the Board on May 9, 2016. Assistant City Attorney Chelsea Farrell appeared on behalf of the City of Titusville. No representative of the Defendant appeared before the Board.

WITNESS

Fred Lewis, Code Inspector for the City of Titusville, testified under oath and informed the Board the Defendant remained in violation of all code sections as previously determined by the Board.

EXHIBIT

The following exhibit was presented to the Board by the City:

Exhibit #1 -Four (4) photographs of the property taken on May 9, 2016

FINDINGS OF FACT

After due consideration of the testimony presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, WILLIAM & M SANCHEZ RESIDENTIAL LAND TRUST C/O WILLIAM SANCHEZ, was properly notified of the violations as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 1229 First Avenue, Titusville, Florida, more particularly described as:
22-35-03-54-00012.0-0008.00

3. The Defendant is in continuing violation of the following provisions of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

SECTION 13-26

THE ALLOWING OF DEBRIS, RUBBISH, TRASH, TIN CANS, PAPERS, OR STAGNANT WATER, DISEASED, DEAD OR DAMAGED TREES TO ACCUMULATE OR A DENSE GROWTH OF VINES, UNDERBRUSH, WEEDS, WILD GROWTH AND/OR GRASS IN EXCESS OF TWELVE (12) INCHES IN HEIGHT FROM THE GROUND TO EXIST ON ANY LOT, TRACT OR PARCEL OF LAND

SECTION 6-109

PROPERTY MAINTENANCE CODE
SUBSECTION 108.1.1 UNSAFE STRUCTURES GENERAL

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M SANCHEZ RESIDENTIAL LAND TRUST C/O WILLIAM SANCHEZ, is hereby adjudged to be in continuing violation of the sections of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

2. The Defendant is assessed and ordered to pay a fine of \$100.00 per day, per continuing code violation (\$200.00 per day, total), commencing on April 18, 2016, and a like sum each and every day thereafter until the violations as set forth in the Findings of Fact herein are corrected or eliminated to the written satisfaction of the Code Enforcement Officer.

3. In the event the Defendant achieves compliance by correction or elimination of the code violations, it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 567-3770, to request a Code Enforcement Officer to reinspect the property and verify in writing the violations have been corrected.

4. In addition to the fine imposed herein, the Defendant shall pay the previously assessed costs in the sum of \$392.30, in the event said costs have not been paid to the City of Titusville.

5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violations exist, and upon any other real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.

6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violations are not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 20 day of May, 2016.

CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD

BY: [Signature]
CHAIRMAN

ATTEST:

[Signature]
BOARD SECRETARY

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA

DATE 7/26/16
[Signature]



Jim Ford, C.F.A.
Property Appraiser
Brevard County, Fl



**Property
 Research**

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General Parcel Information for 22-35-03-54-00012.0-0008.00

Parcel Id:	22-35-03-54-00012.0-0008.00	Map/Ortho	Aerial	Millage Code:	14A0	Exemption:	Use Code:	164
* Site Address:	1229 FIRST AV , TITUSVILLE 32780						Tax Acct:	2201005

* Site address information is assigned by the Brevard County Address Assignment Office for E9-1-1 purposes; this information may not reflect community location of property.

Tax information is available at the [Brevard County Tax Collector's web site](#)
 (Select the back button to return to the Property Appraiser's web site)

Owner Information

Owner Name:	WILLIAM & M SANCHEZ RESIDENTIAL
Second Name:	LAND TRUST
Third Name:	C/O WILLIAM SANCHEZ
Mailing Address:	1091 ROCK SPRINGS DR
City, State, Zipcode:	MELBOURNE, FL 32940

Legal Description

Plat Book/Page:	Sub Name:	LOT 8 & S 25 FT OF LOT 9 ALLENS SUBD BLK 12
0002/0020	READ & ALLENS SUBD	
View Plat (requires Adobe Acrobat Reader-file size may be large)		

Value Summary for 2007

** Market Value:	\$55,200
Agricultural Assessment:	\$0
Assessed Value:	\$55,200
*** Homestead Exemption:	\$0
*** Other Exemptions:	\$0
Taxable Value:	\$55,200

Land Information

Acres:	0.21
Site Code:	0

** This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

*** Exemptions as reflected on the Value Summary table are applicable for the year shown and may or may not be applicable if an owner change has occurred.

Sales Information

OR Book/Page	Sale Date	Sale Amount	Deed Type	*** Sales Screening Code	*** Sales Screening Source	Vacant/Improved
5757/7124	3/2007	\$100	TD			I

5512/7236	8/2005	\$73,000	WD				I
5311/3006	5/2004	\$28,000	WD				I
5307/2977	5/2004	\$14,600	WD				I
4849/0670	3/2003	\$100	QC				I
2252/0546	9/1980	\$100	WD				V
0790/0436		\$900					

*** Sales Screening Codes and Sources are from analysis by the Property Appraiser's staff. They have no bearing on the prior or potential marketability of the property.

Building Information

PDC #	Use Code	Year Built	Story Height	Exterior Code	Interior Code	Roof Type	Roof Mater.	Floors Code	Ceiling Code
1	164	1965	8	06, 21	03	02	04	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Total Base Area
1	752	0	180	0	0	0	0	0	0	752

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Inspection Selection by Case - CITY OF TITUSVILLE

SUNGARD PUBLIC SECTOR
NavLine



Inspection Selection by Case

Case number, type: 08 00000613 PROPERTY MAINTENANCE

Property address, ID: 1229 FIRST AV 33558

Tenant number, name:

Inspection Description	Requested Date	Inspector	Status
INITIAL INSPECTION	5/06/08	ETP	COMPLETE
RE-INSPECTION	5/26/08	ETP	COMPLETE

✓ OK

✗ Exit

< Cancel

Violations m...

Case action ...

MW

CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD

CASE NO. 08-82

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,

vs.

WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST
C/O WILLIAM SANCHEZ
1091 ROCK SPRINGS DR.
MELBOURNE, FL 32940,

Defendant.

Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780

FINAL JUDGMENT ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE came before the Board on September 8, 2008. Assistant City Attorney Richard Broome appeared on behalf of the City of Titusville. No representative of the Defendant appeared before the Board.

WITNESS

Tom Floyd, Code Inspector for the City of Titusville, testified under oath and informed the Board the Defendant remained in violation of all code sections as previously determined by the Board.

FINDINGS OF FACT

After due consideration of the testimony presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 1229 First Ave., Titusville, Florida, more particularly described as:

22-35-03-54-00012.0-0008.00

3. The Defendant is in continuing violation of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 13-26	Overgrowth
Section 6-109	Property Maintenance Code
SubSection 301.3	Vacant Structure & Land
SubSection 110.1	Demolition

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, is hereby adjudged to be in continuing violation of Section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

2. The Defendant is assessed and ordered to pay the fine of \$100.00 per day, per continuing code violation (\$300.00 per day, total), commencing on September 5, 2008, and a like sum each and every day thereafter until the violation(s) as set forth in the Findings of Fact herein are corrected or eliminated to the written satisfaction of the Code Enforcement Officer.

3. In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.

4. In addition to the fine imposed herein, the Defendant shall pay the previously assessed costs in the sum of \$394.87, in the event said costs have not been paid to the City of Titusville.

5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violation(s) exists, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.

6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violation(s) is not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 16 day of Sept, 2008.

CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD

BY: *M. J. [Signature]*
CHAIRMAN

ATTEST:

Laurie B. Dargis
BOARD SECRETARY

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.
CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA
DATE 10/20/08



**CITY OF TITUSVILLE
CODE ENFORCEMENT
COST RECOVERY STATEMENT**

CEB Case #	<u>08-82</u>	Date:	<u>August 11, 2008</u>
Name of Violator:	<u>William M Sanchez Residential Land Tract c/o William Sanchez</u>		
Violation Address:	<u>1229 First Street</u>		



Number of Man-Hours (Inspector):

1.	<u>4</u>	Number of field inspections (each inspection = 30 minutes)	
2.	<u>2</u>	Field hours @ \$ <u>26.82</u> per hours	= \$ <u>53.64</u>
3.	<u>1</u>	Administrative hours @ \$ <u>26.82</u> per hour	= \$ <u>26.82</u>
4.		Overtime hours @ _____	= \$ _____



Administrative Costs (Support Staff):

1.	<u>2</u>	Hours in complaint @ \$ <u>16.83</u> per hour	= \$ <u>33.66</u>
2.	<u>1</u>	Postage, phone calls, utilities, etc.	= \$ <u>13.75</u>
3.		Overtime hours @ _____ per hour	= \$ _____



Attorney's Fees

(Includes: review of agenda, notice and complaint legal research, conferences, pre-board reviews and meetings, review of minutes, preparation of Decision of the Board, notices, orders, and clarification, case preparation and presentation)

1.	<u>2</u>	@ \$130.00 per hour	= \$ <u>260.00</u>
----	----------	---------------------	--------------------



Film & Processing Costs (includes digital equipment use, and replacement)	= \$ _____
Vehicle Usage (includes maintenance, insurance costs, fuel, and replacement costs - \$3.50 per trip city wide)	= \$ <u>7.00</u>

TOTAL COST INCURRED \$ 394.87



1029 F107

0F-613



1909 FIRST

OF-613



19219 Front

df-613

1289 F107

08-613





10019 FRONT

04-613



08-613

1229 Fint



19277 F1074

08A-613



10000 FT

04-6-13



1989 First

OSG 613



1229 F107

05-613



19219 FIRST

OF 6/13

CASE TYPE DISPOSITION DATE ESTABLISHED STATUS TENANT NAME TENANT NBR STATUS DATE
 Parcel ID
 ADDRESS INSPECTOR
 OTHER 22-35-03-54-00012-0-0009.00 Public 3/31/09 ACTIVE 3/31/09
~~4000~~ FIRST AV INSPECTOR
 TITUSVILLE FL 32780

CASE DATA: CERT # NV & PN
 GREEN CARD RECEIVED (NV)
 BOARD CASE NUMBER
 CERT # NH & NC
 GREEN CARD RECEIVED (NH)
 JUDGEMENT RECORD DATE
 RECORD JUDGEMENT BOOK/PAGE

NARRATIVE: Complaint that this property has been a burned structure for 2 years and it is overgrown etc.
 3/31/09

NOTICE NAMES: JEGKOVICH, DAVID OWNER Public PRINT PIN# IN LETTERS: No

HISTORY:	SCHEDULED ACTION	STATUS	RESULTED	DISPOSITION	INSPECTOR	TIME
4/01/09	INITIAL INSPECTION	PENDING	Public	INSPECTOR	3/31/09	
	REQ TEXT:					
	RE-INSPECTION	PENDING	Public			
	NOTICE OF VIOLATION	PENDING	Public			
	AFFIDAVIT #1	PENDING	Public			
	AFFIDAVIT #2	PENDING	Public			
	CODE ENFORCEMENT BOARD	PENDING	Public			
	NOTICE OF HEARING	PENDING	Public			
	ORDER TO COMPLY	PENDING	Public			
	FINAL JUDGMENT BY BOARD	PENDING	Public			
	CHECK FOR INVOICE PAYMENT	PENDING	Public			
	BO ADMIN COST INVOICE	PENDING	Public			
	SENT TO AR	PENDING	Public			
	ORDER FINDING COMPLIANCE	PENDING	Public			

TOTAL TIME:

4/1/09 not finished Ref to 613 code enforcement Board per 1st time
Change
Code enforcement Board per 1st time
Add to 613 code enforcement Board per 1st time
Duplicate Closed file

PREPARED 9/08/08, 8:01:06
PROGRAM CE200L
CITY OF TITUSVILLE

CASE HISTORY REPORT
CASE NUMBER 08-0000613
INSPECTOR ID: EFF

PAGE 1

CASE TYPE DISPOSITION DATE ESTABLISHED STATUS TENANT NBR TENANT NAME STATUS DATE
ADDRESS Parcel ID
PROPERTY MAINTENANCE Public 5/06/08 SCHEDULE FOR CODE BOARD 7/29/08
22-35-03-54-00012.0-0008.00
1229 FIRST AV
TITUSVILLE FL 32780

CASE DATA: CERT # NV & BN 7006 0100 0001 2297 6025
GREEN CARD RECEIVED (NV) 5/19/2008
BOARD CASE NUMBER 08-82
CERT # NH & NC 7006 0100 0001 2297 9657
GREEN CARD RECEIVED (NH) 8/11/08
JUDGEMENT RECORD DATE
RECORD JUDGEMENT BOOK/PAGE

NOTICE NAMES: PROPERTY SOLUTIONS OF AMERICA OWNER

Public PRINT PIN# IN LETTERS: NO

HISTORY: SCHEDULED ACTION STATUS RESULTED DISPOSITION INSPECTOR TIME
5/06/08 INITIAL INSPECTION COMPLETED 5/06/08 Public TOM FLOYD 5/07/08
RSLT TEXT: proactive
RSLT TEXT: NOV. 13-26,301.3,110.1.
5/26/08 RE-INSPECTION COMPLETED 7/01/08 Public TOM FLOYD 7/25/08
RSLT TEXT: siv.scheduled for code board.
5/08/08 NOTICE OF VIOLATION ISSUED 5/08/08 Public TOM FLOYD 7/25/08
Respond to: OWNER Date: 0/00/00
Send to: OWNER
Mail Tracking #: OWNER
Name/address: PROPERTY SOLUTIONS OF AMERICA
P O BOX 236443
COCOA, FL 32923

Telephone: 7/29/08 AFFIDAVIT #1 ISSUED 7/29/08 Public
Fax: 7/29/08 AFFIDAVIT #1 Date: 0/00/00
Respond to: OWNER
Send to: OWNER
Mail Tracking #: OWNER
Name/address: PROPERTY SOLUTIONS OF AMERICA
P O BOX 236443
COCOA, FL 32923

Telephone: 7/29/08 AFFIDAVIT #2 ISSUED 7/29/08 Public
Fax: 7/29/08 AFFIDAVIT #2 Date: 0/00/00
Respond to: OWNER
Send to: OWNER
Mail Tracking #: OWNER

old Business
13-26
301.3
110.1
8/11/09 to Comply

SIV
9/8/08
TF

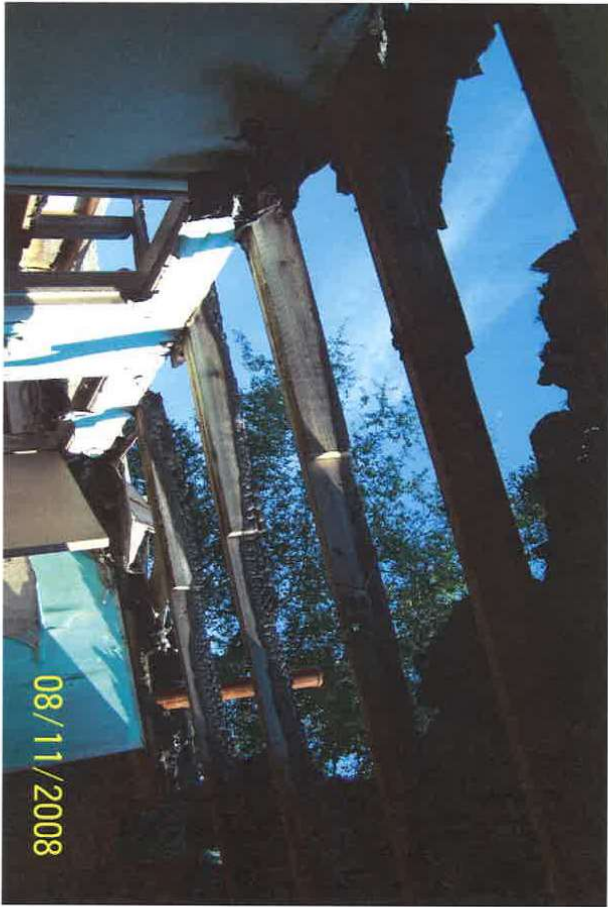
 CASE TYPE DISPOSITION DATE ESTABLISHED STATUS TENANT NBR STATUS DATE
 Parcel ID INSPECTOR TENANT NAME TENANT NBR
 ADDRESS SCHEDULE FOR CODE BOARD

PROPERTY MAINTENANCE Public 5/06/08
 22-35-03-54-00012.0-0008.00 TOM FLOYD
 1229 FIRST AV
 TITUSVILLE FL 32780
 Name/address: PROPERTY SOLUTIONS OF AMERICA
 P O BOX 236443
 COCOA, FL 32923
 Telephone:
 Fax:
 Email: 7/29/08 NOTICE OF HEARING ISSUED 7/29/08 Public 7/29/08
 Respond to: Date: 8/11/08
 Send to: OWNER
 Mail tracking #: 7006 0100 0001 2297 9057
 Name/address: PROPERTY SOLUTIONS OF AMERICA
 P O BOX 236443
 COCOA, FL 32923
 Telephone:
 Fax:
 Email: 7/29/08 NOTICE OF COMPLAINI ISSUED 7/29/08 Public
 Respond to: Date: 0/00/00
 Send to: OWNER
 Mail tracking #: 7006 0100 0001 2297 9057
 Name/address: PROPERTY SOLUTIONS OF AMERICA
 P O BOX 236443
 COCOA, FL 32923
 Telephone:
 Fax:
 Email: 8/11/08 CODE ENFORCEMENT BOARD COMPLETED 8/11/08 Public 8/15/08
 NARRATIVE: OTC DATE 9-05-08, ADMIN FEE \$394.87

9/08/08 RE-INSPECTION SCHEDULED TOM FLOYD
 ORDER TO COMPLY PENDING Public Public
 ORDER FINDING COMPLIANCE PENDING Public Public

 VIOLATIONS: DATE DESCRIPTION QTY CODE STATUS
 5/06/08 13-26 1 OVERGROWTH ACTIVE
 LOCATION: 301.3
 5/06/08 301.3 1 VACANT STRUC & LAND (PMC) ACTIVE
 LOCATION: 110.1
 5/06/08 110.1 1 DEMOLITION ACTIVE
 LOCATION: -----
 TOTAL TIME: -----

FINES: DESCRIPTION PAID BILLED LIEN AMT LIEN PAID
 ED ASST ADMIN COSTS .00 .00 .00 .00
 CHARGE 394.87
 TOTAL TIME: -----



1229 First St.
TF

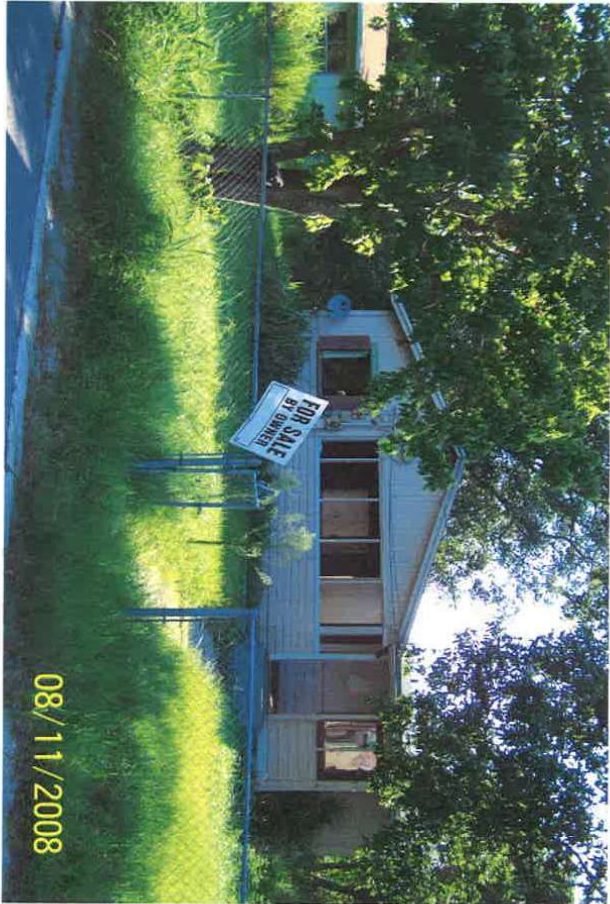


1229 First St.

TF



1229 First St.
TP



1229 First St
TF

1225 First St
TP





1229 First St.
TF

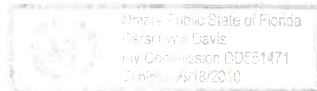
AFFIDAVIT
NOTICE OF HEARING & COMPLAINT

I, TOM FLOYD, Inspector for the City of Titusville, do hereby swear that service of Notice of Hearing and Complaint was attempted by certified mail and First Class mail. On **AUGUST 1, 2008** I personally posted said Notices at **1229 FIRST AV** Titusville, Florida and at City Hall, 555 S. Washington Avenue Titusville, Florida, for a minimum of ten (10) days. A copy of said Notices is attached hereto.

Tom

TOM FLOYD
Bob Crisco
Bob Crisco

Subscribed and sworn (or affirmed) to before me this 1st day of **AUGUST** 2008, TOM FLOYD, who is personally known to me.



