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Case 25CE-00553:

Code Enforcement Case

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Record Status: Order

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Location:

5070 SEILER ST
MELBOURNE BEACH FL 32951

Case Details

Description:

AS - 3 - C

Trees/vegetation installation along right of way creating sight obstruction.

Owner:

MARK RUTKOWSKI & ANNETTE MARIE ARMSTRONG-
RUTKOWSKI, TRUSTEES, MARK RUTKOWSKI & ANNETTE MARIE
ARMSTRONG-RUTKOWSKI REVOCABLE TRUST DTD 4/29/2021
5070 SEILER ST
MELBOURNE BEACH FL 329513232

► [More Details](#)

Sec. 86-67. Penalty.

- (a) It shall be unlawful for any person to construct any improvement or any part of an improvement within a right-of-way or easement dedicated to the county without a valid right-of-way/easement permit issued for such construction or providing the appropriate bond for activities under the provision of this article. Any person found guilty of violating this article or guilty of constructing an improvement or any part of an improvement without a valid right-of-way/easement permit shall be punished as provided pursuant in section 1-7 of this Code. Each day a person constructs any improvement or part of an improvement without a valid permit constitutes a separate offense under this article.
- (b) Any person damaging any county road or easement shall be required to either restore the road or easement to its condition prior to the damage, or shall pay to the board of county commissioners the sum of money determined by the road and bridge department to be necessary to restore the road or easement to its condition prior to the damage.
- (c) No person shall knowingly affix, install, place, attach, maintain, or fail to remove an unauthorized attachment to county-owned infrastructure or other property of the county on demand by the county or any authorized representative thereof.
- (d) No person shall use an attachment on county-owned infrastructure or other property of the county to provide a service not authorized by a right-of-way/easement permit.
- (e) It is a violation of this article to fail to pay the costs to remove abandoned improvements from the right-of-way as required in section 86-108.
- (f) Each unauthorized attachment or use is a separate offense. Each day a violation of this article continues is a separate offense.

(Ord. No. 2006-16, § 2, 4-11-06; Ord. No. 2017-015, § 3, 7-11-17)

① We have asked to expand the definition of
A) Construct
B) Improvement

② We have asked for a permit
→ there are options/Variances
5105 Palm

Alterations
→

From: **Verrett, Christine N** Christine.Verrett@brevardfl.gov

Subject: **RE: Case No. 25CE-00553**

Date: **July 15, 2025 at 3:50:49 PM**

To: **Annette Rutkowski** annette3418@icloud.com

Cc: **R Mark** mark1925@me.com

Hello Ms. Rutkowski.

As discussed yesterday, a permit is not an option for a single family residence to allow for plantings to remain in the right-of-way.

Also, as discussed, Crystal Lake Property Owners Association, Inc. does have a Use Agreement with the County in place and is current with their insurance requirement. Should you wish to explore the option of allowing plantings to remain, the Property Owner's Association would have to amend and update their current agreement with us. Once that was done, they would be able to submit applications and plans for review. If the plans meet the requirements, a permit would then be issued and covered under the Agreement. I'm providing a very generic explanation; however, should the Association wish to find out what amending and updating the agreement would entail, a board member would need to reach out to me and I could explain further.

Regards,

Christine Verrett

Special Projects Coordinator III

Brevard County Public Works/Engineering

2725 Judge Fran Jamieson Way, Bldg. A, Room 204

Melbourne, FL 32940

321-350-8328

-----Original Message-----

From: Annette Rutkowski <annette3418@icloud.com>

Sent: Friday, July 11, 2025 11:34 AM

To: Verrett, Christine N <Christine.Verrett@brevardfl.gov>

Cc: R Mark <mark1925@me.com>

Subject: Case No. 25CE-00553

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms Verrett:

RE: Case No. 25CE-00553

Address: 5070 Seiler Street, Melbourne Beach FL

We recently received a Notice of Violation, referencing Section 86-67, Brevard County Code ROW-Penalty

Specifically: All shrubs must be placed within property lines indicated on the land survey.

We would like to apply for a right-of-way/easement permit to be considered. Can you please help with this process?

Code enforcement Supervisor is Denny Long.

We have been ordered to appear before Special Magistrate next week. We must be out of town and scrambling to put together some sort of plan to get this worked out.

