

Meeting Date
September 16, 2014



AGENDA	
Section	Consent
Item No.	II.C.5

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	BOARD CONSIDERATION RE: REQUEST FOR REDUCTION OF FINE AND RELEASE OF CODE ENFORCEMENT LIEN FOR WENDY SHEAFFER AND DANIEL DENNIS, MELBOURNE (DISTRICT 5) FY14 FISCAL IMPACT - \$17,014 FINE/\$14,014 REDUCTION/\$3,000 PAYMENT DUE
DEPT/OFFICE:	Central Services Office/Clerk to the Special Magistrate/for Planning and Development

Requested Action:
It is requested that the Board consider the Special Magistrate's recommendation to reduce the accrued fine for the violation at 448 Thomas Dr., Melbourne, FL 32935; Case 11CE-01040 (06-0825), from \$17,014 to \$3,000 and direct staff to prepare and execute a release and satisfaction of lien upon receipt of payment.

Summary Explanation & Background:
On August 21, 2014, the Code Enforcement Special Magistrate, upon petition of new owner, Wendy Sheaffer, reviewed the basis for reduction of the fine, heard testimony from Wendy Sheaffer and the County, and reviewed the Minutes and other documents from the original hearing.

This cause initially came on for public hearing before the Code Enforcement Special Magistrate on 05/18/06 after due notice to William Louis Dennis, who owned the property at the time. The violation was for residential maintenance, junk/abandoned vehicle and parking and storing recreational vehicles. The Special Magistrate heard testimony under oath, received evidence, and issued his Findings of Fact, Conclusions of Law and Order, and thereupon issued his oral Order which was reduced to writing and furnished to the Respondent.

This case was brought back to the Special Magistrate on 10/18/07 because the Respondent did not timely comply with the Special Magistrate's Order and the fine was imposed as a lien. The Special Magistrate's Order found the Respondent to have the violation and the fine was accruing at a rate of \$25 per day. The fine accrued retroactively, beginning 08/16/06 to compliance date of 7/18/14, to the maximum total of \$17,014. An Order Imposing Administrative Fine and/or Costs as Lien was filed against the property and upon any other real or personal property owned by the Respondents, William Louis Dennis, and recorded in the official records of Brevard County, Book 5819 Page 6290.

Testimony and evidence presented by Wendy Sheaffer was that she did not incur the violation, inherited the property from her deceased former husband, and cleaned the property promptly upon learning of the violation.

Findings: After hearing testimony from all parties involved, the Special Magistrate recommended a reduction of the fine from \$17,014 to \$3,000. This reduction is contingent upon payment being made within 30 days of the date that the Board of County Commissioners renders a decision approving the Special Magistrate's recommendation, with an option for the establishment of a payment plan to be created within 30 days of the date that the Board renders its decision and paid accordingly. If the reduced amount is not paid by the above time-frame, the accrued fine will revert to the original amount due, less payments received. Total actual costs are \$2,063 of which enforcement costs of \$711 have been paid.

Clerk to the Board Instructions: N/A

Exhibits Attached: Exhibits Attached: Findings and Recommendation of the Special Magistrate, Reduction Factor Worksheet, Request for Reduction of Penalty, CAP Report, and copy of Property Appraiser's screen, actual costs worksheet

Contract /Agreement (If attached):		Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>	PR <input type="checkbox"/>
County Manager	Assistant County Manager, Mel Scott	Department Director / Extension Robin M. Sobrino, AICP, Director, Planning & Development Dept.			
Stockton Whitten	Assistant County Manager, Venetta Valdengo	Teresa Camarata, Director, Central Services Dept.			



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

September 17, 2014

MEMORANDUM

TO: Robin Sobrino, Planning and Development Director

RE: Item II.C.5., Request for Reduction of Fine and Release of Code Enforcement Lien for Wendy Sheaffer and Daniel Dennis

The Board of County Commissioners, in regular session on September 16, 2014, approved the Special Magistrate's recommendation to reduce the accrued fine for the violation at 448 Thomas Drive, Melbourne, Florida 32935, Case No. 11CE-01040 (06-0825), from \$17,014 to \$3,000; and directed staff to prepare and execute a release and satisfaction of lien upon receipt of payment.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

cc: Finance
Budget
Central Services Director
Clerk to the Special Magistrate

CODE ENFORCEMENT SPECIAL MAGISTRATE
BREVARD COUNTY, FLORIDA

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
a political subdivision of the State of Florida,
Petitioner,

CASE NUMBER: 11CE-01040
(Previously cited as 06-0825)

Property Address: 448 THOMAS DR, MELBOURNE FL 32935
(D-5)

vs.

WILLIAM LOUIS DENNIS, Previous Owner,
WENDY SHEAFFER and DANIEL DENNIS, New Owners,
Respondent(s)

FINDINGS AND RECOMMENDATION TO
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

Upon petition of WENDY SHEAFFER, the Code Enforcement Special Magistrate, on 8/21/2014, reviewed the basis for reduction of the accrued fine stated in the Request for Reduction Application provided by WENDY SHEAFFER, heard testimony from WENDY SHEAFFER and the County; reviewed the Minutes and other documents from the original hearing, and being fully advised finds:

I. FACTS

1. This cause came on for public hearing before the Code Enforcement Special Magistrate on 5/18/2006 after due notice to the Respondent, WILLIAM LOUIS DENNIS, at which time the Code Enforcement Special Magistrate heard testimony under oath, received evidence, and thereupon issued his oral Order which was reduced to writing and furnished to the Respondent. Findings of Fact, Conclusions of Law and Order For Initial, Recurring and/or Repeat Violation recorded in the official records of Brevard County Book 5647, Page 8738.