Daisy Lynn Davis

Notary Public, State of Florida

City of Titusville

725 SOUTH DELEON AVENUE
TITUSVILLE, FLORIDA 32780
P.O. Box 2806 (32781-2806)

CEB
SIV
7/11/08
JP



Code Enforcement
(321) 383-5796
Fax (321) 383-5614

"A City of Service"
www.titusville.com

May 08, 2008

CERTIFIED MAIL NUMBER: 7006 0100 0001 2297 6025

William & M Sanchez Residential Land Trust
c/o William Sanchez
1091 Rock Springs Dr.
Melbourne, Fl. 32940

RE: Code Violation(s) at: **1229 FIRST AV**

Dear: William & M Sanchez Residential Land Trust:

An inspection was conducted on **May 06, 2008** at the above referenced property in response to a complaint received by the Code Enforcement Division.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

**OVERGROWTH ; 13-26,
VACANT STRUC & LAND (PMC) ; 301.3,
DEMOLITION ; 110.1**

As the property owner of record/person in possession, you are required by Code to correct the violation(s) as stated above by **May 26, 2008**. Failure to do so will necessitate a hearing before the Municipal Code Enforcement Board. In accordance with Florida Statutes, Chapter 162, the Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation.


It is the responsibility of the City's Code Enforcement Division to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

If you have any questions, or if our staff can be of assistance in your effort to achieve compliance, please contact the Code Enforcement office at 321-383-5796.

Sincerely,
Tom Floyd
Inspector

AFFIDAVIT
NOTICE OF VIOLATION

I, TOM FLOYD, Inspector for the City of Titusville, do hereby swear that the service of Notice of Violation was attempted by Certified and First class mail. On May 06, 2008 I personally posted said Notices at **1229 FIRST AV**, Titusville, Florida and at City Hall, 555 S. Washington Avenue, Titusville, Florida, for a minimum of ten (10) days. A copy of said Notice(s) is attached hereto.


TOM FLOYD

Subscribed and sworn (or affirmed) to before me this **1st** day of **August** 2008, by TOM FLOYD, who is personally known to me.




Notary Public, State of Florida

CODE ENFORCEMENT COMPLAINT WORKSHEET

COMPLAINT TAKEN BY: _____

COMPLAINT NUMBER: _____

COMPLAINT DATE: _____

COMPLAINT FROM: _____

COMPLAINT: _____

INSPECTION DATE & INSPECTOR: 8/11/08 TF

INSPECTION FINDINGS: _____

SUV

VIOLATION STATUTE: 13-26, 301.3, 110.1

VIOLATION ADDRESS: 1229 First St.

VIOLATION NAME: _____

FOLLOW-UP DATE: _____

FOLLOW-UP FINDINGS: _____

City of Titusville **COPY**
"A City of Service"

555 South Washington Avenue
Titusville, FL 32796-3584
Post Office Box 2806 (32781-2806)
www.titusville.com



Dwight W. Severs, City Attorney
Richard C. Broome, Assistant City Attorney
Phone: (321) 383-5693
Fax: (321) 383-5694

April 14, 2009

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

William & M Sanchez Residential Land Trust
c/o William Sanchez
1061 Egret Lake Way
Melbourne, FL 32940

**Re: Code Enforcement Case No: 08-82
1229 First Avenue, Titusville, Florida**

Dear Mr. Sanchez:

Please be advised that the undersigned represents the City of Titusville in proceedings before its Municipal Code Enforcement Board. As you know, in Code Enforcement Board Case No. 08-82, you were found to be in violation of Section 13-26 by reason of Overgrowth; Section 12-23A by reason of Junk and Debris upon the subject property; and Section 6-109, Property Maintenance Code, Subsection 301.3 by reason of a Vacant Structure, and Subsection 110.1 by reason of Structure Fit for Demolition, of the Code of Ordinances of the City of Titusville.

When you failed to correct the violations to the written satisfaction of the City, you were assessed and ordered to pay a fine of \$100 per day, per continuing code violation, commencing on September 5, 2008, and continuing until compliance is achieved. The total fine and administrative costs assessed against you to date are in the amount of \$66,994.87.

At its regularly scheduled meeting on March 9, 2009, the Board turned your case over to my office to commence foreclosure proceedings. *Section 162.10, Florida Statutes (2008)* entitles the City to recover all costs, including attorney's fees, that it incurs in successfully foreclosing on its lien. Furthermore, the duly recorded Final Judgment also constitutes a lien against any other real or personal property owned by you, a lien that the City of Titusville is entitled to enforce through the Sheriff's Office, including a levy against your personal property. A copy of the Final Judgment is enclosed.

William & M Sanchez Residential Land Trust
c/o William Sanchez
April 21, 2009
Page Two

The Board has provided me with limited discretion to resolve your case short of foreclosure proceedings **provided you bring the property into compliance**. Please contact my office at Titusville City Hall, Post Office Box 2806 (555 South Washington Avenue), Titusville, FL 32781-2806, Telephone Number (321) 383-5693, within ten (10) days from your receipt of this letter to discuss payment of your fine. If you fail to do so, I have been authorized and instructed to pursue all available remedies on behalf of the City to enforce its Final Judgment Assessing Fine and Imposing Lien.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Very truly yours,


Dwight W. Severs
City Attorney

DWS:man
Enclosure
cc: Code Enforcement Department

2

CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD

CASE NO. 08-82

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,

↓ E

Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780

vs.

WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST
C/O WILLIAM SANCHEZ
1091 ROCK SPRINGS DR.
MELBOURNE, FL 32940,

Defendant.

FINAL JUDGMENT ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE came before the Board on September 8, 2008. Assistant City Attorney Richard Broome appeared on behalf of the City of Titusville. No representative of the Defendant appeared before the Board.

WITNESS

Tom Floyd, Code Inspector for the City of Titusville, testified under oath and informed the Board the Defendant remained in violation of all code sections as previously determined by the Board.

FINDINGS OF FACT

After due consideration of the testimony presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 1229 First Ave., Titusville, Florida, more particularly described as:

22-35-03-54-00012.0-0008.00

3. The Defendant is in continuing violation of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 13-26	Overgrowth
Section 6-109	Property Maintenance Code
SubSection 301.3	Vacant Structure & Land
SubSection 110.1	Demolition

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, is hereby adjudged to be in continuing violation of Section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

2. The Defendant is assessed and ordered to pay the fine of \$100.00 per day, per continuing code violation (\$300.00 per day, total), commencing on September 5, 2008, and a like sum each and every day thereafter until the violation(s) as set forth in the Findings of Fact herein are corrected or eliminated to the written satisfaction of the Code Enforcement Officer.

3. In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.

4. In addition to the fine imposed herein, the Defendant shall pay the previously assessed costs in the sum of \$394.87, in the event said costs have not been paid to the City of Titusville.

5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violation(s) exists, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.

6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violation(s) is not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 16 day of Sept, 2008.

CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD

BY: M. J. [Signature]
CHAIRMAN

ATTEST:

Laurie B. Dargie
BOARD SECRETARY

I HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

CITY CLERK'S OFFICE
CITY OF TITUSVILLE, FLORIDA
DATE 10/20/08



CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD

CASE NO. 08-82

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,

vs.

WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST
C/O WILLIAM SANCHEZ
1091 ROCK SPRINGS DR.
MELBOURNE, FL 32940,

Defendant.

Prepared by and return to:
Richard L. Rogers
1135 S. Washington Ave., Ste. A
Titusville, FL 32780

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FINDINGS OF FACT

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1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.
2. The Defendant is the owner of or is in possession of the real property located at 1229 First Ave., Titusville, Florida, more particularly described as:

22-35-03-54-00012.0-0008.00

3. The Defendant is in continuing violation of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 13-26	Overgrowth
Section 6-109	Property Maintenance Code
SubSection 301.3	Vacant Structure & Land
SubSection 110.1	Demolition

FINAL JUDGMENT

Based upon the foregoing Findings of Fact and pursuant to the authority of Section 162.09, Florida Statutes, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, is hereby adjudged to be in continuing violation of Section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

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3. **In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.**

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5. The fine and costs shall be made payable to the "City of Titusville", and delivered to the Office of the City Clerk, 555 South Washington Avenue, Titusville, Florida. Pursuant to Section 162.09, Florida Statutes, this Judgment shall constitute a lien against the land on which the violation(s) exists, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant upon recording of this Judgment in the Public Records of Brevard County, Florida.

6. The Board Attorney is hereby directed to record a certified copy of this Final Judgment in the Public Records of Brevard County, Florida, in the event the violation(s) is not corrected or eliminated and the fine and costs have not been fully paid within thirty (30) days of this Final Judgment.

DATED this 16 day of Sept, 2008.

**CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD**

BY: *M. J. [Signature]*
CHAIRMAN

ATTEST:

Laurie B. Dargie
BOARD SECRETARY

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD**

**CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,**

CASE NO. 08-82

vs.

**WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST
C/O WILLIAM SANCHEZ
1091 ROCK SPRINGS DR.
MELBOURNE, FL 32940,**

Defendant.

DECISION OF THE BOARD

THIS CAUSE came before the Board on August 11, 2008. Assistant City Attorney Richard Broome appeared on behalf of the City of Titusville. No representative of the Defendant appeared before the Board.

WITNESS

Tom Floyd, Code Enforcement Officer for the City of Titusville, testified under oath concerning the facts of the case.

EXHIBITS

The following exhibits were presented to the Board by the City:

Exhibit #1 - Notice of Violation, Affidavit of Posting and certified mail receipt

Exhibit #2 - Notice of Hearing, Complaint and Affidavit of Posting

Exhibit #3 - Six (6) photographs of the property taken on August 11, 2008

Exhibit #4 -City Itemized Cost Recovery Statement

FINDINGS OF FACT

After due consideration of the testimony and exhibits presented, the Municipal Code Enforcement Board made the following findings of fact:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, was properly notified of the violation(s) as alleged in the Complaint filed in this proceeding.

2. The Defendant is the owner of or is in possession of the real property located at 1229 First Ave., Titusville, Florida, more particularly described as:

22-35-03-54-00012.0-0008.00

3. The Defendant is in violation(s) of the following provision(s) of the Code of Ordinances of the City of Titusville pertaining to the subject property, to-wit:

Section 13-26 Overgrowth
Section 6-109 Property Maintenance Code
SubSection 301.3 Vacant Structure & Land
SubSection 110.1 Demolition

ORDER

Based upon the foregoing Findings of Fact, it is

ORDERED as follows:

1. The Defendant, WILLIAM & M. SANCHEZ RESIDENTIAL LAND TRUST, is hereby adjudged to be in violation of the section(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein.

2. The Defendant is given until 12:00 noon on September 5, 2008, to correct the violation(s) of the Code of Ordinances of the City of Titusville as indicated in the Findings of Fact herein to the written satisfaction of the Code Enforcement Officer, or to appear before this Board at City Hall, 555 South Washington Avenue, Titusville, Florida, on September 8, 2008, at 2:00 p.m., to show cause why the Defendant has not corrected said violation(s) and why the Board should not proceed to impose a fine of up to \$250.00 per day, per continuing code violation, from the date set for code compliance, September 5, 2008.

3. In the event the Defendant achieves compliance by correction or elimination of the code violation(s), it shall be the sole responsibility of the Defendant to contact the City of Titusville Code Enforcement Department at (321) 383-5796, to request a Code Enforcement Officer to reinspect the property and verify in writing the violation(s) has been corrected.

4. Pursuant to Section 162.07, Florida Statutes, the Defendant is ordered to pay the sum of \$394.87, constituting the costs incurred by the City of Titusville in prosecuting this case before the Board. Failure to pay the costs may result in a lien being placed against the land on which the violation(s) exist, and if the Defendant does not own the land, upon any real or personal property owned by the Defendant.

DATED this 22 day of August, 2008.

CITY OF TITUSVILLE MUNICIPAL
CODE ENFORCEMENT BOARD

BY: 

ATTEST:


BOARD SECRETARY

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD**

CITY OF TITUSVILLE
Corporation of the STATE OF FLORIDA,
Plaintiff,

BOARD CASE #:08-82
CERTIFIED MAIL#
7006 0100 0001 2297 9057

VS.

William & M Sanchez Residential Land Trust
C/O William Sanchez
1091 Rock Springs Drive
Melbourne, FL 32940
Defendant(s)

NOTICE OF HEARING

PLEASE TAKE NOTICE that on **August 11, 2008 at 2:00 p.m.**, in the Council Chamber of Titusville City Hall, a hearing will be held before the City of Titusville Municipal Code Enforcement Board so that you may answer the allegations as set forth in the attached Complaint.


YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Board are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$250.00 per day for each day the violation continues past the day set for compliance, which fine may constitute a lien upon your real and personal property.

CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD

BY: _____


Board Chairman

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD**

CITY OF TITUSVILLE, a municipal
Corporation of the STATE OF FLORIDA,
Plaintiff,

BOARD CASE # 08-82
CERTIFIED MAIL#
7006 0100 0001 2297 9057

VS.

William & M Sanchez Residential Land Trust
C/O William Sanchez
1091 Rock Springs Drive
Melbourne, FL 32940
Defendant(s)

COMPLAINT

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

**1229 FIRST AV
22-35-03-54-00012.0-0008.00**

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

**SECTION 13-26; OVERGROWTH
SECTION 6-109; PROPERTY MAINTENANCE
SUB SECTION 301.3; VACANT STRUC & LAND
SUB SECTION 110.1; DEMOLITION**

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof;

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board;

- a) Conduct a hearing on this Complaint to determine the existence of the Code violation.
- b) Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
- c) Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
- d) Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.
- e) Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

DATED this 1ST DAY of AUGUST 2008

CITY OF TITUSVILLE
BY: 
Code Enforcement Director

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD MINUTES
MONDAY, AUGUST 11, 2008**

COUNCIL CHAMBER

CITY HALL

2:00 P.M.

The Municipal Code Enforcement Board held its regular meeting at 2:00 p.m. in the Council Chamber, second floor of City Hall, 555 S. Washington Avenue, Titusville, Florida.

XXX

Members present were Vice-Chairman Alice Martello, Member Pat Bell, Member Jeanne Hillock, Member Gina Beckles, Member Chris Anderson and Chairman Mike Cunningham. Member James Devine was absent. City Staff present were Code Officer Tom Floyd, Code Officer Carlos Bauer, Code Officer Bob Crisco, Building Official Richard Wheelus and Executive Director of Planning and Growth Management Courtney Harris Barker. Also present were Assistant City Attorney Richard Broome, Administrative Coordinator Darsi Davis and Code Enforcement Secretary Laurie Dargie.

XXX

Meeting was called to order at 2:00 p.m. The entire assembly recited the Pledge of Allegiance to the Flag.

XXX

Vice-Chairman Martello made a motion for approval of the July 14, 2008 minutes. Member Hillock seconded. Motion carried by unanimous voice vote.

XXX

CASE #08-31 PETER DALLAS - 940 CORDA COURT

Member Beckles made a motion to withdraw Section 12-23; Junk and Debris because a final judgment continues for this Section in Case #07-135. Member Hillock seconded. Motion carried by unanimous voice vote.

XXX

CASE #08-23 CATHERINE FRANK – 163 ALHAMBRA STREET

Assistant City Attorney Broome advised and Officer Bauer testified that Section 5-4; Animal Nuisance (fecal waste/odor) is now in compliance. Member Anderson made a motion finding compliance in this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #8-39 ROYAL OAK TOWNHOUSE CONDOMINIUM BOARD OF DIRECTORS – 2529 COUNTRY CLUB DR B-127

Member Anderson made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-42 CHRISTINA WALKER, LIFE ESTATE – 5522 RIVER OAKS DRIVE

Officer Bauer testified that he re-inspected this property on August 11, 2008 and the Section 12-23; Junk and Debris, Section 6-109; Property Maintenance Code: Sub-section 303.2; Enclosures Swimming Pool is now in compliance and the violation of Section 18-11 Nuisance pool still exist, photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #1. Officer Bauer testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$424.39 as Exhibit #2. Vice-Chairman Martello made a motion that the Board issues the following Findings of Facts: That the defendant is in violation of Section 18-11; Nuisance Pool. Member Hillock seconded; motion carried by unanimous voice vote. Vice-Chairman Martello made a motion that the Board issues its Final Judgment Assessing Fine and Imposing Lien: 1. The Defendant is assessed and ordered to pay a fine of \$100.00 per day as set forth in the Findings of Facts herein. 2. The fine shall commence on July 11, 2008, and shall continue until the Code Violation has been corrected to the written satisfaction of the Code Enforcement Office. 3. The Defendant is ordered to pay the Administrative Cost of \$424.39, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-44 MARY LISA BROWN – 606 TROPIC STREET

Assistant City Attorney Broome advised and Officer Bauer testified that Section 12-23; Junk and Debris, Section 16-26; Overgrowth, Section 9-1; Unsecured Structure, Section 6-109; Property Maintenance Code: Sub-section 304.13; Broken Windows is now in compliance. Member Beckles made a motion to finding compliance in this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-55 – R. H. WILLIAMS EXPRESS – 984 CAROLINA CIRCLE

Assistant City Attorney Broome asked that the final judgment be amended to add the legal description and he submitted the legal description as verified from the property appraiser's website as exhibit #1. Vice-Chairman Martello made a motion to amend the final judgment issued on July 14, 2008. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-57 JOANNA LINDSEY SUMMERS – 2801 S. HOPKINS AVENUE

CASE# 08-62 DEAN D. MURRAY – 585 SHADOW WOOD LANE

CASE #08-67 JASON REICHMAN – 125 HARRISON STREET

CASE #08-70 ALFRED ABRAMS – 4181 HICKORY HILL BLVD

Assistant City Attorney Broome advised that the City is withdrawing these cases.

XXX

CASE #08-71 REO FLORIDA ACC. INC. C/O VINCENT SAMMARCO – 115 COURT STREET

Assistant City Attorney Broome advised that the city is withdrawing Section 20-58; Parking, Section 13-73; Inoperable/Unlicensed Vehicles and continuing Section 12-23; Junk & Debris. Member Anderson made a motion to continue Section 12-23; Junk & Debris for this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-75 ANNIE WILLIAMS C/O F.E. WILLIAMS – 814 DUMMITT AVENUE

Officer Crisco testified that he re-inspected this property on August 11, 2008 and all violations still exist, photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #1. Building Official Richard Wheelus advised that he would be sending a letter giving them 30 days to apply for a permit to demolish the structure. Vice-Chairman Martello made a motion that the Board issues the following Findings of Facts: That the defendant was in violation of Section 6-109: Property Maintenance Code: Sub-section 301.3; Vacant Structure & Land, Sub-section 110.1; Demolition, Section 13-26; Overgrowth. Member Hillock seconded; motion carried by unanimous voice vote. Vice-Chairman Martello made a motion that the Board issues its Final Judgment Assessing Fine and Imposing Lien: 1. The Defendant is assessed and ordered to pay a fine of \$100.00 per day for Section 110.1; Demolition, and \$25.00 per day, per violation of Section 13-26; Overgrowth, Section 6-109: Property Maintenance Code: Sub-section 301.3; Vacant Structure & Land as set forth in the Findings of Facts herein. 2. The fine shall commence on August 11, 2008, and shall continue until the Code Violation has been corrected to the written satisfaction of the Code Enforcement Office. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-79 JOSEPH J. & VICKI ANNE MAZUREK – 4080 THOR AVENUE

Officer Floyd testified that he inspected this property on June 5, 2008 and found the property was in violation of Section 59-35(d)(8); Commercial Vehicles, Section 20-58 Parking, Section 13-73; Inoperable/Unlicensed Vehicles, Section 6-109; Property Maintenance: Sub Section 302.3; Sidewalks & Driveways, photos were taken. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Assistant City Attorney Broome submitted the photos as exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Floyd testified that he re-inspected the property on August 11, 2008, Section 59-35(d)(8); Commercial Vehicles, Section 20-58 Parking, Section 13-73; Inoperable/Unlicensed Vehicles were now in compliance, Section 6-109; Property Maintenance: Sub Section 302.3; Sidewalks & Driveways was still in violation, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$425.03 as Exhibit #5. Joseph J. Mazurek Jr. property owner was sworn in and advised of the circumstances why the property was not in compliance and asks for time to achieve compliance. Member Anderson made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-76 LILA D. CARTER & PAUL G. SANDERS – 126 S. GRANNIS AVENUE

Assistant City Attorney Broome advised and Officer Crisco testified that all violations are now in compliance. Member Anderson made a motion finding compliance in this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-77 BARBARA S. VENTO - 392 KNOX MC RAE DRIVE

Assistant City Attorney Broome advised and Officer Floyd testified that all violations are now in compliance. Member Bell made a motion finding compliance in this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-80 MATTIE LEE LEE TRUSTEE – 712 LUCKY STREET A

Assistant City Attorney Broome advised that the city is withdrawing Section 307.1; Accumulation of Rubbish/Garbage and continuing Section 12-23B; Junk & Debris, Section 6-109; Property Maintenance: Sub Section 302.1; Exterior Sanitation, Section 302.8; Motor Vehicles. Vice-Chairman Martello made a motion to withdraw Section

307.1; Accumulation of Rubbish/Garbage and continue all other violations. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-81 JESUSITA DAVENPORT – 511 GILBERT STREET

Member Bell made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE# 08-82 WILLIAM & M SANCHEZ RESIDENTIAL LAND TRUST C/O WILLIAM SANCHEZ – 1229 FIRST STREET

Officer Floyd testified that he inspected this property on May 6, 2008 and found the property was in violation of Section 13-26; Overgrowth, Section 6-109; Property Maintenance: Sub Section 301.3; Vacant Structure & Land, Sub Section 110.1; Demolition. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Floyd testified that he re-inspected the property 20 days later the violations still exists. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #2. Officer Floyd testified that he re-inspected the property on August 11, 2008, the violations still existed, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #3. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$394.87 as Exhibit #4. Member Beckles made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 1229 First Avenue, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-26; Overgrowth, Section 6-109; Property Maintenance: Sub Section 301.3; Vacant Structure & Land, Sub Section 110.1; Demolition. Member Hillock seconded; motion carried by unanimous voice vote. Member Beckles made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on September 5, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on September 8, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$394.87, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-83 ROELOF S. SCHANCK – 133 JACKSON STREET

Officer Crisco testified that he inspected this property on May 14, 2008 and found the property was in violation of Florida Statute Section 316.1951; Vehicles “For Sale”, Section 13-73A; Inoperable/Unlicensed Vehicles, Section 6-109; Property Maintenance: Sub Section 304.7; Roof & Drainage, Section 13-26; Overgrowth, Section 12-23B; Junk & Debris. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Crisco testified that he re-inspected the property on June 10, 2008, June 24, 2008, and July 7, 2008, all violations still exist, photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Crisco testified that he re-inspected the property on August 11, 2008, Section 316.1951; Vehicles “For Sale” and Section 13-26; Overgrowth were now in compliance, all other violations still exist. Officer Crisco testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$436.41 as Exhibit #4. Roelof S Schanck property owner was sworn in and advised of the circumstances why the property was not in compliance and asks for time to achieve compliance. Member Beckles made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-84 ERIK KORNMEYER & STACY C. KORNMEYER – 2420 DOLPHIN ROAD

Assistant City Attorney Broome advised that the City is withdrawing this case.

