



**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
VIOLATIONS COMMITTEE**



Agenda  
1225 Barefoot Blvd, Bldg. D & E  
11/08/2019  
10:00 a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Minutes
- Swearing in of Inspectors and Witnesses
- Chairperson's and another member's Report

**New Business:** Current VC cases for review:

**ARCC No Permit/Work Started**

1. 19-004478 414 BAREFOOT BOULEVARD

**Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)**

2. 19-001658 620 PERIWINKLE CIRCLE
3. 19-004376 901 PECAN CIRCLE
4. 19-004472 1012 ROYAL PALM DRIVE
5. 19-004486 1012 ROYAL PALM DRIVE
6. 19-004566 1023 ROYAL PALM DRIVE
7. 19-004637 808 ORIOLE CIRCLE

**Condition of Prop. (B) PW**

8. 19-003895 447 EGRET CIRCLE

**Condition of Prop. (C) Unauthorized items**

9. 19-004318 505 SEA-GULL DRIVE

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**Closing Remarks:**

**Adjournment:** The next regular meeting will be held on Friday, November 22, 2019 in Building D & E at 10:00 a.m.

*Sally-Ann Biondolillo*

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**Sally-Ann Biondolillo**  
**DOR/ARCC Administrative Assistant**

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Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must insure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence which the appeal is based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the District does not provide one. ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with disabilities Act and Sect.286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least 48 hours prior to the meeting, contact the DOR Enforcement Staff at (772) 664-4722.



**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
VIOLATIONS COMMITTEE**



Minutes  
1225 Barefoot Blvd, Bldg. D & E  
10/25/2019  
10:00 a.m.

The Barefoot Bay Violations Committee held its regular Hearing on 10/25/2019 in Building D&E, Barefoot Bay, Florida 32976.

- **Call to Order:** Chair Joy Liddy called the hearing to order at 10:00 a.m.
- **Pledge of Allegiance:** Wilma Weglein led the pledge of allegiance.
- **Roll Call:** Present - Chair Joy Liddy, Vice Chair Arlene Maguire, 2nd Vice Chair Mary Firlein, Al Grunow, Wilma Weglein and Alternate Jeff Grunow.
- **Approval of Minutes:** 09/27/2019 Minutes approved as presented
- **Swearing in of Inspectors and Witnesses:** Chair swore in the DOR Inspector Peter Essig, Resident Relations Manager Rich Armington and Sebastian Nicolo of 1458 Gardenia.
- **Witnesses present:** None
- **Chair Report:** Welcomed Wilma Weglein to her new position as a voting member.
- **Committee Reports:** None
- **DOR Enforcement:** None
- **Other reports:** None

**New Business:** All cases were sent a Statement of Violation and Notice of Hearing via Certified Return Receipt requested, Regular 1st Class mail and or posted with a reasonable time to correct the violation. All properties were confirmed to be still in violation at the last inspection. Pictures were presented to the committee.

Inspector Essig presented item #2, 4, 6, 10, 11 and 12 as complied prior to meeting.  
Item #5: DOR is working with homeowner.

**ARCC No Permit**

1. 18-004524 1458 GARDENIA DRIVE

Inspector Essig presented the above case(s) for the violation of: Article II, Section 2 ARCC No Permit. A compliance date of (14) fourteen days, November 8<sup>th</sup>, 2019. If the property is still in violation after fourteen days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Al Grunow made the motion, second by Wilma Weglein, Mr. Nicolo stated he wasn't aware that the permit was denied, and it needs to be removed. Rich Armington confirmed that the ARCC Committee denied the permit due to the size, motion carried unanimously.

**Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)**

3. 19-003321 430 PAPAYA CIRCLE
7. 19-004366 954 LAUREL CIRCLE
8. 19-004367 918 LAUREL CIRCLE

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 2 (A) Lawn and Landscaping – Recurring Maintenance (Lot Mows, Trim Palms, Etc.). A compliance date of (3) three days, October 28<sup>th</sup>, 2019. The District will continue to maintain the lawn and landscape at the expense of the owner until the owner brings the property into compliance. An Order of Compliance will be obtained after three (3) consecutive and successful inspections. This expense will result in a lien on the property. Chair entertained a motion to approve the

recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, second by Mary Firlein, no discussion, motion carried unanimously.