2. Said order required the Respondent to take certain corrective action for the RECURRING violation by 8/16/2006, and in the event the violation is not corrected by the specified time a fine of \$25.00 per day will be imposed. Accordingly, it was brought to the Code Enforcement Special Magistrate's attention on 10/18/2007 that the Respondent did not comply with the Special Magistrate's Order, and an Order Imposing Administrative Fine and/or Costs as Lien was filed against the property and upon any other real or personal property owned by the Respondent WILLIAM LOUIS DENNIS, and recorded in the official records of Brevard County, Book 5819 at Page 6290.

3. A re-inspection on 7/18/2014 revealed the corrective action ordered by the Code Enforcement Special Magistrate was completed and the inspecting officer filed an Affidavit of Late Compliance. The fine accrued to the maximum \$17,014.00.

4. Testimony and evidence was presented by WENDY SHEAFFER, stating:

Respondent inherited property from deceased former husband

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5. Testimony was received from the County stating:

- a) The County objects to the request for reduction **OR**
 The County acknowledges the Special Magistrate's authority to recommend a fine reduction pursuant to Board policy.

b) _____

II. FINDINGS

The Special Magistrate weighing the severity of the violations of Residential Maintenance, Junk/Abandoned Vehicle and Parking/Storing Recreational Vehicles.

Mitigating factors to reduce to \$3,000

All of above factors support ~~do~~ ~~do not~~ support a recommendation of reduction of the accrued fine.

III. RECOMMENDATION

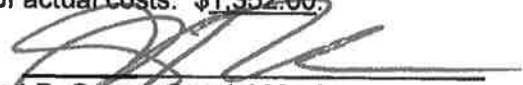
1. Based upon the foregoing factors, the request is DENIED.

OR

1. Based upon the foregoing factors, which in total weigh in favor of reduction of the accrued fine, the Special Magistrate recommends reduction of the accrued fine in the amount of \$17,014.00 to the reduced sum of \$ 3000.00, contingent upon:


- a. Payment within 20 days of the date the Board of County Commissioners renders a decision approving the Special Magistrate's recommendation.
- b. With an option for the establishment of a payment plan which must be created within 30 days of the date of the Board of County Commissioners rendered decision, and payment plan timely paid accordingly.
- c. If reduced amount is not paid by the above time frame(s) as specified, the accrued fine will revert to the original amount due, less payments received.
- d. The actual costs total: \$2,063.00 Enforcement costs in the amount of \$711.00 have been paid. Balance of actual costs: \$1,352.00.

Dated August 21, 2014.


Stewart B. Capps, Special Magistrate
Code Enforcement

You have a right to appeal a final administrative Order to the 18th Circuit Court for Brevard County within a period of 30 days in accordance with Brevard County Code Section 2-178.

I HEREBY CERTIFY that a true and correct copy of this Order has been mailed First Class Mail to Wendy Sheaffer and Daniel Dennis, 330 Alder Avenue SE, Palm Bay, FL 32909 on 8/22/14.


Clerk to the Special Magistrate

Mail payment to: Brevard County Code Enforcement, 2725 Judge Fran Jamieson Way, Bldg A 103, Viera, FL 32940

CODE ENFORCEMENT SPECIAL MAGISTRATE
BREVARD COUNTY, FLORIDA

Special Magistrate Hearing: Thursday, 8/21/14 9:00 a.m.,
Bldg C, 2nd Floor Space Coast Room, Viera, FL 32940
FAX COMPLETED FORM TO: 321-633-2167
Mail original to: Brevard County Code Enforcement, 2725
Judge Fran Jamieson Way, Bldg A 103, Viera, FL 32940
DUE ON OR BEFORE: ASAP

Case No. 11CE-01040 (06-0825)

Property Address: 448 THOMAS DR, MELBOURNE 32935

Owner's Name: WILLIAM DENNIS (Previous); WENDY SHEAFFER and DANIEL DENNIS, (New Owners)

**REQUEST FOR REDUCTION OF PENALTY and
RECOMMENDATION TO BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**
**(Consider this document your Notice of Hearing-No other notice will be sent for this request
*THIS IS A 2-STEP PROCESS)**

BY COMPLETING THIS FORM, YOU ARE MAKING STATEMENTS UNDER OATH. FAILURE TO BE TRUTHFUL IS A VIOLATION OF FLORIDA STATUTES PERTAINING TO PERJURY, WHICH IS A FELONY PUNISHABLE BY UP TO 15 YEARS IMPRISONMENT.

INSTRUCTIONS: Please review and complete the entire package. Failure to provide complete information will delay consideration of your request. Enforcement Costs must be paid prior to scheduling case for hearing and are not eligible for reduction. Be specific when writing your statement. Please return this form to the Special Projects Coordinator in Code Enforcement prior to the above deadline. The Request will then be scheduled for the next available Special Magistrate hearing and before the Board of County Commissioners thereafter. You must be present at the meetings. If you are claiming medical or financial hardship, attach supporting documentation. If you have any questions, please call Angela or Dave at (321) 633-2086, option 2.

Property Owner's Name: WENDY SHEAFFER and DANIEL DENNIS

Property Owner's Mailing Address: 330 ALDER AVE SE, PALM BAY, FL 32909

Phone Number where you can be reached during the day: 321-338-0509 / 722-1414

STATUS OF PROPERTY AS OF INSPECTION MADE BY Brian Lock ON 7/18/2014

VIOLATION of: Sections 94-48 and 94-311(Initial), and 62-2117 (Recurring) Brevard County Code, Residential Maintenance, Junk/Abandoned Vehicle and Parking/Storing Recreational Vehicles

Violation heard on 5/18/2006; fine ordered to accrue at \$25.00 per day from 8/16/06 until compliance; the fine accrued to maximum 35% = \$17,014.00; Fine imposed as lien by Special Magistrate on 10/18/2007.