XXX

CASE #08-85 RITA V BRADFORD – 2161 CHRISTINE DRIVE

Officer Floyd testified that he inspected this property on June 10, 2008 and found the property was in violation of Section 13-26; Overgrowth, Section 12-23B; Junk & Debris, Section 20-58A; Parking, Section 39-49; No Address Numbers, Section 6-109; Property Maintenance, Sub Section 302.7; Accessory Structures. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Floyd testified that he re-inspected the property on June 30, 2008 and all violations still exists, photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Floyd testified that he re-inspected the property on August 11, 2008, and the Section 20-58A; Parking was in compliance, all other violations still exist. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$411.87 as Exhibit #4. Officer Bauer testified that he posted Notice of Hearing and Complaint on behalf on Officer Floyd. Vice-Chairman

Martello made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 2161 Christine Drive, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-26; Overgrowth Section 12-23B; Junk & Debris, Section 39-49; No Address Numbers, Section 6-109; Property Maintenance, Sub Section 302.7; Accessory Structures and the Section 20-58A; Parking was in compliance. Member Hillock seconded; motion carried by unanimous voice vote. Vice Chairman Martello made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until September 5, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on September 8, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$411.87, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-86 JAMES D. WADE & MICHELE ROBINSON – 4475 STUART AVENUE

Officer Crisco testified that he inspected this property on July 7, 2008 and found the property was in violation of Section 12-23B; Junk & Debris, Section 13-26; Overgrowth Section 13-73B; Inoperable/Unlicensed Vehicle. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Crisco testified that he re-inspected the property on July 28, 2008 and all violations still exists, photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Crisco testified that he re-inspected the property on August 11, 2008, and the Section 13-26; Overgrowth was in compliance, all other violations still exist and photos were taken. Assistant City Attorney Broome submitted the photos as exhibit #4. Officer Crisco testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$383.01 as Exhibit #5. Member Anderson made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 4475 Stuart Avenue, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 12-23B; Junk & Debris, Section 13-73B; Inoperable/Unlicensed Vehicle and Section 13-26; Overgrowth

is now in compliance. Member Hillock seconded; motion carried by unanimous voice vote. Member Anderson made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon on September 5, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on September 8, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$383.01, in the event that compliance is not achieved by September 5, 2008 this cost will automatically be ordered to pay, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-87 KEITH R. EDWARDS – 3985 THOR AVENUE

Member Anderson made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-88 PATIENCE D. THIBAUT C/O CONSTANCE VASTRANO – 2250 BARNA AVENUE

Vice-Chairman Martello made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-89 HAMLET INVESTMENT INC.-HAMLET PHASE II 22-35-20-82-0000R.0-000.00

Assistant City Attorney Broome advised that the City is withdrawing this case.

XXX

XIII. BOARD ATTORNEY’S REPORT

Board Attorney Rick Rogers turned over the following cases to City Attorney Dwight Severs for collection and other action: #08-03, #08-04, #08-07, #08-13, #08-15, #08-18.

IX. CITY ATTORNEY’S REPORT

No Report given.

X. CHAIRMAN'S REPORT

No Report given.

XI. STAFF'S REPORT

No Report given.

XII. ADJOURNMENT

5:12 p.m.

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD MINUTES
MONDAY, SEPTEMBER 8, 2008**

COUNCIL CHAMBER

CITY HALL

2:00 P.M.

The Municipal Code Enforcement Board held its regular meeting at 2:00 p.m. in the Council Chamber, second floor of City Hall, 555 S. Washington Avenue, Titusville, Florida.

XXX

Members present were Vice-Chairman Alice Martello, Member Pat Bell, Member Jeanne Hillock, Member Gina Beckles, Member Chris Anderson, Member James Devine, and Chairman Mike Cunningham. City Staff present were Code Officer Tom Floyd, Code Officer Carlos Bauer, Code Officer Bob Crisco and Executive Director of Planning and Growth Management Courtney Harris Barker. Also present were Assistant City Attorney Richard Broome and Code Enforcement Secretary Laurie Dargie.

XXX

Meeting was called to order at 2:00 p.m. The entire assembly recited the Pledge of Allegiance to the Flag.

XXX

Vice-Chairman Martello made a motion for approval of the August 11, 2008 minutes. Member Hillock seconded. Motion carried by unanimous voice vote.

XXX

CASE #8-39 ROYAL OAK TOWNHOUSE CONDOMINIUM BOARD OF DIRECTORS – 2529 COUNTRY CLUB DR B-127

Member Devine made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-42 CHRISTINA WALKER, LIFE ESTATE – 5522 RIVER OAKS DRIVE

Assistant City Attorney Broome asked that the final judgment be amended to add the legal description and he submitted the legal description as exhibit #1. Member Anderson made a motion to amend the final judgment issued on August 11, 2008. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE #08-71 REO FLORIDA ACC. INC. C/O VINCENT SAMMARCO – 115 COURT STREET

Officer Floyd testified that he inspected this property on June 6, 2008 and found the property was in violation of Section 12-23; Junk & Debris, Section 20-58E; Parking Boat Trailers, Section 13-73 Inoperable / Unlicensed Vehicles. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Floyd testified that he re-inspected the property on June 26, 2008. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #2. Officer Floyd testified that he re-inspected the property on July 14, 2008 the violations still exist, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #3. Officer Floyd testified that he re-inspected the property on September 8, 2008, Section 20-58E; Parking Boat Trailer and Section 13-73; Inoperable / Unlicensed Vehicles were now in compliance, Section 12-23; Junk & Debris still exist, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$407.03 as Exhibit #5. Vice Chairman Martello made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 115 Court Street, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 12-23; Junk & Debris. Member Hillock seconded; motion carried by unanimous voice vote. Vice Chairman Martello made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 9, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$407.03, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE # 08-94 TEJ VILLAGE INC. – 3430 GARDEN STREET

Officer Bauer testified that he inspected this property on June 27, 2008 and found the property was in violation of Section 12-23; Junk & Debris, Section 13-26; Overgrowth. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Bauer testified that he re-inspected the property on July 16, 2008 and July 17, 2008 and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Bauer testified that he re-

inspected the property on September 8, 2008 the violations still exist, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Bauer testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$401.51 as Exhibit #5. Angelica Ryan employee of TEJ Village Inc. was sworn in and advised of the circumstances why the property was not in compliance and asks for time to achieve compliance. Member Anderson made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 3430 Garden Street, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 12-23A; Junk & Debris and Section 13-26; Overgrowth. Member Hillock seconded; motion carried by unanimous voice vote. Member Anderson made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$401.51, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-79 JOSEPH J. & VICKI ANNE MAZUREK – 4080 THOR AVENUE

Officer Floyd testified that he re- inspected this property on September 8, 2008 and found the property is still in violation of Section 6-109; Property Maintenance: Sub Section 302.3; Sidewalks & Driveways, photos were taken. Member Anderson made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 4080 Thor Avenue, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 6-109; Property Maintenance: Sub Section 302.3; Sidewalks & Driveways. Member Hillock seconded; motion carried by unanimous voice vote. Member Anderson made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on September 12, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$425.03, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-80 MATTIE LEE LEE TRUSTEE – 712 LUCKY STREET A

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance.

XXX

CASE #08-81 JESUSITA DAVENPORT – 511 GILBERT STREET

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance.

XXX

CASE# 08-82 WILLIAM & M SANCHEZ RESIDENTIAL LAND TRUST C/O WILLIAM SANCHEZ – 1229 FIRST STREET

Officer Floyd testified that he re- inspected this property on September 8, 2008 and found the property is still in violation of Section 13-26; Overgrowth, Section 6-109; Property Maintenance: Sub Section 301.3; Vacant Structure & Land, Sub Section 110.1; Demolition. Member Beckles made a motion that the Board issues the following Findings of Facts: That the defendant continues to be in violation of Section 13-26; Overgrowth, Section 6-109; Property Maintenance: Sub Section 301.3; Vacant Structure & Land, Sub Section 110.1; Demolition. Member Hillock seconded; motion carried by unanimous voice vote. Member Beckles made a motion that the Board issues its Final Judgment Assessing Fine and Imposing Lien: 1. The Defendant is assessed and ordered to pay a fine of \$100.00 per day, per violation as set forth in the Findings of Facts herein. 2. The fine shall commence on September 5, 2008, and shall continue until the Code Violation has been corrected to the written satisfaction of the Code Enforcement Office. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-83 ROELOF S. SCHANCK – 133 JACKSON STREET

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance.

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CASE #08-85 RITA V BRADFORD – 2161 CHRISTINE DRIVE

Officer Floyd testified that he re- inspected this property on September 8, 2008 and found the property is still in violation of Section 13-26; Overgrowth, Section 12-23B; Junk & Debris, Section 39-49; No Address Numbers, Section 6-109; Property Maintenance: Sub Section 302.7; Accessory Structure. Member Anderson made a motion that the Board issues the following Findings of Facts: That the defendant continues to be in violation of Section 13-26; Overgrowth, Section 12-23B; Junk & Debris, Section 39-49; No Address Numbers, Section 6-109; Property Maintenance: Sub Section 302.7; Accessory Structure. Member Hillock seconded; motion carried by unanimous voice vote. Member Anderson made a motion that the Board issues its Final Judgment Assessing Fine and Imposing

Lien: 1. The Defendant is assessed and ordered to pay a fine of The Defendant is assessed and ordered to pay a fine of \$100.00 per day, per violation as set forth in the Findings of Facts herein. 2. The fine shall commence on September 5, 2008, and shall continue until the Code Violation has been corrected to the written satisfaction of the Code Enforcement Office. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-86 JAMES D. WADE & MICHELE ROBINSON – 4475 STUART AVENUE

Officer Crisco testified that he re- inspected this property on September 8, 2008 and found the property is still in violation of Section 12-23B; Junk & Debris, Section 13-73B; Inoperable / Unlicensed Vehicle, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #1. Vice Chairman Martello made a motion that the Board issues the following Findings of Facts: That the defendant continues to be in violation of Section 12-23B; Junk & Debris, Section 13-73B; Inoperable / Unlicensed Vehicle. Member Hillock seconded; motion carried by unanimous voice vote. Vice Chairman Martello made a motion that the Board issues its Final Judgment Assessing Fine and Imposing Lien: 1. The Defendant is assessed and ordered to pay a fine of \$100.00 per day, per violation as set forth in the Findings of Facts herein. 2. The fine shall commence on September 5, 2008, and shall continue until the Code Violation has been corrected to the written satisfaction of the Code Enforcement Office. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-87 KEITH R. EDWARDS – 3985 THOR AVENUE

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance.

XXX

CASE #08-88 PATIENCE D. THIBAUT C/O CONSTANCE VASTRANO – 2250 BARNA AVENUE

Officer Crisco testified that he inspected this property on July 9, 2008 and found the property was in violation of Section 13-26; Overgrowth, Section 12-23A; Junk & Debris. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Crisco testified that he re-inspected the property on July 29, 2008 and August 11, 2008, Section 13-26; Overgrowth is in compliance, Section 12-23B; Junk & Debris is still in violation, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Crisco testified that he re-inspected the property on September 8, 2008 the violation still exists, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Crisco testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$385.01 as Exhibit #5. Member Devine made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the

violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 2250 Barna Ave, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 12-23A; Junk & Debris. The Defendant was in violation of Section 13-26; Overgrowth, of the Code of Ordinance of the City of Titusville on July 9, 2008, but compliance by correction was achieved prior to August 11, 2008. Member Hillock seconded; motion carried by unanimous voice vote. Member Devine made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$385.01, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-90 CHERIE ROCK – 750 KNOX MC RAE DRIVE

Member Anderson made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-91 DONWYNN & MIA S. GIFFORD – 2180 FIGTREE DRIVE

Member Bell made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-92 DARLENE B. TINDALL – 1355 SHARON DRIVE

Officer Bauer testified that he inspected this property on July 16, 2008 and found the property was in violation of Section 13-28; Dead Tree. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Bauer testified that he re-inspected the property on August 8, 2008, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Bauer testified that he re-inspected the property on September 8, 2008 the violation still exists, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Bauer testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$401.01 as Exhibit #5. Member Beckles made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 1355 Sharon Drive, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-28; Dead Tree. Member Hillock seconded; motion carried by unanimous voice vote. Member Beckles made a Motion that the Board issue

it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$401.01, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

XXX

CASE# 08-93 EDMUND F. SMITH JR. – 201 WOODSIDE COURT

Officer Floyd testified that he inspected this property on May 20, 2008 and found the property was in violation of Section 13-26; Overgrowth, Section 12-23A; Junk & Debris, Section 13-28; Dead Tree. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Floyd testified that he re-inspected the property on July 30, 2008, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Floyd testified that he re-inspected the property on September 8, 2008 Section 13-28; Dead Tree is now in compliance, Section 12-23A; Junk & Debris and Section 13-26; Overgrowth, still existed and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$440.19 as Exhibit #5. Member Beckles made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 201 Woodside Court, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-26; Overgrowth, Section 12-23A; Junk & Debris. The Defendant was in violation of the following provision of the Code of Ordinances of the City of Titusville on May 20, 2008 Section 13-28; Dead Tree and is now in compliance. Member Hillock seconded; motion carried by unanimous voice vote. Member Beckles made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$440.19, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-95 DEUTSCHE BANK NATIONAL TRUST, COMPANY TRUSTEE C/O COUNTYWIDE HOME LOANS INC. – 1575 DATE DRIVE

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance

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CASE #08-96 MIKKEL H. BIDWELL & NATALIE SADEK-BIDWELL – 1595 DATE DRIVE

Officer Floyd testified that he inspected this property on July 30, 2008 and found the property was in violation of Section 6-109; Property Maintenance, Sub Section 303.1; Swimming Pool. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Floyd testified that he re-inspected the property on August 22, 2008, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Floyd testified that he re-inspected the property on September 8, 2008 and the Section 6-109; Property Maintenance, Sub Section 303.1; Swimming Pool Maintenance remained in violation and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Floyd testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$401.87 as Exhibit #5. Vice Chairman Martello made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 1595 Date Drive, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-28; Dead Tree. Member Hillock seconded; motion carried by unanimous voice vote. Vice Chairman Martello made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$401.87, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-97 CHARLES SCHAU – 2564 CHESTERFIELD COURT

Member Anderson made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

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CASE #08-98 ROYAL PALM HOLDINGS OF BREVARD – 4700 BARNA AVENUE

Vice Chairman Martello made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote

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CASE #08-99 CRAIG J ANDERSON & JONNIE S ANDERSON – 2601 APPLEWOOD DRIVE

Assistant City Attorney Broome advised that the City is withdrawing this case due to compliance.

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CASE #08-100 CHARLES V. REDMOND & MICHELLE REDMOND – 4830 PASCO AVENUE

Board Attorney Rogers informed the Board that Charles V. Redmond passed on February 27, 2008 and Attorney Rogers was contacted by Matthew Redmond, son of Charles V. Redmond to represent his father's potential estate. Also, prior to Charles V. Redmond's passing there was dissolution of marriage between Charles V. Redmond and Michelle Redmond. Attorney Rogers does not believe there is a conflict of interest in his potential representation of Matthew Redmond and the potential estate of Charles V. Redmond and the Board case. Officer Crisco testified that he inspected this property on August 5, 2008 and found the property was in violation of Section 13-26; Overgrowth, Section 6-109; Property Maintenance, Sub Section 303.1; Swimming Pool Maintenance. Assistant City Attorney Broome submitted the Notice of Violation, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #1. Officer Crisco testified that he re-inspected the property on August 5, 2008 and August 25, 2008 all violations still exist, photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #2. Assistant City Attorney Broome submitted the Notice of Hearing and Complaint, attached Affidavit of posting and a copy of the Certified Letter as Exhibit #3. Officer Crisco testified that he re-inspected the property on September 8, 2008 all violations still exist, and photos were taken. Assistant City Attorney Broome submitted the photos as Exhibit #4. Officer Crisco testified and Assistant City Attorney Broome submitted the Cost Recovery Sheet in the amount of \$413.71 as Exhibit #5. Member Devine made a motion that the Board issues the following Finding of Facts: 1. That the Defendant was properly notified of the violations as alleged in the complaint. 2. The Defendant is the owner of or in possession of the real property located at 4830 Pasco Avenue, Titusville, Florida. 3. That the Defendant is still in violation of the following provision of the Code of Ordinances of the City of Titusville; Section 13-26; Overgrowth, Section 6-109; Property Maintenance, Sub Section 303.1; Swimming Pool Maintenance. Member Hillock seconded; motion carried by unanimous voice vote. Member Devine made a Motion that the Board issue it's Order to Correct. 1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact; 2. Giving the Defendant until 12 noon, on October 10, 2008 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on October 13, 2008 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations. 3. The Defendant is ordered to pay the Administrative Cost of \$413.71, which represents the cost incurred by the City of Titusville to bring this case before the Board. Member Hillock seconded; motion carried by unanimous voice vote.

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**CASE #08-101 DONALD R. WIELDMAN JR. & EDWARD G. BAGLIONO – 630
ORA DELL AVENUE**

Member Bell made a motion to continue this case. Member Hillock seconded; motion carried by unanimous voice vote.

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XIII. BOARD ATTORNEY'S REPORT

Board Attorney Rick Rogers made a request to issue or be directed to prepare a first amended order finding compliance waving the Administrative Cost \$420.03, in the case #08-77, Barbara A. Vento, the property at 392 Knox Mc Rae Drive was brought into compliance per the given date August 8, 2008 at the August 11, 2008 Code Board meeting. Vice Chairman Martello approved the request for the first amended order finding compliance and waving the Administrative Cost of \$420.03. Member Hillock seconded; motion carried by unanimous voice vote.

IX. CITY ATTORNEY'S REPORT

No Report given.

X. CHAIRMAN'S REPORT

Discussion of Code Ordinance Section 13-26; Overgrowth, determining native vegetation and Overgrowth to be added to next agenda.

XI. STAFF'S REPORT

No Report given.

XII. ADJOURNMENT

4:47p.m.

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD MINUTES
MONDAY, APRIL 11, 2016**

COUNCIL CHAMBER

CITY HALL

2:00 P.M.

The Municipal Code Enforcement Board held its regular meeting at 2:00 p.m. in the Council Chamber, second floor of City Hall, 555 S. Washington Avenue, Titusville, Florida.

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Members present: Chairman Mike Cunningham, Vice Chairman Pat Bell, Member Jean Hillock, Member Romie Grant, Member Darrell Barrett, Member Erica Myers, Member Gina Beckles, and Member Edward Moniz.

Members absent: None

City Staff present were: Officer Bob Crisco, Officer Frank Lewis, Officer Tom Floyd and Code Enforcement Manager Glenn Tolleson. Also present were Assistant City Attorney Chelsea Farrell and Board Attorney Rick Rogers.

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The meeting was called to order at 2:00 p.m. The entire assembly recited the Pledge of Allegiance to the Flag.

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Vice Chairman Bell made a motion for approval of the March 14, 2016 minutes. Member Hillock seconded. Motion carried by unanimous voice vote.

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VII. Old Business

Case #13-49 Northwood Investments LLC – 3800-3810 S Washington Avenue

Code Manager Glenn Tolleson provided the Board with an update on the status of the property and advised the Board that Code Enforcement would continue to provide updates to the Board each month.

