CITY OF PALM BAY, FLORIDA

CODE ENFORCEMENT SPECIAL MAGISTRATE Regular Meeting 2024-03

Held on the 13th day of March 2024 in the Council Chambers, 120 Malabar Road SE, Palm Bay, Florida.

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

Code Compliance Special Magistrate Frank Scaglione called the meeting to order at approximately 1:09 PM.

SWEARING IN:

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

ADOPTION OF MINUTES:

1. Regular Meeting Number 2024; February 14, 2024

Code Enforcement Special Magistrate adopted the minutes as presented.

REPORTS:

Authorization to Impose Fines:

1. CEB 24285-23 CITY OF PALM BAY VS TAMMIE J FLEMMING 1894 GARCIA ST NE, PALM BAY

This case involved a violation of City Code, Section(s) 93.03; Code of Ordinances of the City of Palm Bay for property located at 1894 Garcia St NE, Lot 18, Blk 152, Unit 6, Subdivision FT, Township 28, Range 37, Section 34, Brevard County, Florida.

Ordered: Granted an extension for compliance until June 11, 2024.

2. CEB 24480-24 CITY OF PALM BAY VS BAF ASSETS 5 LLC 1390 PALAU ST SE, PALM BAY

This case involved a violation of City Code, Section(s) 150.40(A); Code of Ordinances of the City of Palm Bay for property located at 1390 Palau St SE, Lot 15, Blk 919, Unit 18, Subdivision GR, Township 29, Range 37, Section 16, Brevard County, Florida.

Ordered: Request for an extension of compliance date denied. Fines are imposed.

3. CEB 24291-23 CITY OF PALM BAY VS EDWARD SHEA 1020 LA BELLE AVE SW, PALM BAY City of Palm Bay, Florida Code Enforcement Special Magistrate Regular Meeting 2024-03 Minutes – March 13, 2024 Page 2 of 10

This case involved a violation of City Code, Section(s) 73.21(B), 73.02(A), 93.03, 93.03; Code of Ordinances of the City of Palm Bay for property located at 1020 La Belle Ave SW, Lot 21, Blk 1638, Unit 32, Subdivision KK, Township 29, Range 36, Section 12, Brevard County, Florida.

Ordered: Granted an extension for compliance until April 12, 2024.

The following cases were withdrawn due to voluntary compliance:

CEB 24357-23 140 NORGROVE ST SE CEB 24466-24 2161 SAN FILIPPO DR SE

The City requested the Code Enforcement Special Magistrate find all respondents / cases listed in the Authorization to Impose Fines Report in non-compliance for the period stated in the report. Inspections were performed on or about March 1, 2024, and the properties remained in non-compliance.

CEB 23570-23	KIRTON, PHILCORINNE	\$50.00 PER DAY
CEB 24281-23	RAE, BEVERLY D	\$50.00 PER DAY
CEB 24282-23	2018-3IH BORROWER LP	\$50.00 PER DAY
CEB 24286-23	DOYLE, SHARON	\$50.00 PER DAY
CEB 24288-23	PARSAN, USHARBOUD	\$50.00 PER DAY
CEB 24289-23	GREEN, LISA	\$200.00 SET FINE
CEB 24293-23	773 BRYANT ROAD LAN	\$50.00 PER DAY
CEB 24299-23	HALBUR, NICHOLAS R	\$50.00 PER DAY
CEB 24302-23	FLEMING, MICHAEL	\$200.00 SET FINE
CEB 24304-23	WANG, DANIEL & ANDR	\$200.00 SET FINE
CEB 24306-23	D& N REALTY INC	\$200.00 SET FINE
CEB 24310-23	HOOD, MICHAEL & JAN	\$200.00 SET FINE
CEB 24303-23	VINCE WEI MIN LIU REV	\$200.00 SET FINE
CEB 24315-23	TANG, HANG	\$200.00 SET FINE
CEB 24316-23	CITIZENS INSPECTOR	\$200.00 SET FINE
CEB 24317-23	ARENA WHOLESALE IN	\$200.00 SET FINE
CEB 24318-23	ROYAL MINT 10 LLC	\$200.00 SET FINE
CEB 24320-23	HEDRICK, DORIS E	\$200.00 SET FINE