**Condition of Prop. (B) PW**

- 9. 19-002496 892 CASHEW CIRCLE
- 10. 19-003659 322 LOQUAT DRIVE

Inspector Essig presented the above case(s) for the violation of: Article III, Section 2 (B) Condition of Property (Exterior of Home must be free of mildew, mold and dirt) Power Wash. A compliance date of (7) seven days November 1<sup>st</sup>, 2019. If the property is still in violation after seven days, the final order of the Violations Committee shall either be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action or the District will contact their Power Wash contractor to bring the home into compliance, the expense of such action to be billed to the owner's account and will result in a lien on the property. Mary Firlein made the motion, second by Arlene Maguire, no discussion, motion carried unanimously.

**Condition of Skirting**

- 13. 19-003533 701 BOUGAINVILLEA CIRCLE

Inspector Essig presented the above case(s) for the violation of: Article III, Section 10 Condition of Skirting Material on Home. A compliance date of (14) fourteen days November 8<sup>th</sup>, 2019. If the property is still in violation after fourteen days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, second by Mary Firlein, no discussion, motion carried unanimously.

**Exterior Maintenance**

- 14. 19-000949 892 CASHEW CIRCLE

Inspector Essig presented the above case(s) for the violation of: Article III, Section Eleven Maintenance of Exterior of the Home. A compliance date of (14) fourteen days, November 8<sup>th</sup>, 2019. If the property is still in violation after fourteen days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Mary Firlein made the motion, second by Wilma Weglein, no discussion, motion carried unanimously.

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**Closing Remarks:** Joy Liddy discussed the upcoming meetings on November 8<sup>th</sup> and 22<sup>nd</sup>, 2019 will be held as scheduled. The December 13<sup>th</sup>, 2019 meeting will be moved to December 6<sup>th</sup>, 2019. The December 22<sup>nd</sup>, 2019 will be cancelled. Jeff Grunow inquired about the homes that still have plywood shutters and when will they be required to be removed. Rich Armington explained that they will need to be removed with Hurricane Season ends, December 1<sup>st</sup>, 2019.

The next regular meeting will be held on Friday, November 8, 2019 in Building D & E at 10:00 a.m.

**Adjournment:** Meeting was adjourned at 10:38 a.m.

*Sally-Ann Biondolillo*

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**Sally-Ann Biondolillo**  
**DOR/ARCC Administrative Assistant**

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Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must insure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence which the appeal is based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the District does not provide one. ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with disabilities Act and Sect.286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least 48 hours prior to the meeting, contact the DOR Enforcement Staff at (772) 664-4722.

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004478

#155/19-004478

NICOLO, MARIO JOHN,  
414 BAREFOOT BLVD  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

• **ARTICLE II, SECT. 2 A ARCC No Permit/Work Started**

(A) When submitting an ARCC permit after the work has begun, the property owner must personally appear at the next scheduled ARCC meeting to have their application reviewed by the Committee.