Member Beckles made a motion that the Board continue Case #13-49 until the May 9, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-45 Donna J Crannell & Bobbye L Lewis – 1103 English Street

Assistant City Attorney Farrell advised the Board that the Attorney representing the property owner has been appointed to a new position within the Judicial System and is unsure at this point

who the attorney's cases will be reassigned too. Assistant City Attorney Farrell advised the Board that the City wished to continue this case until the June 13, 2016 Board meeting.

Member Moniz made a motion that case #15-45 be continued until the June 13, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-47 Donna J Crannell & Bobbye L Lewis – 1111 English Street

Assistant City Attorney Farrell advised the Board that the Attorney representing the property owner has been appointed to a new position within the Judicial System and is unsure at this point who the attorney's cases will be reassigned too. Assistant City Attorney Farrell advised the Board that the City wished to continue this case until the June 13, 2016 Board meeting.

Member Moniz made a motion that case #15-47 be continued until the June 13, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-48 Donna J Crannell & Bobbye L Lewis – 1115 English Street

Assistant City Attorney Farrell advised the Board that the Attorney representing the property owner has been appointed to a new position within the Judicial System and is unsure at this point who the attorney's cases will be reassigned too. Assistant City Attorney Farrell advised the Board that the City wished to continue this case until the June 13, 2016 Board meeting.

Member Moniz made a motion that case #15-48 be continued until the June 13, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-114 Royal Oak Golf Club Inc – 2150 Country Club Drive

Officer Floyd testified he inspected the property on October 23, 2015 and found the violations of Section 13-26 Overgrowth, Section 13-28 Dead Tree(s) and Section 6-109 Property Maintenance Sub Section 303.1 Swimming Pool Maintenance. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Officer Floyd testified he re-inspected the property on November 2, 2015 and the property was still in violation of Section 13-26 Overgrowth, Section 13-28 Dead Tree(s) and Section 6-109 Property Maintenance Sub Section 303.1 Swimming Pool Maintenance. Assistant City Attorney Farrell submitted twelve photographs of the property taken April 11, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$392.30 as Exhibit #4.

Neal Mahase informed the Board he was the owner of Royal Oak Golf Club Inc. and testified that he has been working on the property slowly for several weeks due to pending litigation regarding the title of the property and the mortgage. Mr. Mahase testified that he had to stop working on the property for a few weeks due to a personal issue but should be back to working on the property in approximately two weeks. Mr. Mahase testified that while he was pumping water out of the pool someone stole the pump. Mr. Mahase requested that he be allowed to maintain a 50 to 75 foot buffer around the property. Code Manager Tolleson advised the Board that allowing a 50 to 75 foot buffer is beyond their jurisdiction and it would be up to the City Council to allow that. Mr. Mahase testified that he approached the Royal Oak Golf Course Homeowner's Association about helping to maintain the property but he has not heard anything from the Association. Mr. Mahase

testified that he would like to continue to maintain the property to the best of his ability. Mr. Mahase requested a one month extension to come into code compliance. Mr. Mahase testified he has contacted the Fire Department to obtain a burn permit to remove the dead trees from the property.

Member Moniz made a motion that the Board issue the following Finding of Fact in Case # 15-114 relating to the Defendant, Royal Oak Golf Club Inc:

1. That the Defendant was properly notified of the violations as alleged in the complaint.
2. The Defendant is the owner of, or in possession of, the real property located at 2150 Country Club Drive, Titusville, Florida.
3. The Defendant is in violation of the following Sections of the Code of Ordinances of the City of Titusville Section 13-26 - Overgrowth, Section 13-28 – Dead Tree(s) and Section 6-109 Property Maintenance Sub Section 303.1 Swimming Pool Maintenance as indicated in the complaint.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a Motion that the Board issue it's Order to Correct relating to the Defendant, Royal Oak Golf Course Inc.

1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendant until 12 noon on May 6, 2016 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on May 9, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.
3. The Board reserves jurisdiction to determine the costs incurred by the City of Titusville.

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-125 Richard D Cromwell II – 4450 Carlisle Drive

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #15-126 Midfirst Bank – 881 Hunter Park Pl

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance on April 11, 2016. Assistant City Attorney Farrell advised the Board that the City request the Administrative Cost be assessed to the property.

Member Moniz made a motion that the Board issue its Order Finding Compliance in case #15-126, finding the defendant, Midfirst Bank, in compliance with the prior Decision of this Board issued in this case and closing this proceeding and also assessing administrative cost in the amount of \$762.11. Further, no fines shall be assessed for the Defendant's failure to achieved code compliance by March 11, 2016. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-06 Camelot Residence's Association Inc – 3011 Sir Hamilton Cir

Assistant City Attorney Farrell advised the Board this case is now in compliance.

Vice Chairman Bell made a motion that the Board issue its Order Finding Compliance in case #16-06, finding the defendant, Camelot Residence's Association Inc., in compliance with the prior Decision of this Board issued in this case and closing this proceeding.

Case #16-08 ARC CAFEUSA001 LLC – 3323 Columbia Blvd

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Member Beckles made a motion that the Board issue its Order Finding Compliance in case #16-08, finding the defendant, ARC CAFEUSA001 LLC in compliance with the prior Decision of this Board issued in this case and closing this proceeding. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-10 John Gileau & Angela Gileau – 4160 Alpine Lane

Assistant City Attorney Farrell advised the Board the City would like to withdraw this case due to a foreclosure sale scheduled for today.

Vice Chairman Bell made a motion to accept the City's request to withdraw the previous decision of the Board assessing administrative cost and withdrawing the case. Member Myers seconded. Motion carried by unanimous voice vote.

Case #16-18 Herbert & Marie Wolfe – 426 Canaveral Ave

Assistant City Attorney Farrell advised the Board this case was is being withdrawn due to the property having been sold and the new owners are working on bringing the property into compliance.

Case #16-40 Sergio Espinoza & Clara O Pirrone-Espinoza – 4340 Kent Avenue

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #16-41 Shivstar Inevstments LLC – 3500 Cheney Highway

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #16-42 James S Brooks Jr – 2325 Southwest Circle

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #16-43 Melissa K Kesler – 4975 Riveredge Drive

Assistant City Attorney Farrell advised the Board that the City would like to continue this case until the May 9, 2016 Board Meeting.

Member Barrett made a motion that case #16-43 be continued until the May 9, 2016 Board meeting. Member Moniz seconded. Motion carried by unanimous voice vote.

Case #16-44 Hidden Cove Homeowner's Association Inc – Tax ID 2213472 Riveredge Dr

Assistant City Attorney Farrell advised the Board that the City would like to continue this case until the May 9, 2016 Board Meeting.

Member Moniz made a motion that case #16-44 be continued until the May 9, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

VIII. New Business

Case #16-46 Daniel W Carter - 1400 Barna Ave

Officer Floyd testified he inspected the property on February 16, 2016 and found the violations of Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 304.7 Roofs and Drainage to exist. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Officer Floyd testified he attempted to get the bank listed in the foreclosure to correct the property but the property is no longer listed in foreclosure. Assistant City Attorney Farrell submitted five photographs of the property taken April 11, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$392.30 as Exhibit #4.

Member Myers made a motion that the Board issue the following Finding of Fact in Case # 16-46 relating to the Defendant, Daniel W Carter:

1. That the Defendant was properly notified of the violation as alleged in the complaint.
2. The Defendant is the owner of, or in possession of, the real property located at 1400 Barna Ave, Titusville, Florida.
3. The Defendant is in violation of the following Section of the Code of Ordinances of the City of Titusville Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 304.7 Roofs and Drainage as indicated in the complaint.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a Motion that the Board issue it's Order to Correct relating to the Defendant, Daniel W Carter:

1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendant until 12 noon on May 6, 2016 to correct the violations to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on May 9, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.
3. The Defendant is assessed and ordered to pay the administrative cost in the amount of \$392.30.

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-47 William & M Sanchez Residential Land Trust C/O William Sanchez – 1229 First Ave

Officer Lewis testified that he inspected the property on April 11, 2016 and found the violation of Section 108.1.1 Unsafe Structures and Section 13-26 – Overgrowth to exist. Assistant City

Attorney Farrell advised the Board that Officer Laurencio conducted the original inspection on February 16, 2016. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Assistant City Attorney Farrell submitted three photographs of the property taken April 11, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$392.30 as Exhibit #4. Assistant City Attorney Farrell advised the Board that the City wishes to amend the complaint to reflect the violation of Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structures instead of 108.1.

Vice Chairman Bell made a motion to approve the City's request to amend the Complaint to reflect a violation of Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structure. Member Hillock seconded. Motion carried by unanimous voice vote.

Vice Chairman Bell made a motion that the Board issue the following Finding of Fact in Case # 16-47 relating to the Defendants, William & M Sanchez Residential Land Trust C/O William Sanchez:

1. That the Defendants were properly notified of the violations as alleged in the complaint.
2. The Defendants are the owner of, or in possession of, the real property located at 1229 First Ave, Titusville, Florida.
3. The Defendants are in violation of the following Sections of the Code of Ordinances of the City of Titusville Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structure as indicated in the compliant.

Member Moniz seconded. Motion carried by unanimous voice vote.

Vice Chairman Bell made a Motion that the Board issue it's Order to Correct relating to the Defendants, William & M Sanchez Residential Land Trust C/O William Sanchez:

1. Adjudging the Defendants to be in violation of the Section of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendants until 12 noon on April 18, 2016 to correct the violations to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on May 9, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.
3. The Defendants are assessed and order to pay the administrative cost in the amount of \$392.30.

Member Hillock seconded. Motion carried by unanimous voice vote.

16-48 Shanesha R Lincoln – 1607 Palmetto Street

Assistant City Attorney Farrell advised the Board the City would like to withdraw this case because the property recently sold and the City will be re-citing the new owner.

16-49 Basil & Dania Itani – 5405 Sandra Drive

Assistant City Attorney Farrell advised the Board this case is being withdrawn due to compliance.

16-50 Patricia Baggett Gaddis & James Thomas Baggett – 4540 Hood Ave

Assistant City Attorney Farrell advised the Board that the City would like to continue this case until the May 9, 2016 Board Meeting.

Vice Chairman Bell made a motion that case #16-50 be continued until the May 9, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

16-51 Barry B Brogan & Jamia Q Brogan – 3018 Sir Hamilton Cir

Assistant City Attorney Farrell advised the Board this case is being withdrawn due to compliance.

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IX. BOARD ATTORNEY'S REPORT

No report.

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X. CITY ATTORNEY'S REPORT

Assistant City Attorney Farrell advised the Board she spoke to Public Works with the City about a street light in front of 511 Main Street per the request of the property owner at last month's Code Board meeting. Assistant City Attorney Farrell advised the Board that the property did not meet the requirements set by the City to put a street light in front of it, but the owner could contract with FPL to have a light installed.

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XI. CODE ENFORCEMENT MANAGERS REPORT

Code Enforcement Manager Glenn Tolleson advised the Board that the property at 3985 Thor Avenue came into compliance on November 20, 2015 and requested the Board issue an Order Finding Compliance and address the administrative cost and fines associated with the case.

Member Moniz made a motion that the Board issue its Order Finding Compliance in case #15-57, finding the defendant, Keith R Edwards in compliance with the prior Decision of this Board issued in this case, waiving the daily fines previously assessed, require payment of the City cost assessment and closing this proceeding. Member Hillock seconded. Motion carried by unanimous voice vote.

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XII. CHAIRMAN'S REPORT

Board Chairman Cunningham reviewed a memo from Code Manager Tolleson to the Board in reference to the procedure for when a Board Member is unable to attend a Code Board Meeting.

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XIII. BOARD MEMBER'S REPORT

No report.

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XIV. ADJOURNMENT – 3:55 pm

**CITY OF TITUSVILLE
MUNICIPAL CODE ENFORCEMENT BOARD MINUTES
MONDAY, MAY 9, 2016**

COUNCIL CHAMBER

CITY HALL

2:00 P.M.

The Municipal Code Enforcement Board held its regular meeting at 2:00 p.m. in the Council Chamber, second floor of City Hall, 555 S. Washington Avenue, Titusville, Florida.

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Members present: Vice Chairman Pat Bell, Member Jean Hillock, Alternate Board Member Romie Grant, Member Darrell Barrett, Member Erica Myers, Member Gina Beckles, and Member Edward Moniz, Alternate Board Member Joseph Richardson.

Members absent: Chairman Mike Cunningham

City Staff present were: Officer Bob Crisco, Officer Frank Lewis, Officer Tom Floyd, Code Enforcement Manager Glenn Tolleson, and Gary Stepalovich. Also present were Assistant City Attorney Chelsea Farrell and Board Attorney Rick Rogers.

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The meeting was called to order at 2:00 p.m. The entire assembly recited the Pledge of Allegiance to the Flag.

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Board Attorney Rick Rogers swore in new Alternate Board Member Joseph Richardson.

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Member Barrett made a motion for approval of the April 11, 2016 minutes. Member Hillock seconded. Motion carried by unanimous voice vote.

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VII. Old Business

Case #13-49 Northwood Investments LLC – 3800-3810 S Washington Avenue

Assistant City Attorney Farrell advised the Board that the City would like to continue this case for two months. Code Manager Glenn Tolleson provided the Board with an update on the status of redevelopment of the property including refurbishment of existing buildings and removal of the former office building.

Member Moniz made a motion that the Board continue Case #13-49 until the July 11, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #15-114 Royal Oak Golf Club Inc – 2150 Country Club Drive

Assistant City Attorney Farrell advised the Board the City would like to continue this case until the July Code Board Meeting due to the Defendant's progress towards code compliance.

Officer Floyd testified he inspected the property on May 9, 2016 and found the Defendant had made progress towards code compliance but the code violations were not in compliance except the pool has been completely drained and is now in compliance.

Member Beckles made a motion that the Board issue its Order Finding Partial Compliance in case #15-114, finding the defendant, Royal Oak Golf Club Inc, in compliance with the prior Decision of this Board issued in this case proceeding for Section 6-109 Property Maintenance Sub Section 303.1 – Swimming Pool Maintenance, but the violations of Section 13-26 Overgrowth and Section 13-28 Dead Tree(s) remain and therefore this case is continued until the July 11, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-43 Melissa K Kesler – 4975 Riveredge Drive

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #16-44 Hidden Cove Homeowner's Association Inc – Tax ID 2213472 Riveredge Dr

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

Case #16-46 Daniel W Carter - 1400 Barna Ave

Officer Floyd testified he re-inspected the property on May 9, 2016 and found the property was still in violation of Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 304.7 Roofs & Drainage. Assistant City Attorney Farrell submitted four photographs of the property taken on April 11, 2016 to the Board as Exhibit #1. Code Officer Floyd testified that no one is living at the residence and Officer Floyd has had no contact from the owner or owner's representative.

Member Moniz made a motion that the Board issue the following Finding of Fact in Case # 16-46, relating to the Defendant, Daniel W Carter:

1. That the Defendant continued to be in violation of Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 304.7 Roofs and Drainage, as previously determined by this Board on May 6, 2016.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a motion that the Board issue its Final Judgment Assessing Fine and Imposing Lien relating to the Defendant, Daniel W Carter, based upon the Findings of Fact issued this date, and that the Judgment contain the following provisions:

1. The defendant is assessed and ordered to pay a fine of \$100 per day, per continuing code violation for the violation of Section 13-26 Overgrowth and Section 6-109 Property

Maintenance Sub Section 304.7 Roofs and Drainage, as set forth in the Findings of Fact herein.

2. The fine shall commence on May 6, 2016 and shall continue until the Code Violations have been corrected to the written satisfaction of the Code Enforcement Officer.

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-47 William & M Sanchez Residential Land Trust C/O William Sanchez – 1229

First Ave

Assistant City Attorney Farrell advised the Board they previously found violations to exist on the property and ordered the Defendant to bring the property into compliance on or before April 18, 2016 and to pay the administrative cost of \$392.30. Officer Lewis testified he re-inspected the property on May 9, 2016 and the violations of Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structures still existed. Assistant City Attorney Farrell submitted four photographs of the property taken May 9, 2016 as Exhibit #1.

Member Beckles made a motion that the Board issue the following Finding of Fact in Case # 16-47, relating to the Defendant, William & M Sanchez Residential Land Trust C/O William Sanchez:

1. That the Defendant continued to be in violation of the Sections of the Code of Ordinances of the City of Titusville on April 18, 2016, Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structures, as previous determined by this Board.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Beckles made a motion that the Board issue its Final Judgment Assessing Fine and Imposing Lien relating to the Defendant, William & M Sanchez Residential Land Trust C/O William Sanchez, based upon the Findings of Fact issued this date, and that the Judgment contain the following provisions:

1. The defendant is assessed and ordered to pay a fine of \$100 per day, per continuing code violation for the violation of Section 13-26 Overgrowth and Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structures, as set forth in the Findings of Fact herein.
2. The fine shall commence on April 18, 2016 and shall continue until the Code Violations have been corrected to the written satisfaction of the Code Enforcement Officer.

Member Barrett seconded. Motion carried by unanimous voice vote.

16-50 Patricia Baggett Gaddis & James Thomas Baggett – 4540 Hood Ave

Assistant City Attorney Farrell advised the Board that this case is being withdrawn due to compliance.

VIII. New Business

Case #16-60 INA Group LLC – 1081 - 1083 S De Leon Ave

Officer Crisco testified he inspected the property and found the property to be in violation of Section 6-109 Property Maintenance 108.1.5 Dangerous Structure, Sub Section 109.1 Imminent Danger and Sub Section 110.1 Demolition to exist. Assistant City Attorney Farrell advised the Board that the City wished to withdraw the alleged violations of Section 6-109 Property

Maintenance Sub Section 108.1.1 Unsafe Structure, Sub Section 108.1 Unsafe Structure General, and Sub Section 108.1.3 Structure Unfit for Human Occupancy. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Officer Crisco testified he submitted the complaint to the City Building Department for review by the Building Official. Assistant City Attorney Farrell submitted eight photographs of the property taken May 9, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Assistant City Attorney Farrell advised the Board that the City would like to amend the Complaint to reflect the property in violation to be 1081 and 1083 S De Leon Avenue. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$411.75 as Exhibit #4.

Building Official Gary Stepalovich read Section 6-109 Property Maintenance Sub Section 108.1.5 to the Board. Building Official Stepalovich testified the property is an imminent danger and a serious threat to the safety of the public. Assistant City Attorney Farrell advised the Board that if the Board was to find the property is an imminent danger the City will have to take corrective action immediately.

Abra West, the next door neighbor, appeared before the Board along with his tenant, Jimmy Anderson. Mr. Anderson testified he is attempting to purchase the property and will make any necessary repairs as soon as possible.

Assistant City Attorney Farrell read Section 6-109 Property Maintenance Sub Section 110.1 Demolition to the Board.

Member Moniz made a motion that the Board issue the following Finding of Fact in Case # 16-60 relating to the Defendant, INA Group LLC:

1. That the Defendant was properly notified of the violations as alleged in the complaint and the City request to amend the Complaint to correct the address of the property is granted.
2. The Defendant is the owner of, or in possession of, the real property located at 1081 and 1083 S De Leon Ave, Titusville, Florida.
3. The Defendant is in violation of the following Section of the Code of Ordinances of the City of Titusville Section 6-109 Property Maintenance 108.1.5 Dangerous Structure, Sub Section 109.1 Imminent Danger and Sub Section 110.1 Demolition as indicated in the complaint.
4. The property is an imminent danger and a serious threat to the safety of the public.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a Motion that the Board issue it's Order to Correct relating to the Defendant, INA Group LLC:

1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendant until 12 noon on May 13, 2016 to correct the violations to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on July 11, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.

3. The Board request the City make reasonable repairs upon the property in the event the defendant doesn't timely achieve code compliance to remove the serious threat to public health and safety.
4. The Defendant is assessed and ordered to pay the administrative cost in the amount of \$411.75.

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-52 Glen A Hedden & Jesse Lee Hedden – 306 Boye Ave

Officer Floyd testified he inspected the property on March 2, 2016 and found the violation of Section 13-73 Inoperative Vehicles Prohibited to exist. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Assistant City Attorney Farrell submitted two photographs of the property taken May 9, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Officer Floyd testified he re-inspected the property on May 9, 2016 and the violations still existed. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$411.75 as Exhibit #4.

Member Beckles made a motion that the Board issue the following Finding of Fact in Case # 16-52 relating to the Defendant, Glen A Hedden & Jesse Lee Hedden:

1. That the Defendants were properly notified of the violation as alleged in the complaint.
2. The Defendants are the owner of, or in possession of, the real property located at 306 Boye Ave, Titusville, Florida.
3. The Defendants are in violation of the following Sections of the Code of Ordinances of the City of Titusville Section 13-73 Inoperative Vehicles Prohibited as indicated in the compliant.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Beckles made a Motion that the Board issue it's Order to Correct relating to the Defendant, Glen A Hedden & Jesse Lee Hedden.

1. Adjudging the Defendants to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendants until 12 noon on June 10, 2016 to correct the violation to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on July 11, 2016 to show cause why the violation has not been corrected and why this Board should not proceed to impose a fine for the violation.
3. The Defendants are assessed and ordered to pay the administrative cost in the amount of \$411.75.

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-53 Sandra S Petty – 1385 Thornton Ave

Assistant City Attorney Farrell advised the Board the City would like to continue this case until the July 11, 2016 Board meeting.