Enforcement costs in the amount of \$711.00 were paid on 3/28/2014.

If the property owner is unable to complete this form, list the name of the person who completed the form and is authorized to act for the Property Owner and their relationship to the property owner.

REDUCTION FACTOR WORKSHEET

THIS WORKSHEET MUST BE COMPLETED AS PART OF THE APPLICATION PROCESS

CASE #11CE-01040 (06-0825)

A. Extenuating Circumstances? Circle any that apply.

- 1) The applicant did not have the resource to comply
- 2) The applicant had a financial hardship
- 3) The applicant had a medical hardship
- ④ The applicant was experiencing hard times or was a victim of circumstances.
Explain: was a victim of circumstances, I inherited property back from exhusband (William Dennis) after his death on March 6th 2014
- 5) There were technical and/or procedural issues with the case
- ⑥ The applicant did not have authority to make corrections (i.e., other legal action pending)
- 7) The required corrections were complex in nature
- 8) The applicant's age prevented timely compliance
- 9) The applicant experienced a language barrier

B. Nature of the violation.

- 1) Heightened health, safety, welfare concern Yes/No
- 2) The amount of time to correct
 - a) 1-60 days
 - b) 61-120 days
 - ③ c) Over 120 days
- 3) Degree of responsibility the applicant contributed to the delay in compliance
 - ① a) None
 - b) Somewhat
 - c) Complete
- 4) The applicant's level of cooperation with code enforcement
 - a) None
 - b) Somewhat
 - ③ c) Complete
- 5) Did the applicant ever request an extension of the compliance date?
Yes ___ was it granted ___ denied ___ None requested ✓
- 6) If yes, how many extensions were granted? _____

C. What type of interest does the applicant have on the property?

- 1) Considering acquiring the property
- 2) Foreclosure/Tax Deed Sale
- 3) Inherited property
- ④ 4) Acquired property from the violator
- 5) The applicant was the owner when the violation occurred

D. Financial beneficiary of the fine reduction

- 1) Violator
- ② 2) New owner who corrected violation
- 3) _____



Original Fine \$17,014.00

Recommend Reduction to \$ ②
(please enter amount)

MAKE CERTAIN THAT THIS FORM AND ANY ATTACHMENTS COMPLETELY SET FORTH YOUR POSITION. YOU MUST BE PRESENT TO ANSWER ANY QUESTIONS THE SPECIAL MAGISTRATE MAY HAVE.

I, Wendy Sheaffer, do hereby submit this Request for Reduction of Penalty, and in support offer the following statement:

I inherited property back (as of divorced statement) from my exhusband when he past away on march 6th 2014. as of that date I had not been on said property in twenty years. Since I took over ownership, I have cleaned all of the violations up. I am hoping to clean the house up and put my son in the home where he grew up.

Date: 8-1-14

Signed: Wendy Sheaffer

STATE OF FLORIDA
COUNTY OF BREVARD

PERSONALLY appeared before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, Wendy Sheaffer, who first being duly sworn, acknowledged before me that the information contained herein is true and correct. He/she is not personally known to me and has produced a Florida driver's license as identification and did take an oath.

Date: 8/1/2014

Notary Public: A. Damba-Martling



A. DAMBA-MARTLING
MY COMMISSION # FF 113608
EXPIRES: July 31, 2018
Oueded Thru Budget Notary Services

**Brevard County Code Enforcement
Case Application (CAP) Report**

CAP#: 11CE-01040

Date Complaint Received:

Related CAP's:

Case Status: Order

Officer/Inspector:

Subject Property Information:

*Parcel ID #: Twn. 27 Rg. 37 Sec. 18 Sub. 06 Blk: Lot 27
Address: 448 THOMAS DR MELBOURNE FL 32935*

Complaint:

Cited Violation(s):

Comments:

ViewID Comment(s):

Comply Case # 06-0825

CSM Public Hearing Date: 05/18/2006

Previous Officer: George Wolfe

Ordered Compliance Date: 08/16/2006

Post-Hearing Inspection Results: Still in Violation

**VIOLATIONS REMAIN ACTIVE: RESIDENTIAL MAINTENANCE,
PARKING/STORING RVs, JUNK VEHICLES/VESSEL**

Fine Accrued at \$25/day to 35% maximum amount of \$17,014.00;

Enforcement Cost Assessed in the amount of \$711.00 remain due.

Findings of Fact, Conclusions of Law & Order for Initial, RECURRING, and/or Repeat

Violation recorded in official records, Book 5647 Page 8738;

Imposition Hearing Date: 10/18/2007;

Order Imposing Administrative Fine/Lien recorded in official records, Book 5819 Page 6290;
cc.

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3-30-12: Mark Herold, reassignment.