Thank you,

Annette Armstrong-Rutkowski
321-917-3418

From: Commissioner, D3
d3.commissioner@brevardfl.gov
Subject: RE: 5070 Seiler Street
Date: Aug 15, 2025 at 4:04:54 PM
To: Annette Rutkowski annette3418@icloud.com

Good afternoon,

Thank you for contacting Commissioner Adkinson's office regarding this matter.

The function of the Commissioner's Office is legislative in nature. While I will bring it to Commissioner Adkinson's attention, it is highly unlikely that a compelling policy position would be to permit the unregulated obstruction of County Right-of-Ways. The administration, including enforcement and interpretation of code, is the function of County Staff. Having reviewed records related to the Code Enforcement matter you are referencing, there have been opportunities to address compliance with the assistance of county staff that were not capitalized upon. While the hearing date may be quickly approaching it has been rescheduled to accommodate your availability, and the notice of violation is several months old at this point. The available information does not indicate that there are procedural shortcomings that need to be address by Board action.

Private legal counsel would be able to aid you in the interpretation and application of County Code, particularly if you believe it should differ from the County's actions. Fines do not accrue until after the determination is made by the Special Magistrate. There will also be an opportunity for you to request additional time to address the violation, though this is at the discretion of the Magistrate.

Code enforcement violations, unless they endanger public health and safety, are only responded to as the result of a named complainant contacting Code Enforcement.

Thank you,



Brian Bond, M.P.A., M.S.
Legislative Aide
County Commissioner Kim Adkinson, District 3
PH: (321) 633-2075 * Fax: (321) 633-2196
1311 E. New Haven Ave.

Melbourne, FL 32901

Follow this link to subscribe to County Newsletters, including D3 Commissioner's News and Views:
<https://www.brevardfl.gov/Communications/Subscribe>

From: Annette Rutkowski <annette3418@icloud.com>
Sent: Friday, August 15, 2025 12:50 PM
To: Commissioner, D3 <d3.commissioner@brevardfl.gov>
Subject: 5070 Seiler Street

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

It was a pleasure speaking with the D3 office today. Liz went over and beyond establishing a repour and had helpful knowledge with suggestions moving forward with our Code Enforcement case #25CE-00553.

I have made several attempts to both the Interim Manager Contractor & Code Compliance Planning & Development, Denny Long as well as Ashton Styron, Contractor & Code Compliance Officer II by voice messages and emails without response in preparing for our mandated appearance August 21 with the Special Magistrate. I feel we are in crunch time with our efforts to prepare and without communication with them it is extremely difficult.

What we hope to gain is the knowledge of what specifically is considered an "improvement" under Sec. 86-67 and what specifically defines that term. I have spent time reading through Muni code and coming up empty there with Plantings falling into this category. Then in turn follow through with a valid right-of-way/easement permit as suggested in the same Sec. 86-67. Although, after reaching out to Christine Verrett, Special Projects Coordinator III (Christine.Verrett@brevardfl.gov) requesting a permit was emailed by her with response of "a permit is not an option for a single family residence to allow for plantings to remain in the right-of-way." However, the satisfy the Code Enforcement Officer's sited violation that is the next step in the process.