Member Moniz made a motion to continue Case #16-53 until the July 11, 2016 Board meeting. Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-54 Thomas D Murray – 1110 Cheney Hwy, Unit B

Assistant City Attorney Farrell advised the Board that this case is being withdrawn.

Case #16-55 Chris F Nelson, Jr – 3930 Byron Ave

Assistant City Attorney Farrell advised the Board that this case is being withdrawn.

Case #16-56 Kenneth M Higgins, Jr – 4530 Byron Ave

Assistant City Attorney Farrell advised the Board that this case is being withdrawn.

Case #16-57 Ian Kurka Estate – 825 Cleveland Street

Officer Cricso testified he inspected the property on February 22, 2016 and found the violations of Section 12-23 Junk & Debris and Section 6-109 Property Maintenance Sub Section 301.3 Vacant Structure & Land to exist. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #1. Officer Cricso testified he re-inspected the property on March 16, 2016 and the property was still in violation. Assistant City Attorney Farrell submitted six photographs of the property taken May 9, 2016 as Exhibit #2. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #3. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$429.36 as Exhibit #4.

Member Moniz made a motion that the Board issue the following Finding of Fact in Case # 16-57 relating to the Defendant, Ian Kurka Estate:

1. That the Defendant was properly notified of the violations as alleged in the complaint.
2. The Defendant is the owner of, or in possession of, the real property located at 825 Cleveland Street, Titusville, Florida.
3. The Defendant is in violation of the following Sections of the Code of Ordinances of the City of Titusville Section 12-23 Junk & Debris and Section 6-109 Property Maintenance Sub Section 301.3 Vacant Structure & Land as indicated in the complaint.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a Motion that the Board issue it's Order to Correct relating to the Defendant, Ian Kurka Estate.

1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendant until 12 noon on May 20, 2016 to correct the violations to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on July 11, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.
3. The Defendant is assessed and ordered to pay the administrative cost in the amount of \$429.36

Member Hillock seconded. Motion carried by unanimous voice vote.

Case #16-58 Lois Kirkland – 4760 Winchester Drive

Assistant City Attorney Farrell advised the Board the City would like to withdraw this case and re-cite the new owner.

Case #16-59 Palmgray Investments – 1690 S Park Ave

Assistant City Attorney Farrell advised the Board that the owner of the property requested a continuance for the May 9, 1016 Code Board hearing due to a conflict requiring the Defendant's representative to attend a hearing that was being held in Miami on May 9, 2016 at 10 am. Assistant City Attorney Farrell advised the Board that the owner of Palmgray Investments, Moises Grayson has been in consistent contact with Assistant City Attorney Farrell and requested names of contractors the City has used to do demolition in the past. Assistant City Attorney Farrell submitted the request for continuance from Mr. Grayson along with an answer to the Complaint of the City of Titusville Code Enforcement to the Board as Exhibit #1.

Member Beckles made a motion to deny the owners request to continue this case. Member Moniz seconded. Motion carried by unanimous voice vote.

Officer Crisco testified that he has been inspected the property off and on since 2011. Officer Crisco testified he inspected the property on March 30, 2016 in reference to new ownership of the property and found the violations of Section 6-109 Property Maintenance 108.1.5 Dangerous Structure, Sub Section 109.1 Imminent Danger and Sub Section 110.1 Demolition to exist. Assistant City Attorney Farrell advised the Board that the City wished to withdraw the alleged violations of Section 6-109 Property Maintenance Sub Section 108.1.1 Unsafe Structure, Sub Section 108.1 Unsafe Structure General, and Sub Section 108.1.3 Structure Unfit for Human Occupancy. Assistant City Attorney Farrell submitted the Notice of Violation and Affidavit of Posting as Exhibit #2. Assistant City Attorney Farrell submitted six photographs of the property taken March 30, 2016 as Exhibit #3. Officer Crisco testified that every time he does a re-inspection several neighbors ask him about the status of the property but no one has complained about this property effecting their property. Assistant City Attorney Farrell submitted the Notice of Hearing and Complaint and Affidavit of Posting as Exhibit #4. Assistant City Attorney Farrell submitted the Cost Recovery Sheet in the amount of \$411.75 as Exhibit #5.

Building Official Gary Stepalovich read several paragraphs from Section 6-109 Property Maintenance Sub Section 108 to the Board. Building Official Stepalovich testified that the fence is in disrepair and allows the public to access the property which makes the property an imminent danger to the safety of the public due to the dangerous structure on the property.

Member Moniz made a motion that the Board issue the following Finding of Fact in Case # 16-59 relating to the Defendant, Palmgray Investments:

1. That the Defendant was properly notified of the violations as alleged in the complaint.
2. The Defendant is the owner of, or in possession of, the real property located at 1690 S Park Ave, Titusville, Florida.
3. The Defendant is in violation of the following Sections of the Code of Ordinances of the City of Titusville Section 6-109 Property Maintenance Sub Section 108.1.5 Dangerous Structure, Sub Section 109.1 Imminent Danger and Sub Section 110.1 Demolition as indicated in the complaint.
4. The property is an imminent danger and a serious threat to the safety of the public.

Member Hillock seconded. Motion carried by unanimous voice vote.

Member Moniz made a Motion that the Board issue it's Order to Correct relating to the Defendant, Palmgray Investments:

1. Adjudging the Defendant to be in violation of the Sections of the Code of Ordinances of the City of Titusville as determined in the Findings of Fact.
2. Giving the Defendant until 12 noon on May 13, 2016 to correct the violations to the written satisfaction of the Code Enforcement Officer or to appear before this Board at City Hall, Titusville, Florida on July 11, 2016 to show cause why the violations have not been corrected and why this Board should not proceed to impose a fine for the violations.
3. The Board request the City make reasonable repairs upon the property in the event the defendant doesn't timely achieve code compliance to remove the serious threat to public health and safety.
4. The Defendant is assessed and ordered to pay the administrative cost in the amount of \$411.75.

Member Hillock seconded. Motion carried by unanimous voice vote.

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IX. BOARD ATTORNEY'S REPORT

No report.

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X. CITY ATTORNEY'S REPORT

No report.

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XI. CODE ENFORCEMENT MANAGERS REPORT

No report.

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XII. CHAIRMAN'S REPORT

No report.

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XIII. BOARD MEMBER'S REPORT

No report

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XIV. ADJOURNMENT – 4:00 pm





RESOLUTION NO. 21-2019

A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA DECLARING THE NECESSITY FOR THE REMOVAL OF A CONDEMNED AND HAZARDOUS STRUCTURE, LOCATED AT 1229 FIRST AVENUE THAT CONSTITUTES A NUISANCE AND A MENACE TO THE HEALTH AND SAFETY OF THE INHABITANTS OF THE CITY: SETTING A PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Titusville, Florida, has determined it is wise and expedient to remove certain buildings that constitute a menace to health or safety of the inhabitants of the City, the cost of which shall be assessed against the property; and

WHEREAS, the City of Titusville finds that the removal of the building will benefit the property and the property owner in an amount not less than the costs associated with the removal of said structure.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA:

Section 1. That the necessity is hereby declared to exist for the removal of the building, the costs of which shall be borne by the property owner, on the following described premises located within the city limits of the City of Titusville.

The legal description of the property is:

Tax Acct. 22001005 Parcel ID 22-35-03-54-12-8, Read & Allens Subd Lot 8 & S25 FT of Lot 9 Blk 12, Plat Book/Page: 0002/0020

The address of the property is 1229 First Avenue, Titusville, Florida. The nature of the work to be performed involves the removal of the existing structure and removal of debris. The estimated cost is \$7,500.

Section 2. That the City Council of the City of Titusville, Florida directs that a title search be conducted on the above described parcel to determine all legal claims against same.

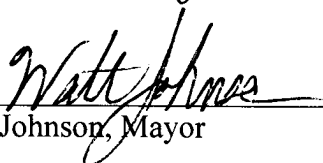
Section 3. That the City Council of the City of Titusville, Florida shall meet at 6:30 p.m. on Tuesday, the 23rd day of July, 2019 in the Council Chamber of City Hall for the purpose of hearing any objections or remonstrances that may be made to the aforesaid improvements. The City Clerk is hereby authorized and directed to publish notification of the said hearing in a newspaper distributed in the City of Titusville, Florida once a week for two consecutive weeks, the date of the first publication to be not less than ten (10) days prior to the date of the hearing.

Section 4. That the City Council shall meet at the time and place aforesaid and hear objections, protests and remonstrances which any person or persons may present in person, by petition, or by attorney, if any and make, amend, confirm or rescind the resolution of necessity, and determine whether the proposed removal of the aforescribed nuisance shall be made and how the costs thereof shall be assessed, and determination of the City Council shall be final and conclusive.

Section 5. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.


Section 6. This resolution shall become effective immediately upon its adoption.

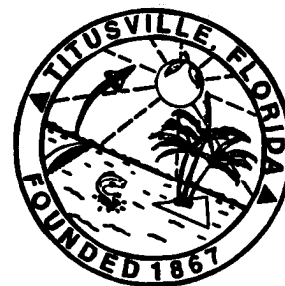
PASSED AND ADOPTED this 11 day of June, 2019.



Walt Johnson, Mayor

ATTEST:


~~Wanda Walls, City Clerk~~
Assistant City Clerk



cc: Code
hegal

RESOLUTION NO. 9-2020

A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA APPROVING AND CONFIRMING THE SPECIAL ASSESSMENT OF THE REMOVAL OF A CONDEMNED AND HAZARDOUS STRUCTURE, LOCATED AT 1229 FIRST AVENUE IN THE CITY OF TITUSVILLE AS SET FORTH IN RESOLUTION 21-2019 AND RESOLUTION 37-2019 AND DETERMINING THE METHOD OF PAYMENT OF SPECIAL ASSESSMENT IMPOSED AGAINST A CERTAIN PROPERTY AS DESCRIBED IN THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Titusville, Florida adopted Resolution 21-2019 on June 11, 2019 declaring the necessity for the removal of a condemned and hazardous structure at 1229 First Avenue within the City Limits of the City of Titusville, hereinafter described, and establishing a date for a public hearing on Tuesday July 23, 2019 in the Council Chambers of City Hall; and

WHEREAS, the City Council of the City of Titusville adopted Resolution 37-2019 on July 23, 2019 and determined to proceed with said improvement; and

WHEREAS, a public hearing was held on July 23, 2019 and no objections or defenses have been presented or filed by any person or person so desiring and all parties to be heard were given opportunity to do so; and

WHEREAS, the public improvement has been completed consisting of the removal of an existing structure and removal of debris; and

WHEREAS, the City Council of the City of Titusville has caused to be prepared an assessment list, showing the name of the property owner, a description of the parcel of land proposed to be assessed for said improvement and the amount proposed to be assessed against this parcel of land; and

WHEREAS, due and legal notice was given by publication in two issues, and at least seven days apart in the Florida Today, that the assessment was completed, stating the nature of the improvement and the general character of the work which has been performed, the name by which such improvement is generally known, and the location of such improvement,, and further stating that the assessment list had been delivered and was open for inspection at the office of the City Clerk of the City of Titusville; and

WHEREAS, said improvement has been constructed and said assessment made and levied in conformity with law.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA: as follows:

Section 1. The assessment for the improvement described as a removal of a condemned and dangerous structure at 1229 First Avenue within the City limits of the City of Titusville Florida is hereby approved and confirmed as follows:

Property Owners:

William & m Sanchez Residential Land Trust
C/O William Sanchez
PO Box 136535
Clermont, Florida 34713

The legal description of the property is:

Tax Acct. 22001005 Parcel ID 22-35-03-54-12-8, Read & Allens Subd Lot 8 & S25 FT of Lot 9 Blk 12, Plat Book/Page: 0002/0020 (A/K/A 1229 First Avenue).

Amount: \$3,680.20

Section 2. That the property benefited by the above described improvement shall pay the total costs and expenses as determined by this assessment. That the property assessed is benefited by said improvement in the amount equal to the amount assessed against the same; and from the date of this Resolution such assessment shall constitute a lien upon the respective lots or parcels of land, superior to all other items, except those for City and County Taxes.

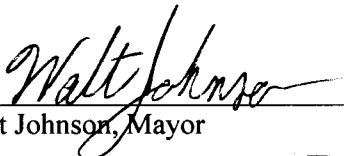
Section 3. For a period of thirty days from date hereof, any person aggrieved shall have the right to contest the legality of said special assessment, after which time no suit, action, writ or special proceedings in any matter questioning the legality of the said special assessment shall lie for any cause whatsoever.

Section 4. The foregoing special assessment shall be payable in cash within 90 days from the adoption of this resolution. Any special assessment not paid in cash within 90 days shall be considered delinquent and interest shall be payable at the rate of 6% (six percent) per annum and collected as provided by law.

Section 5. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

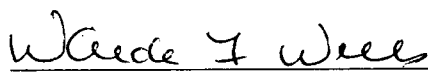
Section 6. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 25th day of February, 2020.

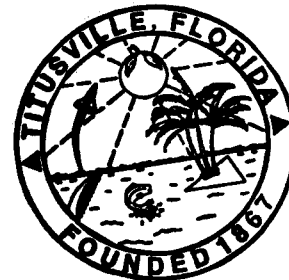


Walt Johnson, Mayor

ATTEST:



Wanda Wells, City Clerk



cc: Glenn. Code
Charlene

•
•
•
•



City of Titusville

"GATEWAY TO NATURE AND SPACE"

555 South Washington Avenue

Titusville, FL 32796-3584

Post Office Box 2806 (32781-2806)

May 29, 2025



Chelsea A. Farrell, Interim City Attorney

Phone: (321) 383-5693

Fax: (321) 383-5694

VIA CERTIFIED MAIL RETURN
RECEIPT REQUESTED AND REGULAR U.S. MAIL

Mr. Rodrigo Rubim da Silva
Registered Agent
Enterprises 4 U, LLC
132 Hills Bay Drive
Davenport, FL 33896

Re: 1229 First Avenue, Titusville, FL
Parcel ID:22-35-03-54-12-8
Tax Deed File No: 240679

Dear Mr. da Silva:

This correspondence is in reference to the above captioned property. A Tax Deed has been issued to Enterprises 4 U, LLC and recorded upon the public records of Brevard County, Florida, in ORB 10338, page 1785. According to the Florida Division of Corporations, you are the Registered Agent for Enterprises 4 U, LLC. Please be advised that the City of Titusville has outstanding liens on the subject property and the City's liens survive the issuance of a tax deed, pursuant to Florida Statutes (2024) Section 197.552 (a copy is enclosed), to wit:

"Except as specifically provided in this chapter, no right, interest, restriction, or other covenant shall survive the issuance of a tax deed, except that a lien of record held by a municipal or county governmental unit, special district, or community development district, when such lien is not satisfied as of the disbursement of proceeds of sale under the provisions of s.197.582 shall survive the issuance of a tax deed".

Please be advised that the City has stormwater management liens, utility services liens, code enforcement liens and lot cleaning liens on the subject property. These liens are attached to the land itself, regardless of the owner. Pursuant to Section 21-278 of the City of Titusville Code of Ordinances, a copy enclosed, "Upon the adoption of the assessment roll, all stormwater management fees shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments".

Mr. Rodrigo Rubim da Sliva
Registered Agent for
Enterprises 4 U, LLC
Re: 1229 First Avenue Tax Deed
May 29, 2025
Page | 2

I have enclosed a copy of the outstanding liens provided to the Tax Deed Clerk before the sale of this property on May 15, 2025. While we understand there may be surplus funds available for disbursement, those funds are not guaranteed and are not available for at least 120 days. Furthermore, the City's liens far exceed the surplus amount that might be available.

Enterprises 4 U, LLC may seek a reduction of the code enforcement lien in accordance with Section 31-71(g) of the City Code of Ordinances, a copy of which is enclosed. Please contact our office at (321) 383-5695, within ten (10) days from your receipt of this letter to discuss these liens and make arrangements for payment of all outstanding liens.

Very truly yours,



Chelsea A. Farrell, Esq.
Interim City Attorney
Chelsea.FarrellA@titusville.com

CAF:vmp
Enclosures
cc: Glen Tolleson, Code Enforcement Manager
Carrie Beatty, Customer Service Manager



Photo by FL
July 24, 2025 10:39 AM

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Code Enforcement Special Magistrate

From:

Subject: Massey Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: James Flannigan, Code Enforcement Officer
Subject: **25-68**
Evelyn Louise Ratliff
160 Park Lane, Titusville, FL 32780
Parcel ID# 22-35-10-50-A-5
Notice of Violation: Certified and Posted, Initial March 20, 2025, Certified mail March 21, 2025.
Hearing Mailed July 21, 2025, and Posted July 28, 2025

Department/Office: Code Enforcement

Recommended Action:

Fines of \$100 per day be imposed starting on August 9th, and continue until all junk and debris items from the property, or store inside out of view.

Summary Explanation & Background:

1. Sec 12.23 Junk and Debris

On July 14, 2025, this case was heard in front of the Magistrate. The Respondent was not present at the hearing. The respondent was found in violation and given until 12:00 PM on August 8, 2025, to correct the violation. If the violation is not corrected, the fine in the amount of \$100.00 per day will commence on August 9, 2025, and continue until the violation is corrected. Administrative costs of \$216.58 were also imposed.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Find the property is not in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal #1 Quality of Life

Strategic Plan Impact:

Goal #1 Quality of Life

ATTACHMENTS:

1. 20250728_095026
2. 20250728_095001
3. 20250728_095003
4. 20250728_095010
5. 25-68 August Exhibits

CODE ENFORCEMENT DIVISION
**INSPECTION
SEAL**

CITY OF TITUSVILLE
CODE ENFORCEMENT
JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 507-3770

photo by JF

July 28, 2025 9:50 AM



photo by JF
July 28, 2025 9:50 AM



photo by JF
July 28, 2025 9:50 AM



photo by JF
July 28, 2025 9:50 AM



City of Titusville
Affidavit - Notice of Hearing



Case No. 25-68 Address/Location of Violation: 160 PARK LN
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- Owner of the property on ___/___/___ at ___
Owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on ___/___/___ at ___
Owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge ___/___/___ at ___

POST

[X] Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 07/28/25

MAIL

[X] Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 07/21/25

- the address listed in the tax collector's office on ___/___/___
the address listed in the tax collector's office/another address provided to the City of Titusville ___/___/___

JIM FLANNIGAN

[Handwritten signature and date 7-29-25]

Print Name / Signature / Date

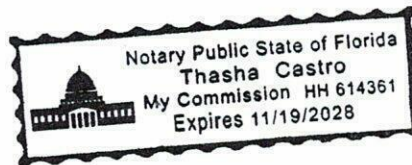
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

[Handwritten signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-68
Enforcement Case No: 25-000491

CITY OF TITUSVILLE

Petitioner,

vs.

**RATLIFF, EVELYN LOUISE
160 PARK LN
TITUSVILLE, FL 32780**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 08/11/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

160 PARK LN

TAX PARCEL ID 22 3510-50-A-5

LAND DESCRIPTION RIVERVIEW

TERRACE LOT 5 BLK A

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 12-23 - JUNK AND DEBRIS

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE**

CITY OF TITUSVILLE, FL

Petitioner,

v.

EVELYN LOUISE RATLIFF

Mailing address:

160 Park Lane
Titusville, FL 32780

Respondent.

CASE NO: 25-68

Subject Property: 160 Park Lane
Titusville, FL 32780

Tax Parcel ID#: 22-35-10-50-A-5

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

This case came on for an initial hearing before the Code Enforcement Special Magistrate of the City of Titusville, Florida, on July 14, 2025. Based on the evidence and testimony presented, the Special Magistrate finds and orders:

Findings of Fact

1. Respondent is the owner of the Subject Property. Respondent was provided notice of this hearing and did not appear at the hearing.
2. Code Enforcement Officer James Flannigan testified that the property was inspected and found to be in violation of City Code Section 12.23 Junk and Debris. A notice of violation was issued giving a reasonable time to correct the violations, but the violations were not corrected.
3. In addition to the evidence and testimony presented, the following exhibits on behalf of the City were entered into evidence:
 - Ex. 1: City's Affidavit of Mailing/Posting Notice of Hearing
 - Ex. 2: City's Affidavit of Mailing/Posting Notice of Violation
 - Ex. 3: City's Cost Recovery Statement in the amount of \$216.58
4. The evidence shows the property remains in violation of the above-stated code provisions.

Conclusions of Law

5. Proper notice of the violation and notice of hearings were provided to Respondent(s).
6. Based on the evidence and testimony provided, the Special Magistrate finds that the subject property is in violation of City Code Section 12.23 Junk and Debris.
7. The City is entitled to recover its costs incurred in prosecuting the case, pursuant to Section 162.07(2), Florida Statutes.

Order

Based upon the Findings of Fact and Conclusions of Law, it is hereby **ORDERED**:

1. Respondent shall correct the cited violations on the subject property by 12:00 p.m. (noon) on **August 8, 2025**. Respondent shall immediately notify the Code Enforcement Officer when compliance is achieved so the officer can inspect and confirm compliance.