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6 November CASE REASSIGNMENT:

Assigned to Officer BRIAN LOCK.cc

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3/7/14: Wendy (Dennis) Sheaffer came into the office stating the property was to become hers once her ex-husband passed. She stated William Dennis passed yesterday and she wanted to know the outstanding liens on the property. Provided payoff of fines and costs of \$307 for 11CE-01279 (99-0869) and fines and costs of \$17,725 for 11CE-01040 (06-0825). Discussed the violation remains active, contact CEO Brian Lock to discuss/schedule inspection, enforcement costs must be paid and the recommendation for reduction process was explained.
adm

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3/27/14: Returned telephone call (2) to Wendy Schaffer (338-0509/722-1414) regarding paying costs for cases 11CE-01040 and 11CE-01279. Message left for payment of costs and fine \$306 for 11CE-01279 and \$711 for 11CE-01040 and violations remain active. adm

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3/28/14: Received payment of \$711, Discover credit card, for enforcement costs. Fine imposed and maxed (\$17,014), however, violation remains active. Once in compliance, case will be scheduled for recommendation. New owner, Wendy Sheaffer, met with CEO Lock to review file.
adm

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ViewID Comment(s):

***INSPECTION/VIOLATIONS CORRECTED.**

Officer Supplement: On Friday 07/18/2014 at 2:22 p.m., CEO Lock performed an inspection at the request of the property owner. CEO Lock observed that the junk vehicles, recreational vehicles, trash and debris had been removed from the property. CEO Lock notified Special Projects Coordinator Angela Damm-Martling of the compliance via telephone. Photographs were taken.

7/29/14: Returned telephone call (voicemail from Friday, 7/25/14) to Wendy Shafer-722-1414/388-0509. adm

8/1/14: Affidavit of Late Compliance prepared, Application for Request for Recommendation prepared for 8/21/14, telephone call to Ms. Shaffer, appointment scheduled for today to complete application. adm

8/1/14: Application complete and informed of appearance requirements, 2-step process. adm

CSM 08/21/14 COMPLY #: 06-0825

Wendy Sheaffer, new owner, was present and stated she is the ex-wife of the Respondent who died 03/06/14. She inherited the property and has not been on it for 20 years. It is not livable. She wants to fix the property and put her son in the house where he grew up. She cleaned up the property and did not incur the violation.

Brian Lock, CEO, was present.

The Special Magistrate makes the recommendation to the Board of County Commissioners that the fine which has accrued to \$17,014.00 in this case be reduced to \$3,000, contingent upon: payment within 30 days of the date the BOCC render a decision approving the Special Magistrate's recommendation; with an option for the establishment of a payment plan which must be created within 30 days of the date of the BOCC rendered decision and payment plan timely paid accordingly; if reduced amount is not paid by the above time-frame as specified, the accrued fine will revert to the original amount due, less payments received; the actual costs total: \$2,063. Enforcement costs in the amount of \$711.00 have been paid. Balance of actual costs: \$1,352.00, and the lien be released upon payment of the reduced amount.

8/25/14: Received telephone call from Ms. Schaeffer regarding date of BOCC, informed letter should be forthcoming from Clerk. adm

CSM 08/21/14 Addition: This will be tentatively set for September 16, 2014 with due date to Sally of September 2, 2014.

ViewID Comment(s):

8/25/14: Telephone call to Ms. Shaeffer informing of tentative BOCC date of 9/16/14 after receipt of e-mail from Clerk. adm.

8/25/14: Agenda attachments prepared and provided to Clerk to Special Magistrate in preparation for Board of County Commissioner Meeting tentatively scheduled for September 16, 2014. Note: this case is in District 4, not District 5 as reflected on the Findings and Recommendation. adm.

Property Owner Information:

Name	Address	City	State	ZIP	Phone
WILLIAM LOUIS DENNIS	448 THOMAS DR	MELBOURNE	FL	32935	(321)259-3372

Complainant Information:

Name	Address	City	State	ZIP	Phone
Mark Lowery	456 Thomas Dr	Melbourne	FL	32935	(321)254-2064

Other Contact Information:

Name	BusinessName	Address	City	State	ZIP	Phone
Wendy Sheaffer and Daniel Dennis		330 Alder Avenue SE	Palm Bay	FL	32909	(321)338-0509

Brevard County Code Enforcement
ACTION FILE RECAP

11CE-01040

ACTION FILE #: 06-0825

STATUS: ACTIVE

DESCRIPTION: Tow truck on driveway, possible 2 junk vehicles (trucks), scrap metal, motor vehicles tires, used auto parts, etc. possibly running business from home.

.....OCCUPANT/LOCATION.....PROPERTY OWNER.....ORIGINAL COMPLAINANT.....
448 Thomas Dr	William L. Dennis	Mark Lowery
Melbourne, FL 32935	448 Thomas Street	456 Thomas Dr.
	Melbourne, FL 32935	Melbourne, FL 32935

LOT/BLOCK/SUBDIV:	/ /	C/O:	SOURCE: CIT
LEGAL DES	27-37-18-06- . - 27.	(321) 259-3372	(321) 254-2064
DISTRICT:	4 ZONING: RU1-11		
BOOK/PAGE/MAP:	/ /		
LEGAL DESCRIPTION: NO DESCRIPTION ON FILE			

VIOLATION SUMMARY

COMPLIED	UNIT	LOCTN	REMEDY	VIOLATION
/ /			CMPL	Residential Maintenance INSPECTOR: 81 - George Wolfe
/ /			CMPL	DONT USE-Parking/Storage RVs/Equip./Trailers/Boats INSPECTOR: 81 - George Wolfe Subsection : c9
/ /			CMPL	Do Not Use Junk Vehicle/Vessel INSPECTOR: 81 - George Wolfe
03/07/2006			CMPL	Sec 62-1340 Uses-Single Family Residential RU-1-11 INSPECTOR: 81 - George Wolfe
/ /				County's Cost INSPECTOR: 002 - Pat Doyle, Adm Support Supvr
/ /				Outstanding SM Fine INSPECTOR: 81 - George Wolfe
/ /				Lien Filed in Special Master INSPECTOR: 002 - Pat Doyle, Adm Support Supvr