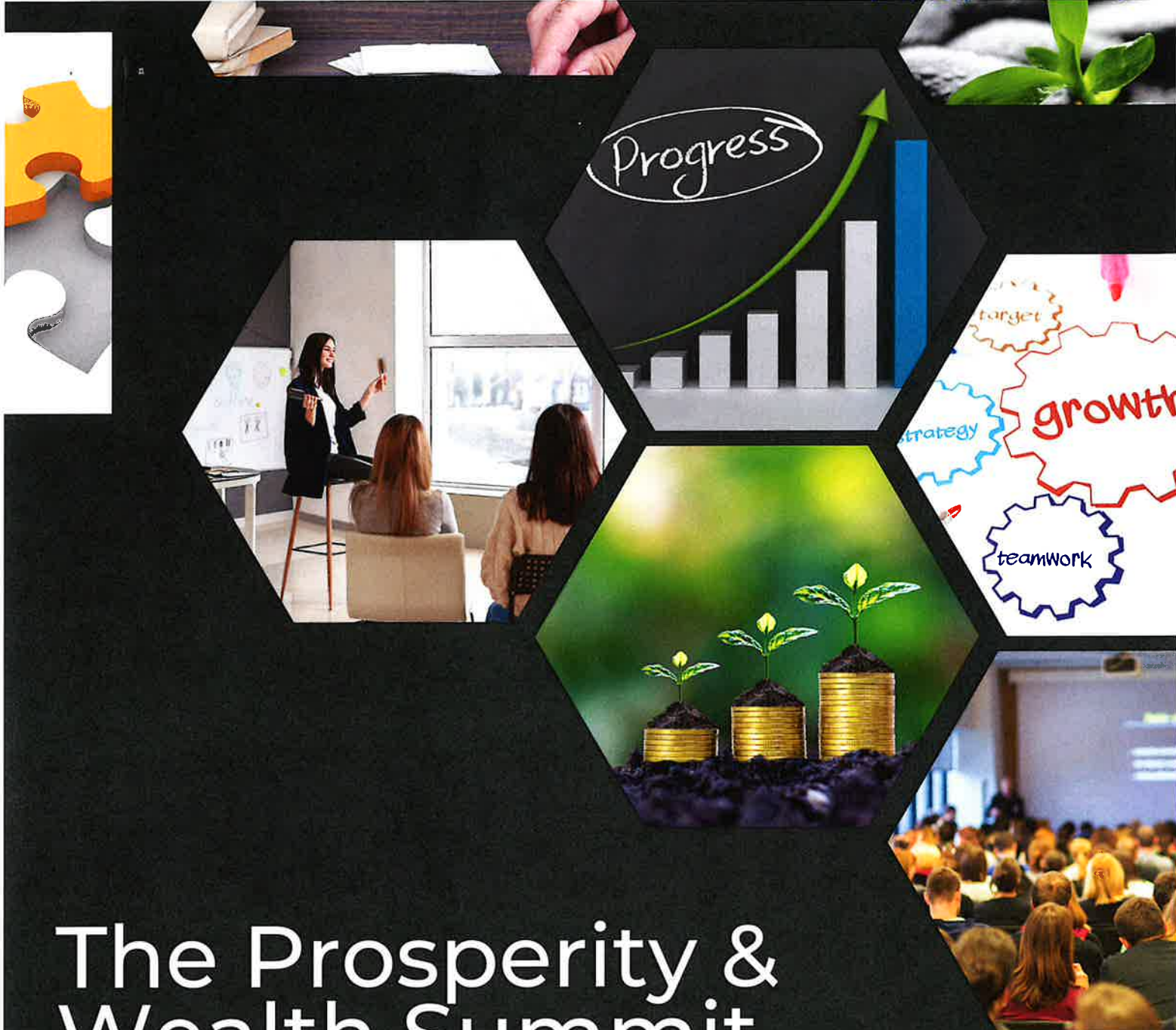
Our biggest concern with this enforcement is that in our neighbor and throughout Brevard

County a very common theme amongst homeowners is that there are plantings along Right of Ways. We have collected 83 homesites within biking distance of our home that have plantings of some kind within 25 feet and if this Code is being so grossly ignored by so many homeowners in Brevard County, why? Is there a misunderstanding somewhere or is it really not a code violation?

We appreciate your attention into this matter as we move forward to raise awareness.

Thank you,

Annette Armstrong - Rutkowski



The Prosperity & Wealth Summit

15 Cities, One Mission: Expanding Wealth Access!

 **IGNITE!**

Summit Overview

The Prosperity & Wealth Summit is a high-impact, multi-city initiative focused on expanding access to wealth in rural and distressed communities.

Taking place October 19, 2025, this transformation lab will be hosted simultaneously in 15 cities across the U.S., offering practical strategies to create lasting prosperity for businesses, families, and local communities.

2025 Prosperity and Wealth Summit features:

Day I: Financial Health Community Event

An empowering afternoon of expert insights, free resources, and practical tools to help build wealth and well-being, featuring a powerful keynote by Dr. LaTanya White on Dynastic Wealth, engaging panel showcase, and hands-on Financial Health Fair.

Day II: "Funding, Acquisitions, Sales & Wealth" Small Business Intensive

A full-day intensive for entrepreneurs to access capital, grow revenue, and explore acquisitions - launching our monthly series of masterclasses, hands-on labs, and investment clubs designed to build, protect, and grow net worth.

We invite you to partner with IGNITE! as a local sponsor of this impactful initiative.

Your support will help bridge critical gaps in capital access, financial health, and professional networks - challenges that disproportionately affect rural and distressed communities.

Hosted in 15 cities, the Summit offers free admission, meals, and local expert-led panel showcases, connecting families and small business owners to tools that build, protect, and increase wealth.

More than a sponsorship, your involvement is a public commitment to economic equity, small business capacity building, and shared prosperity!