2. If compliance with all violations is not achieved by this date, a subsequent compliance/Massey hearing will be held, and the Magistrate may impose a fine in the amount of \$100.00 per day, per violation commencing **August 9, 2025**, and continuing daily until the violations are corrected. A lien may also be imposed.

3. In setting the proposed fine, the following are considered: (i) the gravity of the violations; (ii) any actions taken by Respondent(s) to correct the violations; and (iii) any previous code violations.

4. In addition to the fine, the City's costs of prosecution are imposed in the amount of \$216.58, payable to the "City of Titusville" and delivered to the Office of the City Attorney, 555 South Washington Avenue, Titusville, Florida.

5. If the violation is corrected, Respondent(s) must contact the City of Titusville Code Enforcement Department at (321)567-3770 to request an inspection to verify compliance.

DONE AND ORDERED this 18th day of July, 2025.

**CITY OF TITUSVILLE, FLORIDA
CODE ENFORCEMENT**



Special Magistrate
Don H. Nguyen, Esq.

Certificate of Mailing

I hereby certify that a true and correct copy of the foregoing has been mailed to the Respondent(s) at the mailing address(es) listed above by regular mail and certified mail this 22 day of July, 2025.



Secretary Special Magistrate



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-68
Address 160 PARK LN
Respondent EVELYN LOUISE RATLIFF

Number of Inspector Hours

9 Number of Field Inspections (*Each Inspection = .5 Hours*)
4.5 Field Hours 35.22 per hour
Inspection Hours Cost 158.49

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 216.58

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Code Enforcement Special Magistrate

From:

Subject: Continued Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Members of the Code Enforcement Special Magistrate

From:

Subject: Initial Hearings

Department/Office:

Recommended Action:

Summary Explanation & Background:

Alternatives:

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Strategic Plan Impact:

ATTACHMENTS:

None

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: James Flannigan, Code Enforcement Officer
Subject: **25-36**
Eric Hampton
Catherine Jefferson
419 Wager Avenue
Titusville, FL 32796
Parcel ID # 22-35-03-03-28-6
Notice of Violations: Certified mailed on April 7, 2025, and posted on April 7, 2025

Notice of Hearing: Certified mailed July 9, 2025, and Posted July 28, 2025

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent(s) to correct the violation by:

- 1. Sec 12-23 Junk and Debris** Remove all junk and debris items from property or store inside.
- 2. Sec. 6-109 2018 IPMC SEC 302.7 Accessory Structure (Fence)** Repair or remove all damage fence sections.
- 3. Sec. 6-109 2018 IPMC SEC 304-7 Roof and Drainage** Remove tarp from roof and make proper repairs to roof as required.

Order the Respondent(s) be assessed administrative costs, in the amount of \$251.80. If the Respondent does not comply by 09/05/2025, it is being requested that a fine of \$100.00 per day for each violation be imposed and continue until the violation is corrected.

The Respondent(s) must contact Jim Flannigan, Code Enforcement Officer at 321-567-3773 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Sec. 12-23 Junk and Debris
Sec 6-109 2018 IPMC
 Sec. 302.7 Accessory Structures (Fence)
 Sec. 304.7 Roofs and Drainage

On 01-23-25, I observed several violations during a proactive check of the area. I observed debris in the front and side of the house. Fence sections falling, and missing sections throughout the property. Roof needing with tarps on roof indicating repairs needed.

No contact has been made with the property owner. No corrective actions have been made.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property is not in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 20250728_093327
2. 20250728_093214
3. 20250728_093218
4. 20250728_093221
5. 20250728_093226
6. 20250728_093246
7. 20250728_093325
8. 20250623_101723 (1)
9. 20250123_102043
10. 20250123_102057
11. 20250123_102038
12. 25-36 August Exhibits



photo by JF
July 28, 2025 9:33 AM

CODE ENFORCEMENT DIVISION
**INSPECTION
SEAL**

CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770

Hearing Case No: 25-56
Enforcement Case No: 25-00047

CITY OF TITUSVILLE
Petitioner:
vs.
HAMPTON, ERIC
JEFFERSON, CATHERINE
875 NOVA TER
TITUSVILLE, FL 32796

Respondent: _____

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

On 08/11/2025 at 2:00PM
City of Titusville City Hall
555 S Washington Avenue
2nd Floor (Council Chambers)
Titusville FL 32780

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, records or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 182 Florida Statutes, and Article II, Chapter V, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 182, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violation, determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$500.00 for an unresolvable/repeatable violation, said fine may constitute a lien upon your real and personal property.

Part II: THE CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, New York

photo by JF

July 28, 2025 9:32 AM



photo by JF
July 28, 2025 9:32 AM



photo by JF
July 28, 2025 9:32 AM



photo by JF
July 28, 2025 9:32 AM



photo by JF

July 28, 2025 9:32 AM



photo by JF
July 28, 2025 9:33 AM



photo by JF

June 23, 2025 10:17 AM



photo by JF
January 23, 2025 10:20 AM



photo by JF

January 23, 2025 10:20 AM



photo by JF
January 23, 2025 10:20 AM



City of Titusville
Affidavit - Notice of Hearing



Case No. 25-36 Address/Location of Violation: 419 WAGER AVE
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- the owner of the property on _ / _ / _ at
the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at
the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at

POST

Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 07/07/25 7/28/25 JG

MAIL

- Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 07/08/25
the address listed in the tax collector's office on _ / _ / _
the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _

JIM FLANNIGAN

[Signature] 7-29-25

Print Name / Signature / Date

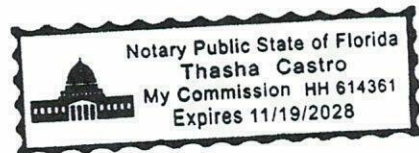
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

[Signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-36
Enforcement Case No: 25-000047

CITY OF TITUSVILLE

Petitioner,

vs.

HAMPTON, ERIC

**JEFFERSON, CATHERINE
975 NOVA TER
TITUSVILLE, FL 32796**

Respondent.
_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 08/11/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against

Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

419 WAGER AVE

**TAX PARCEL ID 22 3503-03-28-6
6 BLK 28**

LAND DESCRIPTION TITUSVILLE LOT

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 12-23 - JUNK AND DEBRIS

SEC. 6-109; 2018 IPMC SEC 302.7 - ACCESSORY STRUCTURES

SEC. 6-109; 2018 IPMC SEC. 304.7 - - ROOFS AND DRAINAGE

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-36 Address/Location of Violation: 419 WAGER AVE

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- Owner of the property on ___/___/___ at ___
Owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on ___/___/___ at ___
Owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge ___/___/___ at ___

POST

[b] Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 04/07/25.

MAIL

[X] Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 4/7/25.:

- Address listed in the tax collector's office on ___/___/___
Address listed in the tax collector's office/another address provided to the City of Titusville ___/___/___

JIM FLANNIGAN

[Handwritten Signature]

7-28-25

Print Name / Signature / Date

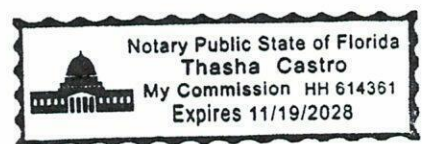
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that JIM FLANNIGAN, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 28 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 28 day of July, 2025.

[Handwritten Signature]

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd., Titusville, FL 32780 PH 321-567-3770

**HAMPTON, ERIC JEFFERSON, CATHERINE
975 NOVA TER
TITUSVILLE, FL 32796**

April 07, 2025

CASE # 25-000047

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 419 WAGER AVE , Parcel ID# 22 3503-03-28-6

An inspection was conducted on at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: NUISANCE

VIOLATION OF CODE: SEC. 12-23 MACHINERY PARTS, SCRAPPED PARTS, SCRAPPED LUMBER, ETC. - STORAGE MANTAINING PROHIBITED - (A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO CAUSE OR PERMIT JUNK, SCRAP METAL, SCRAP LUMBER, WASTEPAPER PRODUCTS, DISCARDED BUILDING MATERIALS, OR ANY UNUSED ABANDONED VEHICLE, VEHICLES, OR ABANDONED PARTS, MACHINERY OR MACHINERY PARTS, OR OTHER WASTE MATERIALS, TO BE IN OR UPON ANY YARD, GARDEN, LAWN, OUT-BUILDING, OR PREMISES, IN THE CITY UNLESS IN CONNECTION WITH A BUSINESS ENTERPRISE LAWFULLY SITUATED AND LICENSED FOR THE SAME. (B) IT SHALL BE UNLAWFUL TO PERMIT ANY ACCUMULATION OF ANY SUCH WASTE MATERIALS TO BE IN OR UPON ANY YARD, LAWN, GARDEN, OUT-BUILDING OR PREMISES, IN THE CITY, IF IT CONSTITUTES A FIRE HAZARD, A HAZARD TO THE SAFETY OF PERSONS OR PROPERTY, OR AN UNSANITARY CONDITION.

Inspector Comments: Debris throughout property. Previously warned.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC 302.7 ACCESSORY STRUCTURES, INCLUDING DETACHED GARAGES, FENCES AND WALLS, SHALL BE MAINTANED STRUCTURALLY SOUND AND IN GOOD REPAIR.

Inspector Comments: Fence in need of repair. Previously notified.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 304.7 - THE ROOF AND FLASHING SHALL BE SOUND, TIGHT AND NOT HAVE DEFECTS THAT ADMIT RAIN. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT DAMPNESS OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE. ROOF DRAINS, GUTTERS AND DOWNSPOUTS SHALL BE MAINTAINED IN GOOD REPAIR AND FREE FROM OBSTRUCTIONS. ROOF WATER SHALL NOT BE DISCHARGED IN A MANNER THAT CREATES A PUBLIC NUISANCE.

Inspector Comments: Roof repairs required. Previously notified.

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **04/21/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Jim Flannigan
Code Enforcement Officer

25-000047

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Eric Hampton
 Catherine Jefferson
 975 NOVA TER
 TITUSVILLE, FL 32796



9590 9402 9378 5002 0555 14

2. Article Number (Transfer from service label)

9589 0710 5270 0957 4039 13

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

25-00



CODE ENFORCEMENT

PROMOTING TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd., Titusville, FL 32780 PH 321-567-37

HAMPTON, ERIC JEFFERSON, CATHERINE
 975 NOVA TER
 TITUSVILLE, FL 32796

April 07, 2025

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: Charles Lewis, Lead Code Enforcement Officer
Subject: 25-37
Jessica Cassell
3700 Miriam Drive
Titusville, FL 32796
Parcel ID # 22-35-06-76*-19
Notice of violation: Posted June 24, 2025, certified mail sent June 25, 2025.
Notice of Hearing: Sent Certified Mail July 10, 2025, posted on property and City Hall July 16, 2025.
Department/Office: Code Enforcement

Recommended Action:

Find that, at the time of this meeting, the property is in violation of Code Sections 12-23, 302.4, 303.2, 303.1.

Order the Respondent(s) to correct the violation on or before September 5, 2025, by:

1. Sec. 12-23 – Junk and Debris

Remove all junk and debris from the from the property.

2. Sec. 6-109, 2018 IPMC Subsection 302.4 – Overgrowth –Weeds

Mow and trim yard removing all weeds and grass over 12 inches in height from property.

3. Sec. 6-109, 2018 IPMC Subsection 303.2- Enclosures- Swimming Pools

Repair enclosure to prevent unauthorized access to pool.

4. Sec. 6-109, 2018 IPMC Subsection 303.1- Swimming Pools

Return pool water to a sanitary condition.

If compliance is not achieved, **Impose a fine of \$150.00 per day per violation.**

Order the respondent to be assessed administrative costs in the amount of \$128.53.

The Respondent(s) must contact Frank Lewis Jr., Code Enforcement Officer at 321-

567-3771 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Violation Charge(s): Titusville Code of Ordinances

1. Sec. 12-23 – Junk and Debris
2. Sec. 6-109; 2018 IPMC Subsection 302.4 – Overgrowth –Weeds
3. Sec. 6-109; 2018 IPMC Sec. 303.2- Enclosures-Swimming Pools
4. Sec. 6-109; 2018 IPMC Sec. 303.1 Swimming Pools

Narrative of Violation(s): An inspection was completed in response to a complaint received about a vacant residential structure with an unsanitary pool; the inspection found a pool containing stagnant discolored water and an unsecured pool enclosure. The enclosure is damaged and unable to be secured to prevent access to the pool area and there is not a fence on the property. There is overgrowth on the property with junk and debris throughout. The property was posted with a Notice of Violation.

Any Contact with the owner: I was able to locate the owner who is a realtor; she stated she is selling the property and was not making any repairs.

Results of re-inspections: None of the violations have been corrected to date.

Alternatives:

1. Alternate finding and amount.
2. Additional time to correct.
3. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 25-37 August Exhibits
2. 20250624_091729
3. 20250624_091838
4. 20250624_092001
5. 20250624_092017
6. 20250624_092030

7. 20250624_092043



City of Titusville
Affidavit - Notice of Hearing



Case No. 25-37 Address/Location of Violation: 3700 MIRIAM DR
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- the owner of the property on _/ _/ _ at
the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _/ _/ _ at
the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _/ _/ _ at

POST

Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 7/10/25

MAIL

Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 7/9/25.

- the address listed in the tax collector's office on _/ _/ _
the address listed in the tax collector's office/another address provided to the City of Titusville _/ _/ _

FRANK LEWIS Frank Lewis, 7-10-2025
Print Name / Signature / Date

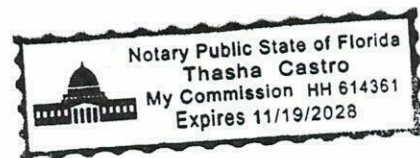
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that FRANK LEWIS, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 10 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 10 day of July 2025.

[Handwritten signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-37
Enforcement Case No: 25-000892

CITY OF TITUSVILLE

Petitioner,

vs.

**CASELL, JESSICA
3655 VALLEY FORGE DR
TITUSVILLE, FL 32796**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 08/11/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

3700 MIRIAM DR

TAX PARCEL ID 22 3506-76-*-19

LAND DESCRIPTION BEACON HILLS

SUBD 1ST ADDN LOT 19

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and/or the Land Development Regulations of the City of Titusville by reason of:

SEC. 12-23 - JUNK AND DEBRIS

SEC. 6-109; 2018 IPMC SEC. 302.4 - OVERGROWTH - WEEDS

SEC. 6-109; 2018 IPMC SEC. 303.2 - ENCLOSURES - SWIMMING POOLS

SEC. 6-109; 2018 IPMC SEC. 303.1 - SWIMMING POOLS

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-37 Address/Location of Violation: 3700 MIRIAM DR

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- Owner of property on ___/___/___ at ___
Owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on ___/___/___ at ___
Owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge ___/___/___ at ___

POST

[X] Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on 7/10/25.

MAIL

[X] Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 7/9/25.

- Address listed in the tax collector's office on ___/___/___
Address listed in the tax collector's office/another address provided to the City of Titusville ___/___/___

FRANK LEWIS [Signature] 7-10-2025

Print Name / Signature / Date

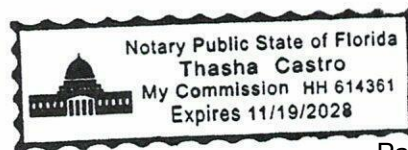
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that FRANK LEWIS, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 10 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 10 day of July 2025.

[Signature]

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING TEAMWORK WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

**CASSELL, JESSICA
3655 VALLEY FORGE DR
TITUSVILLE, FL 32796**

June 24, 2025

CASE # 25-000892

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 3700 MIRIAM DR , Parcel ID# 22 3506-76*-19

An inspection was conducted on 06/24/2025 at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: NUISANCE

VIOLATION OF CODE: SEC. 12-23 MACHINERY PARTS, SCRAPPED PARTS, SCRAPPED LUMBER, ETC. - STORAGE MAINTAINING PROHIBITED - (A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO CAUSE OR PERMIT JUNK, SCRAP METAL, SCRAP LUMBER, WASTEPAPER PRODUCTS, DISCARDED BUILDING MATERIALS, OR ANY UNUSED ABANDONED VEHICLE, VEHICLES, OR ABANDONED PARTS, MACHINERY OR MACHINERY PARTS, OR OTHER WASTE MATERIALS, TO BE IN OR UPON ANY YARD, GARDEN, LAWN, OUT-BUILDING, OR PREMISES, IN THE CITY UNLESS IN CONNECTION WITH A BUSINESS ENTERPRISE LAWFULLY SITUATED AND LICENSED FOR THE SAME. (B) IT SHALL BE UNLAWFUL TO PERMIT ANY ACCUMULATION OF ANY SUCH WASTE MATERIALS TO BE IN OR UPON ANY YARD, LAWN, GARDEN, OUT-BUILDING OR PREMISES, IN THE CITY, IF IT CONSTITUTES A FIRE HAZARD, A HAZARD TO THE SAFETY OF PERSONS OR PROPERTY, OR AN UNSANITARY CONDITION.

Inspector Comments: Remove all junk and debris from the property.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 302.4 WEEDS - PREMISES AND EXTERIOR PROPERTY SHALL BE MAINTAINED FREE FROM WEEDS OR PLANT GROWTH IN EXCESS OF [12 INCHES]. NOXIOUS WEEDS SHALL BE PROHIBITED. WEEDS SHALL BE DEFINED AS ALL GRASSES, ANNUAL PLANTS AND VEGETATION, OTHER THAN TREES OR SHRUBS PROVIDED; HOWEVER, THIS TERM SHALL NOT INCLUDE CULTIVATED FLOWERS AND GARDENS. UPON FAILURE OF THE OWNER OR AGENT HAVING CHARGE OF A PROPERTY TO CUT AND DESTROY WEEDS AFTER SERVICE OF A NOTICE OF VIOLATION, THEY SHALL BE SUBJECT TO PROSECUTION IN ACCORDANCE WITH SECTION 106.3 AND AS PRESCRIBED BY THE AUTHORITY HAVING JURISDICTION. UPON FAILURE TO COMPLY WITH THE NOTICE OF

VIOLATION, ANY DULY AUTHORIZED EMPLOYEE OF THE JURISDICTION OR CONTRACTOR HIRED BY THE JURISDICTION SHALL BE AUTHORIZED TO ENTER UPON THE PROPERTY IN VIOLATION AND CUT AND DESTROY THE WEEDS GROWING THEREON, AND THE COSTS OF SUCH REMOVAL SHALL BE PAID BY THE OWNER OR AGENT RESPONSIBLE FOR THE PROPERTY.

Inspector Comments: Remove overgrowth from the property.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 303.2 PRIVATE SWIMMING POOLS, HOT TUBS AND SPAS, CONTAINING WATER MORE THAN 24 INCHES (610 MM) IN DEPTH SHALL BE COMPLETELY SURROUNDED BY A FENCE OR BARRIER NOT LESS THAN 48 INCHES (1219 MM) IN HEIGHT ABOVE THE FINISHED GROUND LEVEL MEASURED ON THE SIDE OF THE BARRIER AWAY FROM THE POOL. GATES AND DOORS IN SUCH BARRIERS SHALL BE SELF CLOSING AND SELF LATCHING. WHERE THE SELF LATCHING DEVICE IS NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE BOTTOM OF THE GATE, THE RELEASE MECHANISM SHALL BE LOCATED ON THE POOL SIDE OF THE GATE. SELF CLOSING AND SELF LATCHING GATES SHALL BE MAINTAINED SUCH THAT THE GATE WILL POSITIVELY CLOSE AND LATCH WHEN RELEASED FROM AN OPEN POSITION OF 6 INCHES (152 MM) FROM THE GATEPOST. AN EXISTING POOL ENCLOSURE SHALL BE REMOVED, REPLACED OR CHANGED IN A MANNER THAT REDUCES ITS EFFECTIVENESS AS A SAFETY BARRIER. EXCEPTION: SPAS OR HOT TUBS WITH A SAFETY COVER THAT COMPLIES WITH ASTM F 1346 SHALL BE EXEMPT FROM THE PROVISIONS OF THIS SECTION.

Inspector Comments: Repair/replace pool enclosure to restrict access.

Section: PROPERTY MAINTENANCE

VIOLATION OF CODE: SEC. 6-109; 2018 IPMC SEC. 303.1 SWIMMING POOLS SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION, AND IN GOOD REPAIR.

Inspector Comments: Drain stagnant water from the pool.

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **07/03/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321)-567- 3771.


In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS FOLD AT DOTTED LINE

25 000892

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Jessica Cassell 3655 Valley Forge Dr. Titusville, FL 32796  9590 9402 9230 4295 1591 22	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label) 9589 0710 5270 2118 4836 28	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

25 000



CODE ENFORCEMENT PROMO TEAM WITHIN OUR CC

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567

CASSELL, JESSICA
3655 VALLEY FORGE DR
TITUSVILLE, FL 32796



Photo by FL
June 24, 2025 9:17 AM



Photo by FL
June 24, 2025 9:18 AM



Photo by FL
June 24, 2025 9:20 AM



Photo by FL
June 24, 2025 9:20 AM



Photo by FL
June 24, 2025 9:20 AM



Photo by FL
June 24, 2025 9:20 AM

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: Mae Wright, Code Enforcement Officer
Subject: **25-44**
Richard Manzo
2655 Alibird Drive
Titusville, FL 32780
Parcel ID # 22-35-17-80-*-6
Notice of Violations: Certified mailed sent June 10, 2025,
and Hand Delivered to Owner on June 9, 2025.