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
03/03/2006	81	Comments	Residential Maintenance	Comment
03/03/2006	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
03/03/2006	81	Comments	Do Not Use Junk Vehicle/Vessel	Comment
03/03/2006	81	Comments	Sec 62-1340 Uses-Single Family Re	Comment
<p>COMMENTS: This report relates to a citizen complaint of a tow truck on the property, scrap metal pieces, junk vehicles, auto parts, etc., and possibly running a business from the home at 448 Thomas Dr. in Melbourne.</p> <p>On Thursday, 03/02/06, Reporting Officer (RO) George Wolfe spoke with Code Enforcement Supervisor Wanda Scanes, in response to a note she had attached to this case requesting that I do so. Wanda wanted to inform me that the complainant had requested that I call him before my initial inspection. Additionally, there are photographs, and a notarized letter from the complainant, which are attached to this complaint, which we also discussed.</p> <p>On 03/03/06 at 8:45 am, I called the complainant. He was not available. I spoke with his wife and informed her that I would initially inspect the subject property on Monday, 03/06/06. I requested that she inform her husband, and also requested that they call me with any additional questions.</p> <p>Case pending.</p>				
03/06/2006	81	Comments	Residential Maintenance	Comment
<p>COMMENTS: Officer supplemental: On Monday, 03/06/06, RO inspected the subject property. There were several trailers parked on the front of the property. Auto parts, building materials, bicycles, unknown items under tarps, airhoses, and what appeared to be tools were stored on the driveway, front porch, side yard, and front yard areas. There were also pieces of metal, and other items sticking up above the wooden fence surrounding the rear yard area. In addition, there was a properly tagged Ford Torino in the driveway, and a green Ford pick up truck partially hidden by a wooden fence in front of the home. Photos were taken. A tow truck was not seen. I attempted to contact the resident, without success. A doorhanger was left requesting contact, listing the violations, and giving a 7 day compliance date.</p> <p>On Tuesday, 03/07/06, RO spoke with Mr. Dennis, the property owner (321-259-3372). I explained the complaint, and what must be done to comply the violations. Mr. Dennis stated that both the green pick up truck and the Ford Torino operated. He stated that he would begin clean up of the property, but felt that 7 days would not be enough time to complete the clean up. I extended the compliance date to 21 days from receipt of his Field Notice of Violation (FNOV). I explained that if he was showing signs of attempting to reach compliance, I would speak with my Supervisor to attempt to get him additional time to comply. I scheduled a meeting with Mr. Dennis for 03/08/06 at 7:15</p>				

AM. I will issue him a FNOV and give him copies of the codes, as well as point out the violations to him at that time.

Case pending.

03/07/2006

81

Field NOV

Residential Maintenance

Fail To Comply

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
03/07/2006	81	Field NOV	DONT USE-Parking/Storage RVs/Equi	Comment
03/07/2006	81	Field NOV	Do Not Use Junk Vehicle/Vessel	Comment
03/07/2006	81	Field NOV	Sec 62-1340 Uses-Single Family Re	Complied

COMMENTS: Officer supplemental: On Wednesday, 03/08/06 at 7:15 am, RO met with Mr. Dennis. A Field Notice of Violation (FNOV) was issued for non-compliance of Brevard County Code 94-48 (property maintenance). There was a tow truck parked in the driveway. I did not cite for this because the code now allows tow trucks to be stored on the property. I did explain to Mr. Dennis that the truck could not be stored in the driveway, but must be stored behind a 6 foot fence, behind the front building line of the house. Mr. Dennis has such a fence, and stated that he will store the truck behind it in the future. The black truck was demonstrated to operate. The white Torino needed no demonstration. The green pick up truck was blocked in so it could not be demonstrated at this time. However, this truck has been demonstrated to this officer in the past. Mr. Dennis stated that he would demonstrate it again, as soon as he can get the items blocking it removed.

I explained the storage code for junk vehicles, and storage of trailers, tow trucks and commercial vehicles. I also explained the property maintenance code, and the need to keep his property to the same, or similar, standards as the other properties in the neighborhood. I explained that the open storage of building materials, auto parts, scrap metal, etc. was not permitted under the code. (The photos of the rear yard area were shown to Mr. Dennis as a part of the discussion.) And, that these types of things must be stored inside a structure.

A compliance date of 21 days was given, with the understanding that if additional time was required a substantial step toward compliance must be shown. I would then approach my supervisor for an allowance of additional compliance time. It is this officer's opinion that, due to the large amount of improperly stored items on the property, additional time will most likely be required.

The issue of operating a business from the home was also discussed. Mr. Dennis stated that he did not operate a business from the home. In the times that this officer has driven past this house, over the last 2 years or so, I have not observed anything that would point toward a business operation from this property.

Case pending.

03/29/2006	81	Comments	Residential Maintenance	Comment
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Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED INSPTR VISIT DESCRIPTION VIOLATION RESULT

COMMENTS: Officer supplemental: On Wednesday, 03/29/06, RO went to the property and spoke with Mr. Dennis, the property owner. He was in the process of working on the clean up of the property, but was not in compliance, or ready to demonstrate the green pick up truck. He requested that I come back on Friday 03/31/06. I told him I would do so.

03/31/2006	81	Comments	Residential Maintenance	Comment
03/31/2006	81	Comments	Residential Maintenance	Comment
03/31/2006	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
03/31/2006	81	Comments	Do Not Use Junk Vehicle/Vessel	Comment

COMMENTS: Officer supplemental: On Friday, 03/31/06, the complainant called seeking information on the status of this case. I explained to him that I was due to reinspect the subject property today. He asked about the tow truck on the property. I explained that I had not seen the tow truck on the property on my initial visit, when the NOV was issued, but that I had seen it on my last visit. At that time I had instructed Mr. Dennis that the truck must be stored behind his stockade fence to be permitted on the property. Mr. Dennis had stated that he would park the truck there. The complainant stated that he was just checking, and would be available for the hearing if necessary.