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CEB 24325-23	SHUM, YUAN CHE	\$200.00 SET FINE
CEB 24328-23	MILLS, MICHAEL R	\$200.00 SET FINE
CEB 24329-23	FKH SFR PROPCO E LP	\$200.00 SET FINE
CEB 24332-23	RESTO JR., PEDRO	\$200.00 SET FINE
CEB 24334-23	ANGEL, RAFAEL	\$200.00 SET FINE
CEB 24335-23	ROYAL MINT 10 LLC	\$200.00 SET FINE
CEB 24339-23	LUSBY, KENNETH & DO	\$200.00 SET FINE
CEB 24341-23	AA MANAGEMENT CON	\$200.00 SET FINE
CEB 24342-23	SCOTT, GLENDA	\$200.00 SET FINE
CEB 24344-23	ELODIE G MC GINNIS TR	\$200.00 SET FINE
CEB 24346-23	FISCUS, ELLEN E	\$200.00 SET FINE
CEB 24349-23	NIZAMUDDIN, MOHAMM	\$200.00 SET FINE
CEB 24350-23	CARNERO, MIRIAN	\$200.00 SET FINE
CEB 24351-23	BENJAMIN, MICHAEL J	\$200.00 SET FINE
CEB 24352-23	WJHFL LLC D/B/A WJH LLC	\$200.00 SET FINE
CEB 24358-23	LOUIS, VARNIDE PIERR	\$200.00 SET FINE
CEB 24359-23	MELBOURNE EXECUTIVE	\$200.00 SET FINE
CEB 24363-23	MELBOURNE EXECUTIVE	\$200.00 SET FINE
CEB 24364-23	MELBOURNE EXECUTIVE	\$200.00 SET FINE
CEB 34365-23	MELBOURNE EXECUTIVE	\$200.00 SET FINE
CEB 24367-23	MELBOURNE EXECUTIVE	\$200.00 SET FINE
CEB 24369-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24371-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24375-23	JJMORRISON LLC	\$200.00 SET FINE
CEB 24376-23	ONE, TOMELL J	\$200.00 SET FINE
CEB 24383-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24384-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24385-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24386-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24387-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24388-23	LOWE, ADEJA	\$200.00 SET FINE

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CEB 24389-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24390-23	PB&J GARDENS INVEST	\$200.00 SET FINE
CEB 24392-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24393-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24394-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24395-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24396-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24397-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24398-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24399-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24400-23	PAVILLIONS PROPERTY	\$200.00 SET FINE
CEB 24403-23	MERCADO, EDWIN H	\$200.00 SET FINE
CEB 24414-24	MASCETTA, JOSEPH A	\$50.00 PER DAY
CEB 24422-24	ROLLINS, GENE D & ANDREA	\$200.00 SET FINE
CEB 24423-24	BREVARD LAND AND ASSET	\$200.00 SET FINE
CEB 24428-24	K & A BUILDERS LLC	\$200.00 SET FINE
CEB 24429-24	JITTA, RAMDATH C	\$200.00 SET FINE
CEB 24430-24	BAF ASSETS 4 LLC	\$200.00 SET FINE
CEB 24431-24	SIXS COMPANIES LLC	\$200.00 SET FINE
CEB 24432-24	MASCETTA, JOSEPH A	\$200.00 SET FINE
CEB 24439-24	REVITAHOUSE LLC	\$200.00 SET FINE
CEB 24440-24	REVITAHOUSE LLC	\$200.00 SET FINE
CEB 24450-24	BOUGH, V G / BOUGH	\$200.00 SET FINE
CEB 24451-24	PAN, SABRINA	\$200.00 SET FINE
CEB 24452-24	YOUNG, EDMOND	\$200.00 SET FINE
CEB 24456-24	BEATTY, ALAN / BEATTY	\$200.00 SET FINE
CEB 24458-24	TENN, DAMION C	\$200.00 SET FINE
CEB 24460-24	ECOSUN HOMES LLC	\$200.00 SET FINE
CEB 24462-24	HOLIDAY BUILDERS INC	\$200.00 SET FINE
CEB 24463-24	CORBITT, ROBERT H	\$200.00 SET FINE
CEB 24465-24	TALABERT, KENOLD	\$200.00 SET FINE