No building or other structure shall be erected or placed on any Lot, nor shall the exterior of any such building or structure or the driveways or parking areas serving such building or structure be altered in any way unless and until two sets of the complete building plans, two sets of complete specifications and two copies of a plot plan have been submitted to the ARCC and approved by it in writing. An application for such approval shall demonstrate to the satisfaction of the ARCC that: 1. The said building or other structure complies in all respects with the Provisions of this instrument; and 2. The said building or other structure is in conformity and harmony with such written rules as may from time to time be adopted by the ARCC. The ARCC's approval of the said plan specifications and plot plans shall be evidenced by the signature of its Chairman or Vice-Chairman on the plans, specifications and plot plans submitted by an applicant. One set of approved plan shall be returned to the applicant and the other shall be retained by the ARCC among its permanent records. In the event the ARCC fails to approve or disapprove an application within thirty (30) Days after the complete application has been submitted to the ARCC, the ARCC shall be deemed to have approved the application in all respects. The ARCC shall have the authority to promulgate regulations relating to all construction and landscaping for lots within Barefoot Bay. Such regulations may, without formal amendment of this Deed of Restrictions, be created, amended, modified, altered or changed by a majority vote of the ARCC, provided, however, that notice of any such amendment, modification, alteration or change to the regulations shall be given in writing to the Recreation District as soon as practicable after adoption thereof by the ARCC. A copy of any such amendment, modification, alteration or change to such a regulation shall be maintained in the offices of the Recreation District and shall be made available on request to any interested party upon payment of a reasonable copying fee. In the event that a dispute arises in the interpretation by the ARCC of any requirement of this Article or of the regulations provided for herein above, such dispute shall be resolved by a majority vote of the Recreation District, whose decision shall be final and binding.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 84.B Lot # 19  
414 BAREFOOT BOULEVARD  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Temporary, portable, or free standing structure w/out ARCC permit: Gazebo. Gazebo must be removed or must submit ARCC permit for review.

**DATE OF VIOLATION FIRST OBSERVED:** Oct 21, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

10/21/2019 via First Class

10/28/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** November 05, 2019

DATE: October 28, 2019

BARD DEED OF RESTRICTION STAFF

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING**

**Hearing Date: 11/08/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M.** on **11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

**If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.**

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.*

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 28, 2019**

Violations Committee/Deed of Restrictions Staff



414 Barefoot Boulevard. No ARCC permit for gazebo.  
Oct 28, 2019

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-001658

#4188/19-001658

NELSON, JAMES A,  
620 PERIWINKLE CIR  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 76 Lot # 5  
620 PERIWINKLE CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Apr 20, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

April 20, 2019 via First Class

via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:**

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 29, 2019**

BBRD DEED OF RESTRICTION STAFF



620 Periwinkle. lawn and landscape: tree(s) need to be trimmed/dead fronds removed  
Oct 29, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004376

#0194/19-004376

THOMAS & CINDY-JO SMITH,  
901 PECAN CIRCLE  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 114 Lot # 72  
901 PECAN CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Oct 08, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 09, 2019 via First Class

10/17/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** November 05, 2019

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

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**October 16, 2019**

**BBRD DEED OF RESTRICTION STAFF**



901 Pecan. High grass.  
Oct 16, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004472

#1220/19-004472

INTERNATIONAL INSURANCE LOSS/JAY LENNICK,assistance co  
1800 S RIVERSIDE DRIVE  
EDGEWATER, FL 32132

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 43 Lot # 31  
1012 ROYAL PALM

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

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If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Oct 18, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 18, 2019 via First Class

10/29/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:**

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 29, 2019**

BBRD DEED OF RESTRICTION STAFF



1012 Royal Palm. lawn and landscape: high grass  
Oct 29, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004486

#1220/19-004486

INTERNATIONAL INSURANCE LOSS,  
1012 ROYAL PALM DR  
SEBASTIAN, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 43 Lot # 31  
1012 ROYAL PALM DRIVE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Oct 21, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 21, 2019 via First Class

10/29/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:**

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 29, 2019**

BBRD DEED OF RESTRICTION STAFF



1012 Royal Palm. Dead vegetation/ Bushes need trimming/  
Oct 29, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004566

#1501/19-004566

WESCHLER, JANET S,  
1023 ROYAL PALM DR  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 53 Lot # 26  
1023 ROYAL PALM DRIVE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Oct 25, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

via First Class

via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:**

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 29, 2019**

BBRD DEED OF RESTRICTION STAFF



1023 Royal Palm. lawn and landscape: high grass  
Oct 29, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004637

#736/19-004637

SURPLUS OPTIONS INC,  
12104 N 189TH N CT  
JUPITER, FL 33478

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 132 Lot # 5  
808 ORIOLE CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING  
Hearing Date: 11/08/2019**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. *In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.*