At 3:30 pm, RO reinspected the property. There had been some progress toward removing some of the improperly stored items, but the property was far from nearing compliance. I explained to Mr. Green that most of the items pictured in the rear yard were not permitted, as were many of the items in front of the house. I explained that the items must be stored inside a building, and not openly stored. He stated that he was working on "rearranging" the items to comply. Mr. Dennis stated that he had already "hailed away 5 or 6 loads".

The green pick up truck was demonstrated to be operable.

The tow truck was parked in front of the house, along the street. I issued Mr. Dennis a FNOV for non-compliance of Brevard County Code 62-2117(c9) (parking and storing) with a seven day compliance date.

Mr. Dennis stated that he would require more time to comply the violations. I inquired as to what he thought he would require. He stated he would need "2 to 3 months". I explained to him that this office could not extend that much time, that he would be required to go before the Special Magistrate for that.

Case pending.

04/10/2006	81	Inspection after NOV	Residential Maintenance	Fail To Comply
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Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
04/10/2006	B1	Inspection after NOV	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
04/10/2006	B1	Inspection after NOV	Do Not Use Junk Vehicle/Vessel	Fail To Comply

COMMENTS: Officer supplemental: On Monday, 04/10/06 at approximately 2:00 pm, RO met with Mr. Dennis on the subject property. Mr. Dennis was in the process of hauling a trailer full of items from the property. The gate leading to the rear yard was standing open, which allowed me to view what was stored in that area. I observed at least two Ford pick up trucks, both of which appeared to be inoperable. The rear yard area was almost completely full of metal, tires, auto parts, and other items. A photo was taken through the open gate.

I commented on the gate being repaired, and Mr. Dennis stated that it had been repaired to allow the storage of his wrecker. I thanked him for his cooperation on that issue.

We then discussed compliance of the property maintenance issue. I explained that I could not allow any more time for compliance. Mr. Dennis stated that he was working on the clean up, but that he would not get rid of any 70's era Ford pick up truck. I explained that he could keep as many as he wished if they operated. However, I explained that he could only store one vehicle that did not operate -- and that one was subject to the storage conditions of the code. Mr. Dennis stated that he planned to store all of the inoperable vehicles under a roof (sort of a leanto building), in a building without four walls. I explained that I did not believe he could store the vehicles in that manner, that they must be enclosed by four walls -- but that I would check, and let him know.

Mr. Dennis also had a black truck parked in his driveway that appeared to be a commercial vehicle. This truck was operational. I asked him about this truck on my earlier inspection and he had stated that it was a truck "that he had modified". I again asked about this truck and Mr. Dennis stated that it had originally been a box truck used as a rental truck, which he had modified to what it was today. I explained to Mr. Dennis that this truck was still considered to be a commercial vehicle, even though modified, and as such it could not be stored on the subject property.

Mr. Dennis also stated that he had spoken with the Building Department about building "work benches" in the rear yard -- and that he did not need to obtain a permit for these "work benches". He went on to say that he planned to store the items in the rear yard under these "work benches". I explained that he was not going to be permitted to store the items in that manner -- that it would still be considered as open storage. Mr. Dennis then stated that he was not going to get rid of everything in his rear yard, that he had been storing items there, and living as he was, since he had moved to the area in the 1960's. He stated that if he must pay fines to continue in this way he would do

Mr. Dennis stated that he had obtained an attorney, and was pursuing legal action against the complainant. He requested copies of the photos that had been given to this office (with the complaint) by the complainant. I told him that I could not make color copies for him, and he stated that black and white copies would be fine.

On Tuesday, 04/11/06, RO spoke with Supervisor Wanda Scanes about the open storage under "work benches", and the storage of his vehicles leanto. She stated that neither option would be permitted. RO will inform Mr. Dennis of this when I deliver the photo copies to him later this week.

Further investigation on past cases on this property revealed that the second FNOV issued for violation of BCC 62-2117 (parking and storing) was a recurring violation of this code. See AF #04-2413.

Case pending.