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CEB 24467-24	MIRA, PURISIMA G	\$200.00 SET FINE
CEB 24468-24	ROMAN, PAUL E	\$200.00 SET FINE
CEB 24471-24	ARENA CONVENIENCE	\$200.00 SET FINE
CEB 24473-24	3212 TREERIDGE COMP	\$200.00 SET FINE
CEB 24477-24	CIRCOSTA, RICHARD	\$200.00 SET FINE
CEB 24479-24	MARVEN & SANDRA	\$200.00 SET FINE
CEB 24482-24	TK & TK PROPERTIES	\$200.00 SET FINE
CEB 24484-24	BROWN, SCOTT D & ASH	\$200.00 SET FINE
CEB 24515-24	CADET 23 LLC	\$250.00 PER DAY

OLD BUSINESS:

1. CEB 24488-23 CITY OF PALM BAY VS DIANE ENSIMINGER 746 HAFTEZ ST NE, PALM BAY

This case involved a violation of City Code, Section(s) 110.17, 185.181(A), Code of Ordinances of the City of Palm Bay for property located at 746 Haftez ST NE, Lot 5, Blk 2416, Unit 45, Subdivision KP, Township 28, Range 37, Section 29, Brevard County, Florida.

This case has been closed.

HEARINGS:

1. CEB 24691-24 CITY OF PALM BAY VS WRIGHT WREALTY TRUST 1296 DEVON ST SE, PALM BAY

This case involved a violation of City Code, Section(s) 110.17, 93.03; Code of Ordinances of the City of Palm Bay for property located at 1296 Devon St SE, Lot 8, Blk 2059, Unit 46, Subdivision KQ, Township 29, Range 37, Section 33, Brevard County, Florida.

Ordered: Set a compliance date of May 12, 2024, or that a fine of \$50.00 per day be imposed for every day the violations continue.

2. CEB 24657-24 CITY OF PALM BAY VS BAF ASSETS 5 LLC 881 CAYUGA AVE NE, PALM BAY

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This case involved a violation of City Code, Section(s) 33.26(B); Code of Ordinances of the City of Palm Bay for property located at 881 Cayuga Ave NE, Lot 20, Blk 119, Unit 5, Subdivision 76, Township 28, Range 37, Section 27, Brevard County, Florida.

Ordered: Set a compliance date of March 20, 2024, or that a fine of \$200.00 be imposed for the violation.

3. CEB 24621-24 CITY OF PALM BAY VS CARL MICHAEL GOIN 1499 OPERETTA AVE SE, PALM BAY

This case involved a violation of City Code, Section(s) 185.123(A)(3)(f); Code of Ordinances of the City of Palm Bay for property located at 1499 Operetta Ave SE, Lot 5, Blk 2721, Unit 50, Subdivision JR, Township 29, Range 37, Section 18, Brevard County, Florida.

Ordered: Set a compliance date of April 12, 2024, or that a fine of \$50.00 per day be imposed for every day the violation continues.

