

1998632 RECORDED IN THE RECORDS OF JEFFREY K BARTON, CLERK CIRCUIT COURT INDIAN RIVER CO FL, BK: 2346 PG: 2108, 06/11/2009 09:15 AM

CODE ENFORCEMENT BOARD
INDIAN RIVER COUNTY, FLORIDA

IN THE MATTER OF:

CEB Case No. 2008120258

BOYETTE, ERNEST E & JAMES
1325 36TH AVE
VERO BEACH, FL 32960

, Respondent(s)

ORDER IMPOSING FINE

THIS MATTER ORIGINALLY CAME BEFORE THE BOARD for a public hearing on February 23, 2009, after due notice to the Respondent(s), at which time the Board heard testimony under oath and received evidence. The Board issued findings of fact, conclusions of law, and an oral order which was reduced to writing and furnished to the Respondent(s) to take corrective action by a certain time, as more specifically set forth in that order.

On May 18, 2009, this Board conducted a compliance hearing to determine whether the Board's order of February 23, 2009, had been complied with. Respondent was provided proper notice of the compliance hearing, but did not attend the hearing.

Based on the evidence and testimony presented at the hearing, this Board finds that the required corrective action has not been taken as ordered and that there does in fact exist an overgrown weeds violation and a junk, trash and debris violation in the RS-6 Zoning District, which constitutes the use of the property in violation of Section(s) 973.03(2) and 973.03(1), of the Code of Laws and Ordinances of Indian River County.

The Board's previous order, as amended, set forth a compliance date of May 15, 2009, and a fine of \$100 for each day the violation continues beyond the referenced compliance date.

IT IS HEREBY ORDERED THAT THE ABOVE DESCRIBED FINE IS HEREBY IMPOSED AGAINST THE RESPONDENT(S) for each and every day the violation exists upon or adjacent to the following described property, situated in Indian River County, Florida, to wit:

Location: 1325 36TH AV VERO BEACH
Tax Parcel ID No. 33-39-10-00008-0040-00011.0
Legal Description: BLK 4 LOTS 11 & 12, ROSEDALE BLVD SUB, PBI 3-90

beginning May 16, 2009. **THIS ORDER SHALL BE RECORDED** in the Official Record Books of Indian River County forthwith **AND SHALL CONSTITUTE A LIEN AGAINST THE HEREIN DESCRIBED PROPERTY, AND UPON ANY OTHER REAL OR PERSONAL PROPERTY OWNED BY THE VIOLATOR**, pursuant to Chapter 162 of the Florida Statutes and Indian River County Ordinance 90-20, as may be amended. Further information of this matter may be obtained by contacting the Code Enforcement Section of the Community Development Department of Indian River County, 1801 27th Street, Vero Beach, Florida 32960, (772) 226-1249.

DONE AND ORDERED MAY 18, 2009, at Vero Beach, Indian River County, Florida, in accordance with a ruling made by this Board in open session on said date, nunc pro tunc.

EXECUTED by the Chairman of the Indian River County Code Enforcement Board, and attested and countersigned by the Recording Secretary of such Board this 9th day of June, 2009.

BK: 2346 PG: 2109

CODE ENFORCEMENT BOARD OF INDIAN RIVER COUNTY, FLORIDA

ATTEST: Reta Smith
Reta Smith
Board Secretary

By: Karl L. Zimmermann
Karl L. Zimmermann, Chairman
Indian River County Code Enforcement Board

STATE OF FLORIDA
COUNTY OF INDIAN RIVER

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the above State and County aforesaid to take acknowledgments, personally appeared Karl L. Zimmermann, well known to me to be Chairman of the CODE ENFORCEMENT BOARD of Indian River County, and acknowledged executing the same under the authority vested in him by said Board.

WITNESSED my hand and seal this 9th day of June, 2009.

Commission Expiration
NOTARY PUBLIC
RETA M. SMITH
MY COMMISSION # DD 813005
EXPIRES: September 20, 2012
Bonded Thru Budget Notary Services

Reta M. Smith
Notary Public

CERTIFICATE OF SERVICE

The foregoing instrument was executed before me by Karl L. Zimmermann, Chairman of the Code Enforcement Board of Indian River County, Florida, and I hereby certify that a true and correct copy of this order has been furnished by U.S. mail to Respondent(s) at the mailing address(es) hereinbefore described, or by personal service to the Respondent(s), or to their representative, this 9th day of June, 2009.

ATTEST:

Reta M. Smith
Notary Public

REVIEWED AS TO LEGAL FORM:

Suzanne H. Vitunac
Suzanne H. Vitunac
Board Advising Attorney

NOTARY PUBLIC
RETA M. SMITH
MY COMMISSION # DD 813005
EXPIRES: September 20, 2012
Bonded Thru Budget Notary Services

CEB Case No. 2008120258
Code Officer: VANESSA CARTER SOLOMON

STATE OF FLORIDA
INDIAN RIVER COUNTY

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

SECRETARY
CODE ENFORCEMENT BOARD
HEARING BOARD

BY: Reta Smith
DATE: June 9, 2009

C -
COUNTY ATTORNEY'S OFFICE
INDIAN RIVER COUNTY
1801 27th Street
Vero Beach, Florida 32960