04/10/2006

81

Schedule for CSM

Residential Maintenance

Fail To Comply

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
04/10/2006	81	Schedule for CSM	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
04/10/2006	81	Schedule for CSM	Do Not Use Junk Vehicle/Vessel	Fail To Comply
		COMMENTS: This case is scheduled for 5/18/06 Special Magistrate hearing as recurring (04-2413). Notice will be provided by certified mail.		
04/14/2006	81	Comments	Residential Maintenance	Comment
04/14/2006	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
04/14/2006	81	Comments	Do Not Use Junk Vehicle/Vessel	Comment
		COMMENTS: Officer supplemental: On Friday, 04/14/06, RO dropped off the copies of the case photos that Mr. Dennis requested.		
		Case pending.		
05/10/2006	81	Comments	Residential Maintenance	Comment
05/10/2006	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
05/10/2006	81	Comments	Do Not Use Junk Vehicle/Vessel	Comment
		COMMENTS: Officer supplemental: On Tuesday, 05/09/06 at 3:15 pm, RO reinspected the property. I spoke with Mr. Dennis who was working on the violations at the time. He stated that he had been working to clean up the rear yard, but would need additional time. I explained that any time now must be granted by the Special Magistrate at the hearing. Mr. Dennis stated that he thought he would need at least an additional 90 days to meet compliance. The black truck with the box bed remained, as did the trailers, and items covered by a tarp. Photos were taken.		
		Case pending.		
05/17/2006	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
		COMMENTS: Officer supplemental: On Wednesday, 05/17/06 at approximately 4:00 pm, RO reinspected the property. The violations remain. Photos were taken.		
05/18/2006	.CSM.		Residential Maintenance	Fail To Comply
05/18/2006	.CSM.		DONT USE-Parking/Storage RVs/Equi	Fail To Comply
05/18/2006	.CSM.		Do Not Use Junk Vehicle/Vessel	Fail To Comply
05/18/2006	.CSM.		County's Cost	Fail To Comply
		COMMENTS: The Special Magistrate ordered that the Respondent was in violation of the cited codes and ordered a compliance date of 08-16-06 (90 days) for both the RECURRING violation 62-2117 and the INITIAL violations 94-48, and 94-311 to 94-314 with a fine of \$25.00 per day to begin to accrue thereafter if not in compliance. The vehicle(s) may be towed at owner's expense. Enforcement costs were assessed in the amount of \$711.00 and must be paid within 30 days of this hearing. Findings of Fact, Conclusions of Law and Order recorded in the official records of Brevard County, Book 5647 Pages 8738-8741.		
08/17/2006	81	CSM Post Board Inspectio	Residential Maintenance	Fail To Comply

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
08/17/2006	81	CSM Post Board Inspectio	Residential Maintenance	Fail To Comply
08/17/2006	81	CSM Post Board Inspectio	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
08/17/2006	81	CSM Post Board Inspectio	Do Not Use Junk Vehicle/Vessel	Fail To Comply
<p>COMMENTS: Officer supplemental: On Thursday, 08/17/06, RO spoke with Mr. Dennis on the phone to set up an inspection time. He stated that he was not in compliance, and not prepared for an inspection. He also stated that he would continue to work on compliance, but that he was now ill, and that the temperatures were to high to work at this time. I explained that the fines for non-compliance would begin accruing today, and would continue to do so until the property was brought into compliance. Mr. Dennis stated that "they will just have to accrue until I comply, or die".</p> <p>At 3:30 pm, I inspected the property. The front (visible) portion was in compliance, except for a few minor issues. The vehicles in the driveway were those that had been demonstrated to be operable on my earlier inspections. The rear of the property was not visible due to the 6 foot wooden fence. Photos were taken.</p> <p>Mr. Dennis called to check on disposal of used tires. I spoke with both Supervisor Wanda Scanes, and CEO Steve Lawson. Both stated they knew of nowhere that would accept them without charge. I called the complainant and informed him of my findings.</p> <p>Case pending.</p>				
12/01/2006	81	SM Fine Accrue/Stil Viol	Residential Maintenance	Comment
12/01/2006	81	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Comment
12/01/2006	81	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Comment
<p>COMMENTS: Officer supplemental: On Friday, 12/01/06 at 3:30 pm, RO reinspected the property. I have not been contacted by Mr. Dennis for a reinspection. The improperly stored items are still stored in the driveway area, and appear to continue to be stored in the rear yard, behind the fence.</p> <p>Case pending.</p>				
12/07/2006	002	Comments	Residential Maintenance	Comment
12/07/2006	002	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
12/07/2006	002	Comments	Do Not Use Junk Vehicle/Vessel	Comment
12/07/2006	002	Comments	County's Cost	Comment
12/07/2006	002	Comments	Outstanding SM Fine	Comment
<p>COMMENTS: Letter and copy of affidavits of non-compliance sent to owner notifying him that the violations are not complied and the fine is accruing at \$25/day and has accrued to \$2,800.00 as of today's date; it will continue to accrue until compliance or the fine reaches \$17,014 which is 35% of the assessed value of the property; cost in the amount of \$711.00 also remain due.pd</p>				
02/13/2007	81	SM Fine Accrue/Stil Viol	Residential Maintenance	Comment

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
02/13/2007	81	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Comment
02/13/2007	81	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Comment
<p>COMMENTS: Officer supplemental: On Tuesday, 02/13/07 at 10:20 am, RO (along with Supervisor Wanda Scanes and CEO Mark Herold) reinspected the property. We spoke with Mr. Dennis who stated that he was not in compliance, and that it "would be at least 6 months" before he was. We requested permission to view the rear yard, but were refused by Mr. Dennis. The front yard contained 3 trailers with debris stored on them, as well as the commercial truck in the driveway. Photos were taken. Mr. Dennis stated that the trailers were being used to transport the items behind the fence to the recyclers. We all stressed that he should comply the property as soon as possible, to stop the fines. And, to call me as soon as he was in compliance in order for me to inspect the property. We were also asked about a reduction in fines, and explained that it was possible, but that compliance must be met first.</p> <p style="text-align: center;">Case pending.</p>				
06/28/2007	81	SM Fine Accrue/Stil Viol	Residential Maintenance	Comment
06/28/2007	81	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Comment
06/28/2007	81	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Comment
<p>COMMENTS: Officer supplemental: On Thursday, 06/28/07 at 3:45 pm, RO inspected the subject property. The front yard had several trailers stored in it. One with various items openly stored on it. I spoke with Mr. Dennis who stated that the rear yard still contained unpermitted items, such as car parts and inoperable vehicles. he went on to state that he was continuing to work on it, but that it would most likely be a year, or more, until it was in compliance. He would not allow me to view the rear yard. I explained that the fines were adding up, and that the County would place a lien on the property once the fines reached 35% of the property value. Mr. Dennis stated that he understood.</p> <p style="text-align: center;">Case pending.</p>				
09/14/2007	81	SM Fine Accrue/Stil Viol	Residential Maintenance	Comment
09/14/2007	81	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Comment
09/14/2007	81	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Comment
<p>COMMENTS: Officer supplemental: On Thursday, 09/13/07 at 3:20 pm, RO reinspected the property. There were trailers stored in the front yard with items openly stored on them. There was overgrowth behind/around these trailers. There was a stack of items leaning against the house beside the fence on the south side. The gate in the fence on the north side was partially open, which revealed a tire and car motor. There was a tire leaning against the front of the house, and a patch of overgrowth surrounding the bikes stored beside the driveway. Photos were taken. Mr. Dennis was not at home. I spoke with his room mate who stated that they were still working on the rear yard. However, it remained non-compliant, with "a lot more work remaining". The</p>				

violations remain.