4. CEB 24612-24 CITY OF PALM BAY VS ARLENE COOPER 174 EMERSON DR NW, PALM BAY

This case involved a violation of City Code, Section(s) 185.123(A)(1)(e), 185.181(A); Code of Ordinances of the City of Palm Bay for property located at 174 Emerson DR NW, Lot 10, Blk 1941, Unit 42, Subdivision KN, Township 28, Range 36, Section 22, Brevard County, Florida.

Ordered: Set a compliance date of April 12, 2024, or that a fine of \$50.00 per day be imposed for every day the violation continues.

The following cases were withdrawn due to voluntary compliance:

CEB 24616-24	1299 LANDAU RD SW
CEB 24617-24	781 GARVEY RD SW
CEB 24636-24	450 ALAMEDA AVE SE
CEB 24643-24	1323 WHALING AVE SE
CEB 24649-24	1465 CLEARMONT ST NE
CEB 24654-24	1240 CLEARMONT ST NE #11
CEB 24659-24	2775 FRANCIS ST NE
CEB 24660-24	2174 HARRIS AVE NE #5

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CEB 24676-24	678 WHITE CLOUD ST SW
CEB 24678-24	478 LAMKIN ST SW
CEB 24684-24	1390 ZANZIBAR RD SE
CEB 24686-24	2695 RAVEN AVE SE

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

CEB 24597-24	826 BADGER DR NE
CEB 24598-24	1901 ACADEMY ST NE
CEB 24599-24	2840 KEEWIN AVE NE
CEB 24600-24	1365 TROPICANA RD NE
CEB 24601-24	1340 TROPICANA RD NE
CEB 24602-24	1831 PALM BAY RD NE
CEB 24603-24	2875 HESSEY AVE NE
CEB 24604-24	2503 HAVERHILL RD NE
CEB 24605-24	2761 BROADVIEW DR NE
CEB 24606-24	722 BIANCA DR NE
CEB 24607-24	1925 SAGO PALM ST NE
CEB 24608-24	1826 KEEWIN AVE NE
CEB 24609-24	4610 TREE RIDGE LN NE
CEB 24610-24	1471 MARIPOSA DR NE
CEB 24611-24	1631 ALPHA ST NE
CEB 24613-24	455 FILLMORE AVE NE
CEB 24614-24	107 HEARTHSIDE AVE NW
CEB 24615-24	3902 JUPITER BLVD SE
CEB 24616-24	1299 LANDAU RD SW
CEB 24617-24	781 GARVEY RD SW
CEB 24618-24	838 GARVEY RD SW
CEB 24619-24	369 GATES ST SW
CEB 24620-24	1325 MOHEGAN TER SE
CEB 24622-24	253 GODFREY RD SE

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CEB 24623-24	1399 ELDRON BLVD SE
CEB 24624-24	1399 MARTINEZ ST SE
CEB 24625-24	2891 NOKOMIS AVE NE
CEB 24626-24	3900 DIXIE HWY NE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these cases a compliance date of March 28, 2024, or that a fine of \$50.00 be imposed for every case for each and every day the violations continue.

The City submitted all exhibits and affidavits into evidence in the following cases and requested that the Code Enforcement Special Magistrate find the respondents in violation of the violations not in compliance and that the Code Enforcement Special Magistrate set a reasonable time for compliance and a flat fine to be imposed if the respondents fail to come into compliance by the time set and authorize the City to correct the violation at the expense of the property owner if not complied within the date given and charge the property owner with the reasonable cost of the actions along with the fine imposed.