Together, we can shift the trajectory of small businesses, their families, and local communities.

Please see the enclosed sponsorship deck and event agenda for more details.

Contact:

Torin Darling Brazzle
Founder, CEO and President
(334) 462-8492 | torin@ignitecentral.org

2025 WEALTH CITIES

The following cities have confirmed nationwide participation, offering free admission, meals, and expert-led local panel showcases designed to connect families and small business owners with tools to build, protect, and grow wealth:

- Atlanta, Georgia
- Birmingham, Alabama
- Chicago, Illinois
- Cleveland, Ohio
- Dallas, Texas
- Detroit, Michigan
- Houston, Texas
- Memphis, Tennessee
- Millbrook, Alabama
- Philadelphia, Pennsylvania
- PG County, Maryland
- Rockledge, Florida
- San Diego, California
- Tuskegee, Alabama
- Winston-Salem, North Carolina

Contact:

Torin Darling Brazzle

Founder, CEO and President

(334) 462-8492 | torin@ignitecentral.org

Day I: Financial Health Community Event

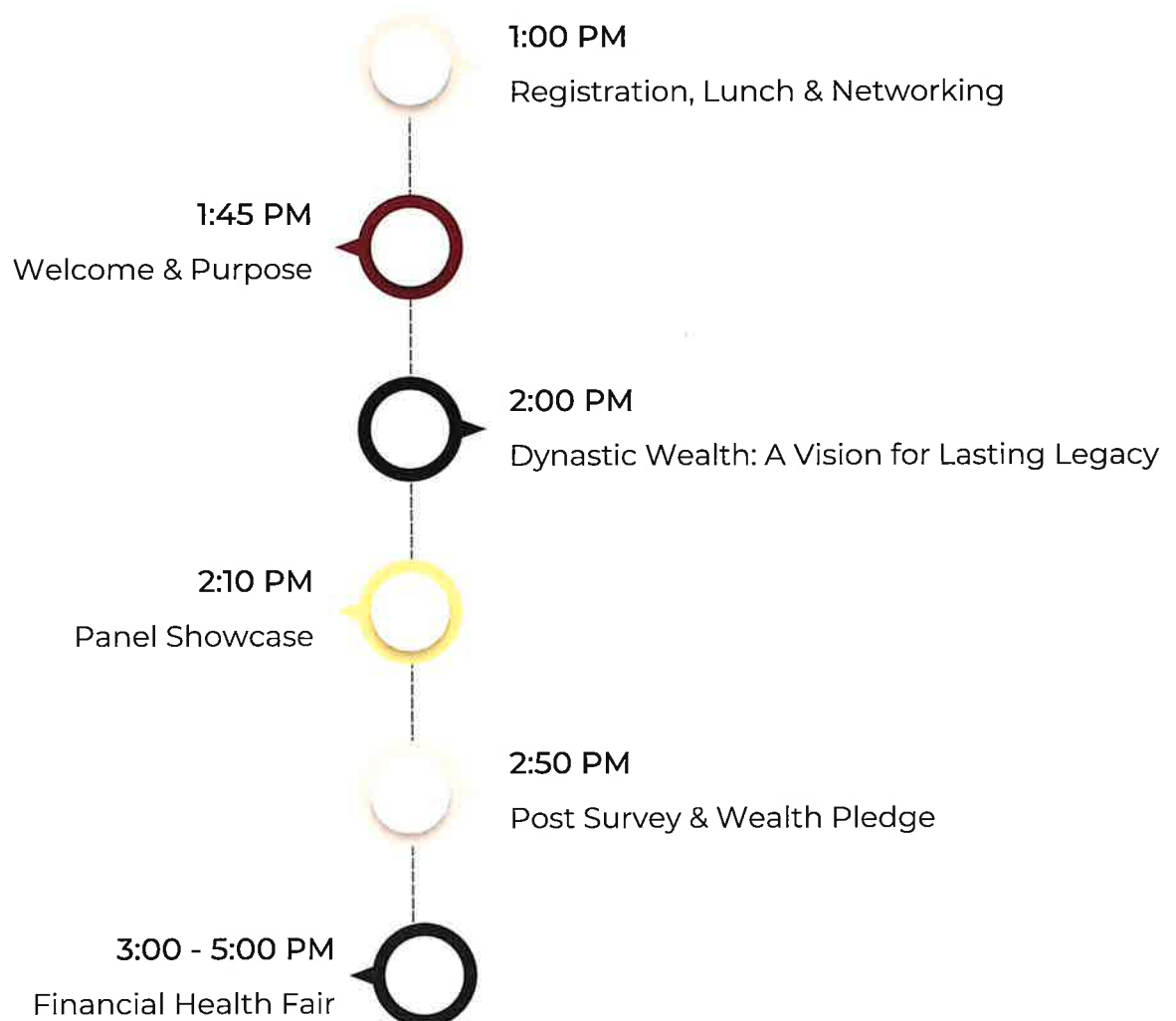
Date: Sunday, October 19, 2025

Time: 2:00 P.M. - 5:00 P.M. EST

Location: 15 Cities Nationwide

Overview: An empowering afternoon of expert insights, free resources, and practical tools to help build wealth and well-being, featuring a powerful keynote by Dr. LaTanya White on Dynastic Wealth, an engaging panel showcase, and a hands-on Financial Health Fair.

AGENDA



Day I - Panel Discussion & Financial Health Fair

Panel Discussion:

- Acquisitions & Franchising
- Credit
- Commercial Real Estate
- Entrepreneurship
- Estate Planning
- Health (Emotional)
- Health (Physical)
- Homeownership
- Insurance
- Investments
- Student Loans & Alternatives
- Civic Responsibilities

Financial Health Fair:

- Banks & CDFIs
- Business Support Organizations
- Credit Repair & Budgeting Support
- Health Screenings
- Homeownership Program Registration
- Insurance Consultations
- Pro-Bono Lawyers & Notaries to help with Estate Planning
- Student Loan Support & College Planning
- Tax Prep & Planning Services
- Voter Registration