Notice of Hearing: Certified mailed sent July 11, 2025 and Hand
Delivered to Owner & Posted at City Hall on July 29, 2025.

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent(s) to correct the violation on or before **12:00 pm (noon) on September 5, 2025**, by: Removing the shipping container from the property.

If the Respondent does not comply by September 5, 2025, it is being requested that a fine of \$50.00 per day per violation (2 violations exist) be imposed daily until the violation is corrected.

Order the Respondent(s) be assessed administrative costs in the amount of **\$146.14**.

The Respondent(s) must contact Code Enforcement Officer Mae Wright at 321-567-3935 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Sec. 28-365 Storing of Shipping Containers, Vehicles in Residential District
Sec. 28-373(b) Temporary Storage Units

Narrative of Violation(s): Multiple complaints were received concerning a shipping container being placed in the Park Preserve HOA Tract 2 behind Alibird Drive.

Discussion with HOA Board Member confirmed the container had been placed without their approval. A review of Building Department Records for properties along the south end of Alibird Drive found no permit for the temporary placement of a storage container had been applied for. I completed an inspection of the area and found a 52 ft shipping

container located in Tract 2 behind 2655 Alibird Drive. Photos were taken for the file.

Any Contact with the owner: I have had multiple conversations with owner Richard Manzo concerning the container and city ordinances prohibiting its placement on residentially zoned land. He explained that it was his understanding of Florida State Statutes that the rights of homeowners to use shipping containers for storage purposes in the state of Florida is protected. I advised Mr. Manzo to speak to Titusville Building & Planning Departments before moving the container into the yard.

Titusville Building Official Steve Adams and Planner Tabitha Armstrong both emailed responses to Mr. Manzo on July 1, 2025 stating the container is not allowed to be placed on his property.

Results of re-inspections: Inspection completed on June 18, 2025, found the shipping container had been relocated into the backyard of 2655 Alibird Drive without any permits being issued by the Titusville Building Department. The container remains in the backyard.

Alternatives:

1. Alternate finding and amount.
2. Waive the City's Cost.
3. Additional time to correct.
4. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

1. 20250729_094238
2. 20250729_092641
3. 20250729_094219
4. Case No 25-000820_EMAIL between RManzo and Insp BFlack-FL Statutes_rcvd 26 June 2025
5. Case No 25-000820_EMAIL responses from TArmstrong SAdams-City Ord Shipping Container_rcvd 1July2025
6. 25-44 August Exhibits



Photo by MW

July 29, 2025 9:42 AM



Photo by MW

July 29, 2025 9:26 AM



Photo by MW

July 29, 2025 9:42 AM

Wright, Mae

From: Richard@Manzo-Law.com
Sent: June 26, 2025 09:55
To: Wright, Mae
Subject: Fwd: Request for Approval of Shipping Container Structure under Florida Statutes and Building Code
Attachments: image003.png; image001.jpg; image002.png; image001.jpg; image002.png; image003.png

MAE: FOR SOME REASON I COULD NOT PRINT JUST THE BRAD RESPONSE SO I AM FORWARDING TO YOU WHAT RICHARD ENT TO ME. BRAD;S RESPONSE IS FURTHER DOWN IN THE EMAIL.
THANKS AGAIN WORKING WITH US ALL

RICHARD

From: "richard manzo" <richardmanzoediting@gmail.com>
Sent: 6/25/25 10:07 AM
To: richard@manzo-law.com
Subject: Fwd: Request for Approval of Shipping Container Structure under Florida Statutes and Building Code

	<p>Richard Manzo Director Writer Editor</p> <hr/> <p>Phone: (321) 615 - 6483 richardmanzoediting@gmail.com 110 Hoboken Ave, Jersey City, NJ 07310</p>

----- Forwarded message -----

From: richard manzo <richardmanzoediting@gmail.com>
Date: Wed, Jun 25, 2025, 10:06 AM
Subject: Fwd: Request for Approval of Shipping Container Structure under Florida Statutes and Building Code
To: <richard@manzo-law.com>

	<p>Richard Manzo Director Writer Editor</p>
	<p>Phone: (321) 615 - 6483 richardmanzoediting@gmail.com 110 Hoboken Ave, Jersey City, NJ 07310</p>

----- Forwarded message -----

From: **richard manzo** <richardmanzoediting@gmail.com>

Date: Wed, Jun 25, 2025, 9:58 AM

Subject: Re: Request for Approval of Shipping Container Structure under Florida Statutes and Building Code

To: Flack, Bradley <Bradley.Flack@titusville.com>

Okay thank you, sounds good.

	<p>Richard Manzo</p>
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On Tue, Jun 24, 2025, 1:21 PM Flack, Bradley <Bradley.Flack@titusville.com> wrote:

Good afternoon Richard,

I apologize for the late response to your email, I was out of the office last week so I am still getting caught up. I am reaching out to let you know I have received your email and will reach back out to you once I have had a chance to look further into the statutes you have provided below.

Professionally

Brad Flack

Building Plans Manager



From: richard manzo <richardmanzoediting@gmail.com>
Sent: Friday, June 13, 2025 4:38 PM
To: Flack, Bradley <Bradley.Flack@Titusville.com>
Subject: Request for Approval of Shipping Container Structure under Florida Statutes and Building Code

Hi Brad,

Thank you for meeting with me today and helping guide me through this process. I appreciate your time and allowing us to move the container from the HOA's property and onto our's. We were not aware of the city's limitation on containers but want to work with you and the city to find a solution to this matter.

I am writing in regard to the statues you wanted me to send. I understand now that local ordinances currently restrict the use of shipping containers as accessory structures; however, I respectfully request that the department evaluate this request based on state law and the Florida Building Code, which take precedence over local regulations in this matter.

Florida law specifically supports the use of alternative and modular construction methods, including converted shipping containers, so long as they comply with the Florida Building Code (FBC). I intend to fully meet the structural, wind load, and safety requirements as outlined in the FBC.

Below are several statues that protect the rights of homeowners to use shipping containers for storage purposes in the state of Florida;

Florida Statute § 553.73(4)(a): Prohibits local governments from imposing technical requirements that are more stringent than the Florida Building Code without proper justification.

Florida Statute § 553.74: Gives the Florida Building Commission sole authority over building standards and interpretations of what qualifies as a building or structure must conform to statewide guidance, requiring uniform application across the state, not local preference.

Florida Statute § 553.79(9): Requires local enforcement agencies to approve code-compliant modular structures upon request. This clause supports non-discrimination against a structure solely based on its origin (e.g., container vs wood shed).

Florida Statute § 163.3202(2)(f): States that land development regulations must not conflict with or duplicate the FBC. Titusville's ordinance bans shipping containers outright while permitting similar sheds or accessory structures, that is a conflict, especially if the container is functionally and structurally compliant.

Florida Statute § 553.73(4)(a) States local governments may not adopt amendments to the Florida Building Code that are more restrictive. A modified shipping container that complies with the FBC must be permitted like any other structure.

Additionally, legal precedent in *Scurlock v. City of Lynn Haven* confirms that local ordinances may not override FBC-compliant construction purely based on appearance or building origin. A converted shipping container that satisfies FBC requirements must be evaluated on equal footing with any accessory structure or shed built by conventional methods.

Unlike conventional sheds, a shipping container provides an engineered, hurricane-resistant structure that can better protect contents and reduce maintenance and storm damage costs. Shipping containers have superior wind resistance to traditional wood or vinyl sheds, especially in Florida's high-velocity hurricane zones. Containers are also inherently fire-resistant, non-combustible, and impervious to termites, mold, and rodents. Most wooden sheds are highly flammable and degrade faster in Florida's humidity. These containers are more durable and cost-effective than permitted sheds half their size. This was one of the key reasons for us purchasing this container, we simply do not have the money to continue paying for a monthly storage unit or to buy a smaller shed for thousands of more dollars. Numerous Florida municipalities recognize this advantage by allowing FBC-compliant containers as accessory structures, often without aesthetic restrictions.

I respectfully ask that the city consider my structure under the framework of the Florida Building Code and process it like any other accessory building. A converted shipping container that complies with Florida Building Code cannot be legally banned by city ordinances based solely on its material, shape, or prior use. The FBC governs building safety, not local aesthetic preference. If the structure meets state standards and local land use/zoning rules, it must be considered for approval. My intent is not to violate local standards but to comply fully with applicable state law.

I remain open to working with the city on aesthetic modifications or other reasonable adjustments, converting the container to appear more "shed like" if necessary. We want to resolve this in the most efficient and cost effective way.

I also want to add a thank you to everyone in the building department for being super friendly and helpful through this process.

Thank you again for your time and fair consideration!

Sincerely,

--

	<p>Richard Manzo</p>
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Wright, Mae

From: Armstrong, Tabitha
Sent: July 01, 2025 09:15
To: Adams, Steve; Wright, Mae
Cc: Flack, Bradley; richard@Manzo-Law.com; Jones, Mark
Subject: Re: Meeting to discuss Shipping containers in backyard at 2655 Alibird Drive

Good morning,

Unfortunately, the Board of Adjustment is unable to authorize a Variance for a use. The code statement that 'The placement or use of any shipping container as an accessory building, storage building, or living unit on residentially zoned land and/or land used for residential purposes is prohibited' stands. I do not believe there is a planning process that can authorize a change to this section of code.

Thank you,
Tabitha Armstrong
Planner
City of Titusville, Florida
555 S. Washington Avenue
Titusville, FL 32781-2806
(321) 567-3782
tabitha.armstrong@titusville.com

For GIS Zoning & Future Land Use Interactive Map please visit:
<http://titusville.maps.arcgis.com/home/index.html>

Please provide feedback on our service. The Community Development customer service survey is available at <https://www.titusville.com/FormCenter/Community-Development-7/Customer-Satisfaction-Survey-55>.



Please note: Florida has a very broad public records law. Most written communications to or from City employees regarding City business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Adams, Steve <steve.adams@Titusville.com>
Sent: Tuesday, July 1, 2025 8:51 AM
To: Wright, Mae <Mae.Wright@Titusville.com>
Cc: Flack, Bradley <Bradley.Flack@Titusville.com>; richard@Manzo-Law.com <richard@manzo-law.com>; Armstrong, Tabitha <Tabitha.Armstrong@Titusville.com>; Jones, Mark <Mark.Jones@Titusville.com>
Subject: RE: Meeting to discuss Shipping containers in backyard at 2655 Alibird Drive

Good Morning,

The Code Section below is stated clearly. Myself nor any other member of City Staff has the authority to override or exempt adopted ordinance. With that said, a meeting to discuss this code section seems unnecessary as the conclusion will not change. However, Planning/Zoning Staff may accommodate a meeting to discuss the process for seeking a Variance through the Board of Adjustments and Appeals. I have included Planning/Zoning Staff Members Mark Jones and Tabitha Armstrong in this message.

- **Sec. 28-365. - Parking or storage of motor vehicles, recreational vehicles, boats, airboats, or trailers in residential districts.**

Share Link to section Print section Download (Docx) of sections Email section

(a)

Districts where permitted.

Expand

RE	RR	R-1A	R-1B	R-1C	R-2	R-3		
L	L	L	L	L	L	L		
HM	T	NC	CC	RC	OP	M-1		
GU	OR	P	DMU				UMU	SMU
			D	U	M	C		
L	L						L	L

(b)

Reserved.

(c)

Standards for permitted accessory uses with limitations.

(1)

Parking or storage of motor vehicles, recreation vehicles, boats, airboats, or trailers in residential districts shall adhere to the regulations in Section 20-58 of the Code of Ordinances.

(2)

The placement or use of any shipping container as an accessory building, storage building, or living unit on residentially zoned land and/or land used for residential purposes is prohibited. Licensed and bonded contractors may use shipping containers for temporary housing of equipment and materials during construction as authorized by a City building permit.

(Ord. No. 44-2017, § 2, 12-12-17)

Professionally,

Steve Adams



Do you live in a flood zone or concerned about flooding? Go to City of Titusville [Flood Information.](#)



We are interested in your opinion. The Community Development Customer Service Survey can be found at <https://www.titusville.com/FormCenter/Community-Development-7/Customer-Satisfaction-Survey-55>

From: Wright, Mae <Mae.Wright@Titusville.com>
Sent: Tuesday, July 1, 2025 7:59 AM
To: Flack, Bradley <Bradley.Flack@Titusville.com>; Adams, Steve <steve.adams@Titusville.com>; richard@Manzo-Law.com
Subject: Meeting to discuss Shipping containers in backyard at 2655 Alibird Drive

Good Morning Gentlemen,

I have been working to schedule a meeting between all of us at City Hall to discuss the matter of the shipping container in the backyard at 2655 Alibird Dr. I know that this week is shorted due to the July 4th Holiday on Friday but wanted to see what everyone has available. Please note I have added everyone onto this email to make it easier to set something up and ask for a response as soon as possible.

Here is my schedule:

Tuesday July 1, 2025: Available from 11 am – 12:30 pm

Wednesday July 2, 2025: Anytime between 8:30 am – 3:30 pm

Thursday July 3, 2025: Anytime between 8:30 am – 3:30 pm

Thank you again for your help with this matter. I am headed into a meeting shortly but will be monitoring my email to answer any questions or confirm a meeting date and time as responses are received.

Sincerely,

Mae Wright #804
Titusville Police Department
Code Enforcement Officer
Office (321) 567-3935
Cell (321) 576-6190



Confidentiality Notice: According to Florida State Statute 119.071(2)(c)(1), active criminal intelligence and investigative information are exempt from public records release. This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

PLEASE NOTE: Florida has a very broad public records law (Chapter 119, Florida Statutes). All emails to and from City of Titusville members are kept as a public record. Your email communications, including your email address may be disclosed to the public and media at any time.

PLEASE NOTE: Florida State law Chapter 162 has changed and effective July 1, 2021 our Code Enforcement officers are no longer allowed to investigate anonymous complaints. An individual wanting to file a complaint about a potential code violation has to provide their verifiable name and address.



City of Titusville
Affidavit - Notice of Hearing



Case No. 25-44 Address/Location of Violation: 2655 ALIBIRD DR

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- Handwritten: [X] the owner of the property on 29/7/2025 at 2655 Alibird Dr.
[] the owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _ / _ / _ at _____.
[] the owner(s) of commercial property, leaving the Notice of Hearing with a manager or other person in charge _ / _ / _ at _____.

POST

Handwritten: [X] Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 29/7/2025.

MAIL

- Handwritten: [X] Pursuant to Florida 162.12 (1)(a), the Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 11/7/2025.
[] the address listed in the tax collector's office on _ / _ / _ .
[] the address listed in the tax collector's office/another address provided to the City of Titusville _ / _ / _ .

MAE WRIGHT MacWright 29-July-2025
Print Name / Signature / Date

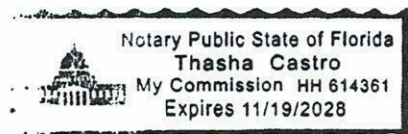
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

Handwritten signature of Thasha Castro

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-44
Enforcement Case No: 25-000820

CITY OF TITUSVILLE

Petitioner,

vs.

**MANZO, RICHARD
2655 ALIBIRD DR
TITUSVILLE, FL 32780**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 08/11/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:

1. Plaintiff, the CITY OF TITUSVILLE, is a municipal corporation of the STATE OF FLORIDA, and has, pursuant to Chapter 162 Florida Statutes, and Section 2-41, et seq., of the Code of Ordinances of the City of Titusville, established a Municipal Code Enforcement Board/Special Magistrate.

2. Defendant(s) is/are the owner(s) of (or is/are in possession of) the following described real property located within the municipal boundaries of the Plaintiff:

2655 ALIBIRD DR

TAX PARCEL ID 22 3517-80-* -6

LAND DESCRIPTION PARK PRESERVE

LOT 6

3. Defendant(s) has/have failed to comply with the provisions of the Section(s) listed below, of the Code of Ordinances and /or the Land Development Regulations of the City of Titusville by reason of:

SEC 28-365 - STORING OF SHIPPING CONTAINERS, VEHICLES IN RESIDENTIAL DIST

SEC. 28-373 - (B) - TEMPORARY STORAGE UNITS

4. Defendant(s) has/have been notified by Plaintiff of the violation(s) described in paragraph 3 hereof and has failed and refused to correct the same despite Plaintiff's demands thereof.

5. The Plaintiff has incurred costs and attorney fees in investigating and prosecuting this case before the Municipal Special Magistrate/Code Enforcement Board, and is entitled to recover those costs and fees from the Defendant(s).

WHEREFORE, Plaintiff requests that the Municipal Code Enforcement Board/Special Magistrate;

1. Enter its Order issuing findings of fact and directing Defendant(s) to correct the Code violation by a time certain;
2. Upon the continued failure of the Defendant(s) to correct the Code violations, enter its Final Judgment ordering the Defendant(s) to pay a fine of up to \$250.00 for each day the Code violation continues past the date set for compliance, and
3. Award Plaintiff all costs incurred in prosecuting this case and include those costs in any lien that may be imposed.

Enter such further orders and judgments as may be authorized by Chapter 162, Florida Statutes, and other applicable law.

Glenn Tolleson
Code Enforcement Manager



City of Titusville
Affidavit - Notice of Violation



Case No. 25-44 Address/Location of Violation: 2655 ALIBIRD DR
Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- Owner of the property on 09/6/2025 2655 Alibird Dr.
Owner(s) usual place of residence with a person who is above 15 years of age and informing such person of the contents of the notice on _/ _/ _ at _____.
Owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge _/ _/ _ at _____.

POST

Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on _/ _/ _.

MAIL

Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 10/6/2025. :

- Address listed in the tax collector's office on _/ _/ _____.
Address listed in the tax collector's office/another address provided to the City of Titusville _/ _/ _.

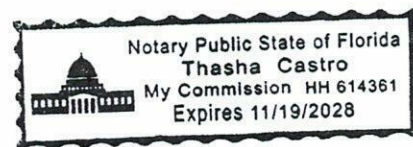
MAE WRIGHT Mae Wright 29-July-2025
Print Name / Signature / Date

I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

[Signature]
Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

**RICHARD MANZO
2655 ALIBIRD DR
TITUSVILLE, FL 32780**

**PARK PRESERVE HOMEOWNERS' ASSOCIATION INC
1978 US HIGHWAY 1, STE 106
ROCKLEDGE, FL 32955**

June 9, 2025

CASE # 25-000819, #25-000820

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 2655 ALIBIRD DR , Parcel ID# 22 3517-80-* -6 (Container Owner's Property)

THE PROPERTY LOCATED: PARK PRESERVE TRACT 2 , Parcel ID# 22 3517-18-* -T2 (Location of placed Container)

An inspection was conducted on 06/09/2025 at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: ZONING

VIOLATION OF CODE: SEC 28-365 (1) PARKING OR STORAGE OF MOTOR VEHICLES, RECREATION VEHICLES, BOATS, AIRBOATS, OR TRAILERS IN RESIDENTIAL DISTRICTS SHALL ADHERE TO THE REGULATIONS IN SECTION 20-58 OF THE CODE OF ORDINANCES. (2) THE PLACEMENT OR USE OF ANY SHIPPING CONTAINER AS AN ACCESSORY BUILDING, STORAGE BUILDING, OR LIVING UNIT ON RESIDENTIALLY ZONED LAND AND/OR LAND USED FOR RESIDENTIAL PURPOSES IS PROHIBITED. LICENSED AND BONDED CONTRACTORS MAY USE SHIPPING CONTAINERS FOR TEMPORARY HOUSING OF EQUIPMENT AND MATERIALS DURING CONSTRUCTION AS AUTHORIZED BY A CITY BUILDING PERMIT.

