

CODE ENFORCEMENT BOARD
INDIAN RIVER COUNTY, FLORIDA

IN THE MATTER OF:

CEB Case No. 2023080033

HELSEL, JILL & KAMERON
2400 VALKARIA RD
MALABAR, FL 32950

WOODS LAND-MANAGEMENT, L.L.C.
530 SEAPORT TERRACE
PALM BAY, FL 32909

, Respondents

**DETERMINATION OF PUBLIC NUISANCE
WARRANTING COUNTY ABATEMENT**

THIS MATTER ORIGINALLY CAME BEFORE THE BOARD for a public hearing on January 22, 2024, after due notice to the Respondents, 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 July 22, 2024, this Board conducted a compliance hearing to determine whether the Board's order of January 22, 2024, as amended by Order(s) Granting Extension dated February 26, 2024, had been complied with. Such compliance hearing was also conducted for the Board to determine whether or not the violation(s) cited in the January 22, 2024 order present a serious threat to public health, safety and welfare or if the violations are irreparable or irreversible in nature, thus warranting abatement by Indian River County in accordance with Section 973.04 of the County Public Nuisance Ordinance. Respondent was provided proper notice of the compliance hearing, and was present at 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 land clearing debris, stockpile violation, burning of debris violation, flood protection violation and zoning use violation in the A-2 Zoning District, which constitutes a public nuisance posing a serious threat to public health, safety and welfare, and use of the property in violation of Section(s) 973.03(2)A, 925.04(5), 911.04(2)(C), 930.07(2), of the Code of Laws and Ordinances of Indian River County.

In accordance with County Code Section 973.04, Abatement of Nuisance, THE CODE ENFORCEMENT BOARD HEREBY DIRECTS county staff to notify the Indian River County Board of County Commissioners and to advise the Commission to consider abatement of the public nuisance(s) on the subject property by authorizing the county's employees, servants, agents or contractors to enter upon the property at all reasonable times and take whatever action is necessary to abate the public nuisance(s), no sooner than 30 days after the date of the July 22, 2024 compliance hearing.

Subject property description:

Location: 14550 111TH ST FELLSMERE
Tax Parcel ID No. 31-37-00-00001-0724-00002.0
Legal Description: FELLSMERE FARMS CO SUB PBS 1-1& 2 TR 724 LESS AND EXC E 35.76 FT & ALSO TR 769 LESS AND EXC E 35.76 FT

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.

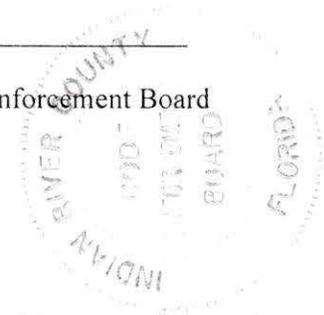
DONE AND ORDERED JULY 22, 2024, at Vero Beach, Indian River County, Florida, in accordance with a ruling made by this Board in open session on said date, nunc pro tunc.

EXECUTED by the Chairman of the Indian River County Code Enforcement Board, and attested and countersigned by the Recording Secretary of such Board this 2 day of August, 2024.

CODE ENFORCEMENT BOARD OF
INDIAN RIVER COUNTY, FLORIDA

ATTEST: *Lisa Plesnarski*
Lisa Plesnarski
Recording Secretary

By: *Terence Schlitt*
Terence Schlitt, Chairman
Indian River County Code Enforcement Board



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order was provided to the above-named Respondent(s) by first class U.S. Mail addressed to the above-specified addresses this 2nd day of August, 2024.

Lisa Plesnarski
Lisa Plesnarski, Recording Secretary

REVIEWED AS TO LEGAL FORM:

Jennifer D. Peshke
Jennifer D. Peshke
Board Advising Attorney

CEB Case No. 2023080033
Code Officer: STEVEN HITT