Day II: Small Business Intensive

Date: Saturday, November 15, 2025

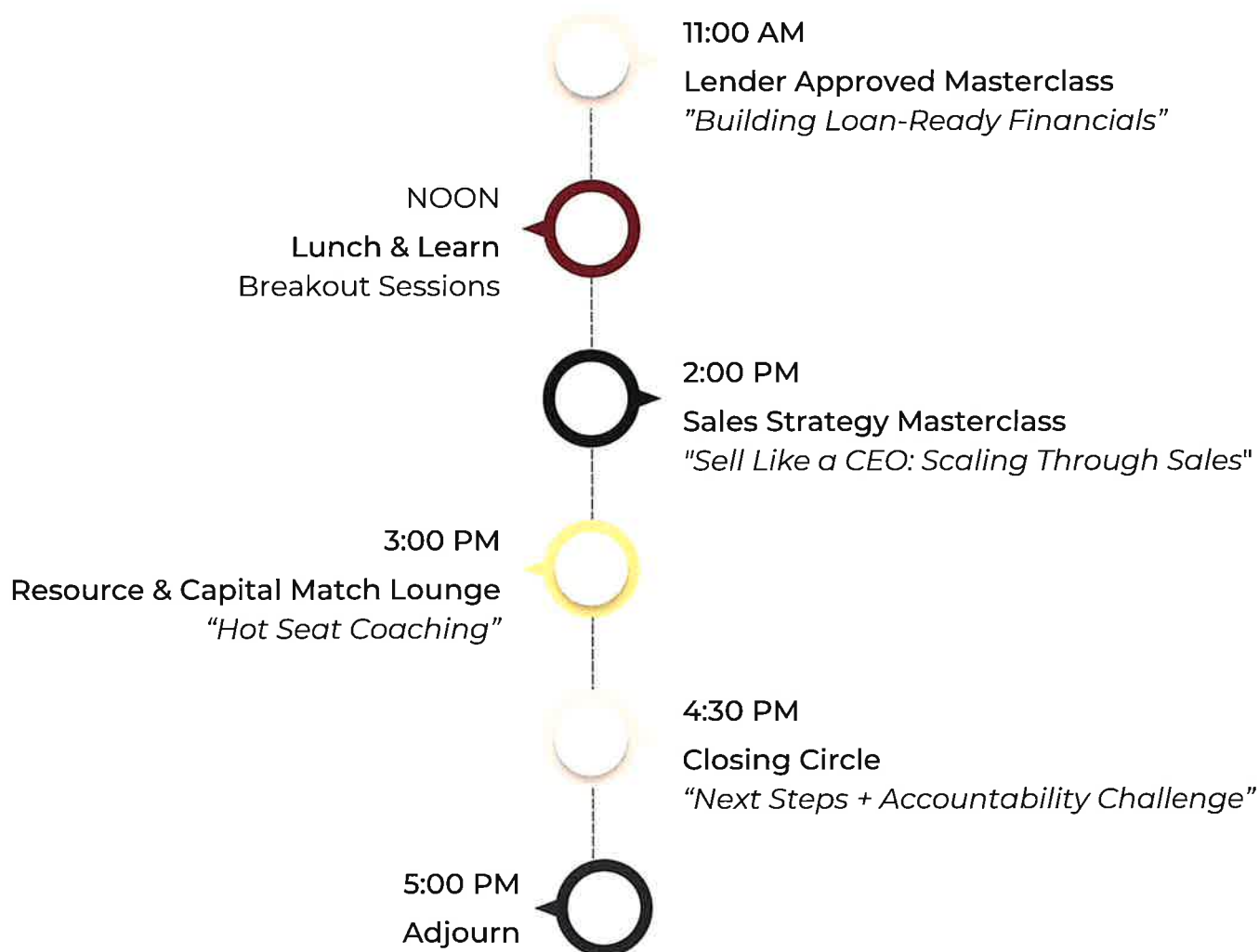
Time: 11:00 A.M. - 5:00 P.M. EST

Location: HYBRID - 15 Cities Nationwide

Overview: This full-day Small Business Intensive, focused on Funding, Acquisitions, Sales, and Wealth Strategies, is built for serious entrepreneurs ready to shift from hustle to high-growth.

Through practical sessions and real-time coaching, participants will learn:

- Importance of becoming bankable and ready to access capital
- Explore business acquisition as a strategic growth pathway
- Build a sales system that creates consistent, predictable revenue



Day II - Session Details

Opening Session: Lender-Approved *"Building Loan-Ready Financials"*

A candid fireside chat with a banker and entrepreneur on what it means to be capital-ready, followed by a practical look at the key financials lenders care about — cash flow, profit margins, debt coverage, and red flags.

Attendees will learn why true wealth comes from leveraging other people's money — not just your own.

Breakout Session - Option I: Small Business Foundations

"Before the Capital: How to Structure a Business Worth Funding"

This session lays the groundwork for funding success by helping entrepreneurs sharpen their business model, clarify their offer, align internal systems, and build a trustworthy team.

Breakout Session II: *"Profit to Prosperity: Advanced Strategies for Wealth Growth"*

You've built a successful business — now make your money work for you!

This session explores smart investments, tax strategies, and wealth-building tactics to help you grow, protect, and pass on your prosperity.

Breakout Session - Option III: Acquisitions and Employee Ownership

"Don't Start from Scratch: Buy a Business or Build Shared Ownership"

Explore how acquiring a profitable, cash-flowing business can accelerate your growth. Learn about employee ownership models including ESOPs and worker cooperatives as tools for sustainable succession and wealth-building.