Inspector Comments: 6/9/2025 Placement or use of Shipping Container on Residential zoned property is prohibited - Remove container from property. MW

Section: LAND DEVELOPMENT REGULATIONS

VIOLATION OF CODE: SEC. 28-373 - (B) DEFINITION. "TEMPORARY STORAGE UNITS:" TRANSPORTABLE UNITS DESIGNED AND USED PRIMARILY FOR TEMPORARY STORAGE OF BUILDING MATERIALS, HOUSEHOLD GOODS, PERSONAL ITEMS AND OTHER MATERIALS FOR

USE ON A LIMITED BASIS ON RESIDENTIAL AND COMMERCIAL PROPERTIES. THIS DEFINITION DOES NOT INCLUDE STORAGE UNITS AUTHORIZED BY THE FLORIDA BUILDING CODE PURSUANT TO SECTION 553.73, FLORIDA STATUTES. TRUCK BODIES, SHIPPING CONTAINERS (EXCEPT AS DESCRIBED BELOW) AND SEMI-TRAILERS ARE PROHIBITED. (C) STANDARDS FOR TEMPORARY ACCESSORY USES. (1) TEMPORARY STORAGE UNITS ARE PERMITTED PROVIDED THE FOLLOWING CRITERIA ARE MET: A. A MAXIMUM OF ONE (1) TEMPORARY STORAGE UNIT IS PERMITTED PER LOT WITH A MAXIMUM OF ONE (1) PLACEMENT PERMITTED PER YEAR. ADDITIONAL UNITS MAY BE PLACED IN SPECIAL AND COMMERCIAL ZONING DISTRICTS PROVIDED THEY ARE APPROVED BY THE ADMINISTRATOR AND CRITERIA ITEMS BELOW ARE MET. IN THE EVENT THAT ADDITIONAL UNITS ARE PERMITTED, THEY WILL NOT EXCEED TWO (2) PLACEMENTS PER YEAR; B. THE MAXIMUM SIZE OF THE TEMPORARY STORAGE UNIT IS EIGHT (8) FEET WIDE, TWENTY-FOUR (24) FEET LONG, AND NINE (9) FEET HIGH; C. THE MAXIMUM TIME A TEMPORARY STORAGE UNIT IS PERMITTED TO REMAIN ON THE LOT IS THIRTY (30) CONSECUTIVE DAYS; D. THE TEMPORARY STORAGE UNIT SHALL NOT BE PLACED IN ANY RIGHT-OF-WAY OR EASEMENT AND SHALL NOT CREATE A SIGHT OBSTRUCTION FOR ANY VEHICULAR OR PEDESTRIAN TRAFFIC; E. THE TEMPORARY STORAGE UNIT SHALL NOT BE UTILIZED FOR THE STORAGE OF LIVE ANIMALS, HAZARDOUS OR FLAMMABLE MATERIALS, OR HUMAN HABITATION; F. ADVERTISING IS PROHIBITED ON THE TEMPORARY STORAGE UNIT WITH THE EXCEPTION OF THE NAME AND PHONE NUMBER OF THE VENDOR OF THE UNIT; G. THE EXTERIOR OF THE TEMPORARY STORAGE UNIT SHALL BE MAINTAINED IN GOOD REPAIR, STRUCTURALLY SOUND AND SANITARY. PEELING, FLAKING AND CHIPPED PAINT SHALL BE PROHIBITED; H. THE APPLICANT MUST AFFIX A PLACARD, ISSUED AT THE TIME OF PERMITTING AND CLEARLY VISIBLE FROM THE NEAREST ROADWAY, TO THE TEMPORARY STORAGE UNIT WHICH PROVIDES INFORMATION IDENTIFYING THE PLACEMENT DATE, DATE OF REQUIRED REMOVAL, AND THE NUMBER TO REPORT VIOLATIONS TO THE CODE ENFORCEMENT DEPARTMENT. ANY PERSON WHO VIOLATES THIS ARTICLE SHALL UPON CONVICTION BE PUNISHED AS PROVIDED IN SECTION 1-15, "GENERAL PENALTY; CONTINUING VIOLATIONS." EACH DAY THE VIOLATION EXISTS SHALL CONSTITUTE A SEPARATE VIOLATION FOR THE PURPOSES OF THIS ARTICLE AND SHALL BE PUNISHABLE AS SUCH AND/OR SAID VIOLATION MAY BE PROCESSED AS A CODE VIOLATION PURSUANT TO F.S. CH. 162 AND THE MUNICIPAL CODE ENFORCEMENT BOARD/SPECIAL MAGISTRATE. I. FOR STORAGE UNITS ASSOCIATED WITH COMMERCIAL, MULTIFAMILY, AND OFFICE USES, THE UNITS SHALL NOT BE LOCATED ON REQUIRED PARKING SPACES. J. STACKING OF TEMPORARY STORAGE UNITS SHALL BE PROHIBITED. (2) EXEMPTIONS. THE ABOVE REGULATIONS SHALL NOT APPLY TO TEMPORARY STORAGE UNITS THAT ARE PLACED FOR CONSTRUCTION PURPOSES (TRUCK BODIES, SHIPPING CONTAINERS, AND SEMI-TRAILERS ARE PROHIBITED FROM USE AS CONSTRUCTION OFFICES ON PROJECT SITES) IN CONNECTION WITH A VALID BUILDING PERMIT OR DURING ANY PERIOD OF DECLARED EMERGENCY BY FEDERAL, STATE OR LOCAL OFFICIAL ACTION.

Inspector Comments: 6/9/2025 Shipping Container exceeds allowed size for obtain permit for temporary use - Remove Container from property. MW

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **06/19/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3935.

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to

the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Mae Wright
Code Enforcement Officer

TITUSVILLE POLICE DEPARTMENT

NOTICE OF CODE VIOLATION

TO: PROPERTY OWNER/RESIDENT

ADDRESS: 2655 Alibird Dr

This notice is to make you aware that the following condition is a violation of the Code of the City of Titusville.

INTERNAL PROPERTY MAINTENANCE CODE: 6-109
See description below of Section: _____

ACCUMULATION OF TRASH AND DEBRIS: 12-23
Remove all junk, trash, and debris from property.

VEH/BOAT/RV/TRAILER STORED ON YARD: 20-58

PROHIBITED USES IN ZONING DIST. 28-52

COMMERCIAL USE OF RESIDENTIAL AREA: 20-60
Remove commercial vehicle or equipment.

FENCE IN NEED OF REPAIR: 302.7

INOPERABLE/UNLICENSED VEHICLE: 13-72/13-73

OVERGROWTH PROP/DEAD TREE: 13-26/13-28

STAGNANT POOL/POOL ENCLOSURE: 303.1/303.2

TEMPORARY STORAGE UNIT

28-373

28-365
6-56

PERMIT REQUIRED:

OTHER: Shipping Containers Prohibited to be Placed in Residential Zoning District.

Remove from Easement or Obtain Temporary Permit from Building Dept

PLEASE CORRECT VIOLATION BY: June 19, 2025


TO NOTIFY OFFICER WHEN CORRECTED OR FOR INFORMATION NEEDED CALL 321-567-3770

OFFICER/ID #: Mae Wright #804

CASE NUMBER: 25-000819 DATE: 9-June-2025

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

25-000819

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee X	
1. Article Addressed to: Richard Manzo 2655 Alibird Dr. Titusville, FL 32780  9590 9402 9230 4295 1584 08 <small>(Transfer from service label)</small>	B. Received by (Printed Name)	C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail Restricted Delivery	
9589 0710 5270 1979 8227 06		

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

25-000



CODE ENFORCEMENT
PROMOT TEAMWORK WITHIN OUR COMMUNITY

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567-

RICHARD MANZO
2655 ALIBIRD DR
TITUSVILLE, FL 32780

25000820

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Park Preserve Homeowners'
 Association Inc
 1978 US 1, Ste 104
 Rockledge, FL 32955



9590 9402 9230 4295 1595 66

2. Article Number (Transfer from service label)

9589 0710 5270 1979 8226 90

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

25000



CODE ENFORCEMENT

PROMO TEAM
WITNESS OUR CO

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567

PARK PRESERVE HOMEOWNERS' ASSOCIATION
 1978 US HIGHWAY 1, STE 106
 ROCKLEDGE, FL 32955

City of Titusville
"Gateway to Nature and Space"

REPORT

To: Code Enforcement Special Magistrate
From: Mae Wright, Code Enforcement Officer
Subject: 25-48
Pop Florida Properties LLC
3675 Cheney Highway
Titusville, FL 32780
Parcel ID # 22-35-30-AV-*-70.02
Notice of Violations: Certified mailed sent Nov. 14, 2024,
and Hand Delivered to Employee on June 9, 2025.

Notice of Hearing: Certified mailed sent July 09, 2025 and Hand
Delivered to Employee & Posted at City Hall on July 29, 2025.

Department/Office: Code Enforcement

Recommended Action:

Order the Respondent(s) to correct the violation on or before **12:00 pm (noon) on September 5, 2025**, by:

1. Section 30-305. Continuing maintenance required.

Complete repairs to irrigation system. Install new plants to meet the requirements of the approved landscape plan

If the Respondent does not comply by September 5, 2025, it is being requested that a fine of \$100.00 per day per violation (1 violation exists) be imposed daily until the violation is corrected.

Order the Respondent(s) be assessed administrative costs in the amount of \$216.58

The Respondent(s) must contact Code Enforcement Officer Mae Wright at 321-567-3935 to arrange for an inspection of the property to verify compliance.

Summary Explanation & Background:

Section 30-305. Continuing maintenance required.

Narrative of Violation(s): A complaint was received from Titusville Development Services concerning required landscaping not being maintained on a commercial property. A copy of the approved landscape plan was provided. Inspection of the property found multiple dead or dying bushes and trees, and missing plants along the

perimeter of the building and parking lot. Pictures were taken for file and the Notice of Violation was hand-delivered to the Popeyes' Manager on Duty.

Any Contact with the owner: I have had several on-site visits with District Managers, Store Employees and a landscape contractor to discuss the approved landscape plan and what is needed to correct the violation.

Results of re-inspection: No work has started to replace the missing vegetation.

Alternatives:

- 1. Alternate finding and amount.
- 2. Waive the City's Cost.
- 3. Additional time to correct.
- 4. Find the property in compliance.

Item Budgeted:

Source/Use of Funds/Budget Book Page:

Strategic Plan:

Goal 1: Quality of Life

Strategic Plan Impact:

Goal 1: Quality of Life

ATTACHMENTS:

- 1. 20250729_100739
- 2. 20250729_100804
- 3. 20250729_100817
- 4. 20250729_100924
- 5. 25-48 August Exhibits



Photo by MW

July 29, 2025 10:07 AM



Photo by MW

July 29, 2025 10:08 AM



Photo by MW

July 29, 2025 10:08 AM



Photo by MW

July 29, 2025 10:09 AM



City of Titusville

Affidavit - Notice of Hearing



Case No. 25-48 Address/Location of Violation: 3675 CHENEY HWY

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Hearing was hand delivered to:

- Owner of property, owner(s) usual place of residence, owner(s) of commercial property (checked) at 3675 Cheney Hwy.

POST

Notice of Hearing was properly posted on the real property listed above upon which the violation exists, AND at City Hall, 555 S Washington Avenue, Titusville, FL on 29/7/2025.

MAIL

Notice of Hearing was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 29/7/2025.

- Address listed in tax collector's office, address listed in tax collector's office/another address provided to the City of Titusville.

MAE WRIGHT Mae Wright 29-July-2025
Print Name / Signature / Date

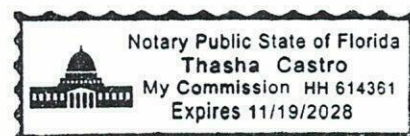
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

[Handwritten signature]

Notary Public

SEAL



**CITY OF TITUSVILLE
CODE ENFORCEMENT
1100 JOHN GLENN BOULEVARD
TITUSVILLE, FL 32780
(321) 567-3770**

Hearing Case No. 25-48

Enforcement Case No: 24-001381

CITY OF TITUSVILLE

Petitioner,

vs.

**POP FLORIDA PROPERTIES LLC
4515 LYNDON B JOHNSON FWY
DALLAS, TX 75244**

Respondent.

_____ /

NOTICE OF CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

**On 08/11/2025 at 2:00PM
City of Titusville City Hall,
555 S Washington Avenue,
2nd Floor (Council Chambers)
Titusville, FL 32780**

YOU ARE REQUIRED TO BE PRESENT AT THE HEARING AND FAILURE TO APPEAR WILL NOT PREVENT OR POSTPONE THE HEARING IN ANY MANNER. IF THE VIOLATION IS CORRECTED AND THEN RECURS, OR IF THE VIOLATION WAS NOT CORRECTED BY THE TIME SPECIFIED FOR CORRECTION BY THE CODE INSPECTOR, THE CASE SHALL BE PRESENTED TO THE ENFORCEMENT BOARD/SPECIAL MAGISTRATE EVEN IF THE VIOLATION HAS BEEN CORRECTED PRIOR TO THE BOARD HEARING.

If you have witnesses, books, receipts or other evidence bearing on this matter you should bring them with you at the time of the hearing. You may request issuance of subpoenas for witnesses and evidence and may appear with or without an attorney.

Proceedings of the Municipal Code Enforcement Special Magistrate are conducted in accordance and by the authority of Part I., Chapter 162 Florida Statutes, and Article II, Chapter II, Code of Ordinances of the City of Titusville, Florida. Pursuant to the provisions of Chapter 162, Florida Statutes the Board may issue orders having the force of law to command whatever steps are necessary to bring any Code violations determined to exist into compliance and, upon the failure of a party to comply, to order the payment of a fine of up to \$5000.00 for an irreversible/irreparable violation, said fine may constitute a lien upon your real and personal property.

Plaintiff, the CITY OF TITUSVILLE, a municipal corporation of the STATE OF FLORIDA, files this, its Complaint, against Defendant(s), and alleges as follows:



City of Titusville
Affidavit - Notice of Violation



Case No. 25-48 Address/Location of Violation: 3675 CHENEY HWY

Titusville, Florida

HAND DELIVERED

Pursuant to Florida Statute 162.12 (1)(b)-(d), the Notice of Violation was hand delivered to:

- Owner of property on ...
Owner(s) usual place of residence ...
Owner(s) of commercial property, leaving the Notice of Violation with a manager or other person in charge 14/11/2024 at 3675 Cheney Hwy.

POST

Pursuant to Florida Statute 162.12 (2)(b)(1), a copy of the Notice of Violation was properly posted on the real property listed above upon which the violation exists on ...

MAIL

Pursuant to Florida 162.12 (1)(a), the Notice of Violation was mailed first class and mailed certified, return receipt requested for the owner(s) of the property on 14/11/2024.

- Address listed in the tax collector's office on ...
Address listed in the tax collector's office/another address provided to the City of Titusville ...

MAE WRIGHT Mae Wright 29 July - 2025

Print Name / Signature / Date

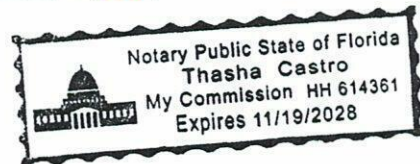
I, THASHA CASTRO, a Notary Public of Brevard County, within the State of Florida, hereby certify that MAE WRIGHT, who is personally known to me, who, subscribed and sworn (or affirmed) before me, by means of physical presence or online notarization, this 29 day of July, 2025, that the information in the foregoing affidavit is true.

Witness my hand and official seal this 29 day of July 2025.

[Handwritten signature]

Notary Public

SEAL





CODE ENFORCEMENT

PROMOTING TEAMWORK WITHIN OUR COMMUNITY

1100 John Glenn Blvd. • Titusville, FL 32780 • PH 321-567-3770

**POP FLORIDA PROPERTIES LLC
4515 LYNDON B JOHNSON FWY
DALLAS, TX 75244**

**CORPORATE CREATIONS NETWORK INC,
POP FLORIDA PROPERTIES LLC
801 US HIGHWAY 1
NORTH PALM BEACH, FL 33408**

Registered Agent

November 14, 2024

CASE # 24-001381

NOTICE OF VIOLATION

THE PROPERTY LOCATED: 3675 CHENEY HWY , Parcel ID# 22 3530-AV-*-70.02

An inspection was conducted on 11/14/2024 at the above referenced property in response to a complaint received by the Code Enforcement Department.

The City of Titusville realizes that most of its citizens are not familiar with the City's Codes and Ordinances; therefore, this letter shall serve as notice that the violation(s) listed below were found during this inspection:

Section: LANDSCAPE

VIOLATION OF CODE: SEC. 30-305 (A) ANY PERSON OWNING OR OCCUPYING THE SITE SHALL HAVE THE CONTINUING DUTY AND OBLIGATION TO MAINTAIN OR CAUSE THE MAINTENANCE OF ALL LANDSCAPING REQUIRED PURSUANT TO THIS ARTICLE BY THE APPROVED SITE PLAN, LANDSCAPE PLAN, OR THIS CODE IN COMPLIANCE WITH THE FOLLOWING MINIMUM MAINTENANCE STANDARDS: (1) ALL LANDSCAPING AND LANDSCAPE AREAS SHALL BE MAINTAINED SO AS TO PRESENT A NEAT AND ORDERLY APPEARANCE (2) ALL DEAD PLANT MATERIAL SHALL BE PROMPTLY REPLACED WITH PLANT MATERIAL MEETING THE REQUIREMENTS OF THE APPROVED SITE PLAN AND LANDSCAPE PLAN. (3) TREES AND PALMS THAT ARE REMOVED, EXCESSIVELY PRUNED, DEAD OR BEYOND RECOVERY SHALL BE REPLACED.

Inspector Comments: 11/14/2024 All required landscape materials on the site, whether preserved or newly planted, must be maintained through proper care or replacement in perpetuity after issuance of the certificate of occupancy. Replace dead or dying materials as per approved Landscape Plan. Contact Development Services at 321-567-3762 with any questions. NOTE: PER Sec 30-321(F) Synthetic plants are prohibited including artificial turf. See Approved landscape plan for required plants to be installed along back door of restaurant.MW

As the property owner of record/person in possession, you are required by Code to correct the violation (s) as stated above by **01/14/2025**. Failure to do so will necessitate a hearing before the Special Magistrate/Municipal Code Enforcement Board.

If you have any questions or to schedule a re-inspection in your effort to achieve compliance, please contact the Code Enforcement office at (321) 567 3770. If you need a copy of the approved landscape plan for your records, please email the code officer at mae.wright@titusville.com .

In accordance with Florida Statutes, Chapter 162, the Special Magistrate/Code Board has the authority to assess any costs the City incurs in investigating and prosecuting this case, in addition to imposing a fine of up to \$250.00 per day for each violation. If the violation is corrected and then recurs, or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement magistrate/board even if the violation has been corrected prior to the hearing.

It is the responsibility of the City's Code Enforcement Department to enforce Titusville's Codes and Ordinances to ensure a safe and healthy environment for its citizens. By means of this notice we are asking for your assistance in achieving this goal.

Sincerely,

Mae Wright
Code Enforcement Officer

TITUSVILLE POLICE DEPARTMENT

NOTICE OF CODE VIOLATION

TO: PROPERTY OWNER/RESIDENT

ADDRESS: 3675 Cheney Hwy

This notice is to make you aware that the following condition is a violation of the Code of the City of Titusville.

INTERNAL PROPERTY MAINTENANCE CODE: 6-109
See description below of Section: _____

ACCUMULATION OF TRASH AND DEBRIS: 12-23
Remove all junk, trash, and debris from property.

VEH/BOAT/RV/TRAILER STORED ON YARD: 20-58

PROHIBITED USES IN ZONING DIST. 28-52

COMMERCIAL USE OF RESIDENTIAL AREA: 20-60
Remove commercial vehicle or equipment.

FENCE IN NEED OF REPAIR: 302.7

INOPERABLE/UNLICENSED VEHICLE: 13-72/13-73

OVERGROWTH PROP/DEAD TREE: 13-26/13-28

STAGNANT POOL/POOL ENCLOSURE: 303.1/303.2

TEMPORARY STORAGE UNIT 28-373

PERMIT REQUIRED: 6-56

OTHER: Sec 30-305 Landscape Maintenance Required
→ Replace dead/dying/missing trees & shrubs
as per Approved Landscape Plan.

PLEASE CORRECT VIOLATION BY: Jan 14, 2025

TO NOTIFY OFFICER WHEN CORRECTED OR
FOR INFORMATION NEEDED CALL 321-567-3770

OFFICER/ID #: Mae Wright #804

CASE NUMBER: 24-001381 DATE: 14-NOV-2024

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

24-001381

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p>	
<p>1. Article Addressed to:</p> <p>pop Florida Properties LLC 4515 Lyndon B. Johnson Fwy Dallas, TX 75244</p>		<p>B. Received by (Printed Name) C. Date of Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>9589 0710 5270 2118 4819 52 Restricted Delivery</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <ul style="list-style-type: none"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery 		<ul style="list-style-type: none"> <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery 	

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

24-001381



CODE ENFORCEMENT


PROMOTING TEAMWORK
WITHIN OUR COMMUNITY

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567-3770

pop Florida Properties LLC
4515 Lyndon B. Johnson Fwy
Dallas, TX 75244

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

24-001381

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input checked="" type="checkbox"/> X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Corporate Creations Network Inc pop Florida Properties LLC 801 US HWY 1 North Palm Beach, FL 33408  9590 9402 9036 4122 4423 86	B. Received by (Printed Name)	C. Date of Delivery
2. Article Number (Transfer from service label) 9589 0710 5270 2118 4819 69	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
PS Form 3811, July 2020 PSN 7530-02-000-9053	3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	

24-001381



CODE ENFORCEMENT

PROMOTING TEAMWORK WITHIN OUR COMMUNITY

1100 John Glenn Blvd. Titusville, FL 32780 PH 321-567-3770

Corporate Creations Network Inc.
pop Florida Properties LLC
801 US Highway 1
North Palm Beach, FL 33408



City of Titusville
Code Enforcement Board
Cost Recovery



CEB Case # 25-48
Address 3675 CHENEY HWY
Respondent POP FLORIDA PROPERTIES LLC

Number of Inspector Hours

9 Number of Field Inspections (*Each Inspection = .5 Hours*)
4.5 Field Hours 35.22 per hour
Inspection Hours Cost 158.49

Administrative Hours and Postage

42.86 2 Hours in Complaint (*\$21.43 per hour*)
15.23 Postage (*\$7.33 each certified mail, .57 each First Class Mail*)
Administrative Hours and Postage 58.09

Total 216.58