**DATE OF VIOLATION FIRST OBSERVED:** Oct 29, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 29, 2019 via First Class

10/29/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:**

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 29, 2019**

BBRD DEED OF RESTRICTION STAFF



808 Oriole. lawn and landscape: high grass  
Oct 29, 2019



808 Oriole. lawn and landscape: high grass  
Oct 29, 2019

**Costs to Cure Violations**

**Initial Mow and General Landscape Maintenance**

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

**Recurring Mow and General Landscape Maintenance**

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$70</u></b>

**Powerwash**

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$89</u>

**EXHIBIT "A"**

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-003895

#3590/19-003895

DOUGHERTY, ELIZABETH REILLY,

447 EGRET CIR

BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION and NOTICE OF HEARING**

PURSUANT to the Article III, Section 12 of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION OF DEED OF RESTRICTION VIOLATION**

- **Article III, Section 2 Conditions of Property (B)** The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 86 Lot # 24

447 EGRET CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Mold, dirt and mildew must be removed from the exterior of the home.

**DATE OF VIOLATION FIRST OBSERVED:** Sep 11, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

September 11, 2019 via First Class

10/24/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** November 05, 2019

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 A.M. on the 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

The Violations Committee will receive testimony and evidence at the Hearing and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the Hearing, or may be represented by an attorney.

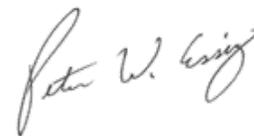
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (*FS 286.0105*) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER

OF OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.

Dated this Date, October 23, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: October 23, 2019



447 Egret. Mold/dirt/mildew.

Peter Essig  
Oct 23, 2019

## Costs to Cure Violations

### Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
<b>Total</b>	<b>\$140</b>

### Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	\$7
<b>Total</b>	<b>\$70</b>

### Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	\$7
<b>Total</b>	<b>Actual contractor invoiced cost plus \$89</b>

## EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE  
BREVARD COUNTY, FLORIDA**

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-004318

#1851/19-004318

KRATUNIS, STEVEN,  
505 SEA-GULL DR  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

**SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)**

**ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes of the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 93 Lot # 12  
505 SEA-GULL DRIVE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved items/debris. Must be removed.

**DATE OF VIOLATION FIRST OBSERVED:** Oct 02, 2019

**DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:**

October 02, 2019 via First Class

10/28/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** November 05, 2019

DATE: October 28, 2019

BBRD DEED OF RESTRICTION STAFF

**BAREFOOT BAY RECREATION DISTRICT  
BREVARD COUNTY, FLORIDA  
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING**

**Hearing Date: 11/08/2019**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 11/08/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida**. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

**If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.**

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. *If the property is found to be in violation, all social, family, and golf memberships affiliated with the property will be automatically suspended.*

**IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.**

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.**

**October 28, 2019**

Violations Committee/Deed of Restrictions Staff



505 Sea Gull. Unapproved items in carport.  
Oct 28, 2019

**Barefoot Bay Recreation District**

**Violations Committee**

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-004318

Address: 505 SEA-GULL DRIVE

Acct# 1851

Debris

- A. Occupation Status of Property: \_\_\_\_ Occupied \_\_\_\_ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: \_\_\_\_\_
- C. Recommended proposed secured relocation/storage area off property: \_\_\_\_\_
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: \_\_\_\_\_

**Project Milestone      Date Estimate**

Project Start Date      TBD

Project End Date      TBD

Property Services Qty	Debris Removal - Case # 19-004318 Description	Unit Price	Customer # 1851 Line Total
(    ) hrs	(    ) Dump Truck and Driver	\$75.00	
(    ) hrs	(    ) Laborers	\$20.00	
	Disposal of Debris		\$50.00
	Disposal of Tires		
		<b>Total</b>	<b>\$</b>

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on \_\_\_\_\_. (Initials) \_\_\_\_\_