CEB 24627-24	1901 ACADEMY ST NE
CEB 24628-24	180 EMERSON DR NW
CEB 24629-24	1389 GIRALDA CIR NW
CEB 24630-24	1401 MALABAR RD NW
CEB 24631-24	1019 ESSEN AVE NW
CEB 24632-24	1809 FIRETHORN RD NW
CEB 24633-24	1806 EUGENIA CT NW
CEB 24634-24	1365 STADT RD NW
CEB 24635-24	1067 IVANHOE ST NW
CEB 24636-24	450 ALAMEDA AVE SE
CEB 24637-24	461 SAN PEDRO AVE SW
CEB 24638-24	329 AWIN CIR SE
CEB 24639-24	1720 ELDRON BLVD SE
CEB 24640-24	3286 JUPITER BLVD SE
CEB 24641-24	703 DIPLOMAT AVE SE
CEB 24642-24	1092 ALMINAR AVE SE
CEB 24643-24	1323 WHALING AVE SE
CEB 24644-24	1978 RADCLIFF AVE SE

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CEB 24645-24	1662 CHAMORRO ST SE
CEB 24646-24	1638 CHAMORRO ST SE
CEB 24647-24	1669 WHITING ST SE
CEB 24648-24	210 HALLORAN ST SE
CEB 24692-24	2180 HARRIS AVE NE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these cases a compliance date of March 23, 2024, or that a set fine of \$200.00 be imposed for the violation; and authorize the City to correct the violation at the expense of the property owner if not complied within the date given and charge the property owner with the reasonable cost of the actions along with the fine imposed.

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

CEB 24649-24	1465 CLEARMONT ST NE
CEB 24650-24	2951 HESSEY AVE NE #7
CEB 24651-24	2191 JULIAN AVE NE # A
CEB 24652-24	2162 HARRIS AVE NE
CEB 24653-24	2186 WASHINGTON ST NE
CEB 24654-24	1240 CLEARMONT ST NE #11
CEB 24655-24	1640 BOTTLEBRUSH DR NE
CEB 24656-24	1091 PORT MALABAR BLVD NE #3
CEB 24658-24	1101 PORT MALABAR BLVD NE
CEB 24659-24	2775 FRANCIS ST NE
CEB 24660-24	2174 HARRIS AVE NE #5
CEB 24661-24	5132 MINTON RD NW
CEB 24662-24	4270 MINTON RD NW
CEB 24663-24	5030 MINTON RD NW
CEB 24664-24	5000 MINTON RD NW
CEB 24665-24	859 JUPITER BLVD NW
CEB 24666-24	868 JUPITER BLVD NW

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CEB 24667-24	214 EMERSON DR NW
CEB 24668-24	6405 MINTON RD SE
CEB 24669-24	2855 KIRBY CIR NE # 04
CEB 24670-24	1504 PALM BAY RD NE # 4
CEB 24671-24	1906 ELDERBERRY CT NE
CEB 24672-24	1720 MAIN ST NE #4
CEB 24673-24	6350 BABCOCK ST SE #315
CEB 24674-24	745 SEATON RD SW
CEB 24675-24	518 HANSARE ST SW
CEB 24676-24	678 WHITE CLOUD ST SW
CEB 24677-24	3041 FITZPATRICK AVE SW
CEB 24678-24	478 LAMKIN ST SW
CEB 24679-24	168 WELLSLEY AVE SW
CEB 24680-24	492 WARRINGTON RD SW
CEB 24681-24	798 DAMEK TER SW
CEB 24682-24	746 DARBY AVE SW
CEB 24683-24	1570 REPUBLIC ST SE
CEB 24684-24	1390 ZANZIBAR RD SE
CEB 24685-24	2205 SAPELO AVE SE
CEB 24686-24	2695 RAVEN AVE SE
CEB 24687-24	924 WHEATLEY ST SE
CEB 24688-24	2655 DAISY AVE SE
CEB 24689-24	1296 SYKES RD SE
CEB 24690-24	1351 ZANZIBAR RD SE

Code Enforcement Special Magistrate found the cases listed by the Secretary in violation based on the findings of fact entered into evidence. He gave the respondents in these cases a compliance date of March 23, 2024, or that a set fine of \$200.00 be imposed for the violation.

ADJOURNMENT:

The meeting adjourned at ap ATTEST:	pproximately 1:33 PM.
Jeanne Pinsi, Secretary	Frank Scaglione, Code Enforcement Special Magistrate