Sales Strategy Masterclass *"Sell Like a CEO: Scaling Through Sales"*

Learn how to package and price your services, develop a sales system, and close confidently.

Resource & Capital Match Lounge *"Hot Seat Coaching"*

Wrap up with rapid-fire 1:1 coaching in a speed-dating format. Meet with lenders, advisors, and coaches for real-time feedback, funding tips, and actionable next steps.

Local Nonprofit Partner Sponsorship Tiers

Community Impact Partner \$5,000	Supporting Partner \$2,500	Community Ally Partner \$500
"Community Impact Partner" designation in event materials	"Supporting Partner" designation in event materials	"Community Ally Partner" recognition in event materials
Participation in a breakout session or panel showcase	Logo placement on event website, digital program, and select signage	Logo display on event shared sponsor board
Logo visibility on event signage, website, and digital program	Branded vendor table at the financial health fair	Vendor table at the financial health fair
Branded vendor table for attendee engagement	Opportunity to distribute promotional materials or giveaways	Opportunity to distribute promotional materials or giveaways
Sunday Sip-N-Sort exposure + volunteer engagement	Sunday Sip-N-Sort exposure + volunteer engagement	Group recognition in email newsletter
Inclusion in social media feature posts, press release, and email blasts inclusion	Recognition in group social media posts and email blasts	Post-event recognition in thank-you communications
VIP networking mixer access with business and community leaders	Post-event thank you mention in follow-up communications	
Post-event recognition in impact report & social recap		

Reserve An Exclusive Position for Your Company Today!

Contact Torin Darling Brazzle

Founder, CEO and President

(334) 462-8492 | torin@ignitecentral.org