

**approve staff's recommendation to rescind the previously imposed fine and lien; and for an extension of 90 days, or until January 20, 2023, for the Respondent to obtain a permit for the shed and have finally inspected, or remove the structure from the property, or be subject to a fine imposed in an amount of up to \$250 per day.**

Note for the record that the Respondent **was not** present for this hearing.

### **LIEN RELEASE REQUEST**

#### **Case #2019070015 Saelzer, Max Walter**

Chief of Code Enforcement and Environmental Planning, Ms. Rebeca Guerra, spoke regarding property located at 9076 107<sup>th</sup> Avenue. Ms. Guerra reviewed the history of violations and showed photos taken which demonstrated the property out of compliance, as well as photos taken more recently showing the property in compliance.

Ms. Guerra explained that a fine in the amount of \$100 per day was imposed beginning November 20, 2020, and that the property came into compliance on October 7, 2022. The property remained 685 days out of compliance resulting in a total fine of \$68,500. The costs to prosecute were calculated at \$3,800. For reference, the 2022 assessed value was \$175,191. Ms. Guerra gave staff's recommendation to impose a fine in the amount of \$10,650 which represented 10% of the total fine.

**ON MOTION BY David Myers, SECONDED BY Karl Zimmermann, the Board voted unanimously (6-0) to acknowledge compliance and approve staff's recommendation that a fine be imposed in the amount of \$10,650 which represents 10% of the total fine.**

Note for the record that the Respondent **was not** present for this hearing.

### **ADMINISTRATIVE HEARINGS**

#### **Case #2019110025 and Case #2020050067 Suncor Ft. Pierce, LLC**

IRC Assistant County Attorney, Ms. Susan Prado, spoke regarding property located at 560 Stoney Brook Farm Court. Ms. Prado showed photos and aerial photos taken demonstrating the violations and gave a brief review of the case history. Ms. Prado displayed a photo taken on October 12, 2022, showing overgrown grass and weeds and an unsecured pool full of algae and noted that the property had been out of compliance for over two years. Ms. Prado explained that the pool safety violation had been brought before the Board numerous times, the last being in 2019. Ms. Prado explained that the property was still not

in compliance and presented staff's request for permission to move forward with initiating foreclosure proceedings. In response to a Board member question, Mr. Sobczak confirmed that the pool was not properly enclosed, per the requirement of the Florida Building Code. There was a lengthy discussion about securing the unsecured pool to reduce the safety hazard.

**ON MOTION BY Joseph Petrulak, SECONDED BY David Myers, the Board voted unanimously (6-0) to grant staff's request to initiate foreclosure action pursuant to FL Statute 162.09.**

Note for the record that the Respondent **was not** present for this hearing.

There was further discussion about securing the pool structure. The Board voted to recommend that staff be given the authority to secure the pool in order to eliminate any safety hazards within 14 days.

**ON MOTION BY Terence Schlitt, SECONDED BY David Myers, the Board voted unanimously (6-0) to grant staff the authority to secure the pool structure within 14 days.**

### EVIDENTIARY HEARINGS

#### Case #2022080043 Hunter's Run of VB POA

IRC Code Enforcement Officer, Ms. Tricia Johnson, spoke regarding property at 4855 9<sup>th</sup> Street Southwest and reviewed the cited violations. Service was posted on October 10, 2022, after attempts at regular and certified mail were unsuccessful. Ms. Johnson showed an aerial map and photos for reference and explained that the POA was responsible for maintaining grass and weeds 15 feet from the fence on each side. Mr. Ken Kelly, a neighbor of Hunter's Run, was called as a witness for the County. Mr. Kelly showed a photo taken at the back of his property before a 5-6 foot berm was built by the adjacent Hunter's Run development. Mr. Kelly explained that the grade of the berm was so steep it had caused flooding on his property. Mr. Kelly pointed out in the photo that mowers could not properly mow the grass and it was still not being properly maintained.

Assistant County Attorney, Ms. Susan Prado, explained that the property was currently in compliance, but that due to a history of noncompliance, staff was requesting a Continuing Order for the property to be maintained consistent with the approved plan, or a fine in an amount up to \$250 per day be imposed.

**ON MOTION BY Joseph Petrulak, SECONDED BY David Myers, the Board voted unanimously (6-0) to for an extension of 30 days, or until November 25, 2022, for the Respondent to bring the property into**