Case pending.

09/26/2007

004

Back to CSM for Imp of L Residential Maintenance

Fail To Comply

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
09/26/2007	004	Back to CSM for Imp of L	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
09/26/2007	004	Back to CSM for Imp of L	Do Not Use Junk Vehicle/Vessel	Fail To Comply
09/26/2007	004	Back to CSM for Imp of L	County's Cost	Fail To Comply
09/26/2007	004	Back to CSM for Imp of L	Outstanding SM Fine	Fail To Comply
			COMMENTS: Scheduled for 10/18/07 Special Magistrate Hearing for Imposition. Notice to be sent certified mail. zm	
10/16/2007	81	Comments	Residential Maintenance	Comment
10/16/2007	81	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
10/16/2007	81	Comments	Do Not Use Junk Vehicle/Vessel	Comment
			COMMENTS: Officer supplemental: On Tuesday, 10/16/07 at 4:05 pm, RO reinspected the property. It remained unchanged.	
			Case pending.	
10/18/2007	.CSM.		Residential Maintenance	Fail To Comply
10/18/2007	.CSM.		DONT USE-Parking/Storage RVs/Equi	Fail To Comply
10/18/2007	.CSM.		Do Not Use Junk Vehicle/Vessel	Fail To Comply
10/18/2007	.CSM.		County's Cost	Fail To Comply
10/18/2007	.CSM.		Outstanding SM Fine	Fail To Comply
10/18/2007	.CSM.		Lien Filed in Special Master	Fail To Comply
			COMMENTS: The Special Magistrate ordered that the fine of \$10,675.00 and cost of \$711.00 be imposed as a lien. The Order imposing Administrative Fine and/or Costs As Lien was recorded in the public records of Brevard County, Book 5819 Pages 6290-6291.	
12/20/2007	81	SM Fine Accrue/Stil Viol	Residential Maintenance	Comment
12/20/2007	81	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Comment
12/20/2007	81	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Comment
			COMMENTS: Officer supplemental: On Thursday, 12/20/07 at 2:55 pm, RO reinspected. The violations remain. I spoke with Mr. Dennis who stated that he continued to work on compliance. Photos were taken.	
05/05/2008	44	Comments	Residential Maintenance	Comment
05/05/2008	44	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
05/05/2008	44	Comments	Do Not Use Junk Vehicle/Vessel	Comment
05/05/2008	44	Comments	County's Cost	Comment
05/05/2008	44	Comments	Outstanding SM Fine	Comment
05/05/2008	44	Comments	Lien Filed in Special Master	Comment
			COMMENTS: CEO Supplemental: On Monday, 5/5/08, I met with William Dennis. Pictures were taken of a green Ford pickup with camper shell, flat-bed trailer loaded with scrap materials, black Ford commercial truck, white Chevy pickup with low front-right tire, and flat-bed trailer loaded with materials. Mr. Dennis said that the black Ford was under 24 feet; however, that provision was not in the current copy of Section 62-2117. The white Chevy belonged to a current occupant who had no driver's license.	
10/03/2008	67	SM Fine Accrue/Stil Viol	Residential Maintenance	Fail To Comply

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
10/03/2008	67	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
10/03/2008	67	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Fail To Comply
10/03/2008	67	SM Fine Accrue/Stil Viol	County's Cost	Fail To Comply
10/03/2008	67	SM Fine Accrue/Stil Viol	Outstanding SM Fine	Fail To Comply
10/03/2008	67	SM Fine Accrue/Stil Viol	Lien Filed in Special Master	Fail To Comply
<p>COMMENTS: Officer Supplement: On October 3, 2008, at 8:55am, Code Enforcement Officer (CEO) Trainee and CEO Jennifer Kerr made an inspection.</p> <p>I observed two trailers in the front yard one is filled with litter and they both are surrounded in overgrowth.</p> <p>I observed the black truck in the driveway with litter underneath it and cobwebs attached from the vehicle to the driveway. There is also litter in the driveway. Photos were taken and are attached.</p> <p>Case pending.</p>				
02/06/2009	67	SM Fine Accrue/Stil Viol	Residential Maintenance	Fail To Comply
02/06/2009	67	SM Fine Accrue/Stil Viol	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
02/06/2009	67	SM Fine Accrue/Stil Viol	Do Not Use Junk Vehicle/Vessel	Fail To Comply
02/06/2009	67	SM Fine Accrue/Stil Viol	County's Cost	Fail To Comply
02/06/2009	67	SM Fine Accrue/Stil Viol	Outstanding SM Fine	Fail To Comply
02/06/2009	67	SM Fine Accrue/Stil Viol	Lien Filed in Special Master	Fail To Comply
<p>COMMENTS: Officer Supplement: On February 6, 2009, at 8:30am, I made an inspection. I observed junk vehicles, junk trailers, and litter on the property. Photos were taken and are attached.</p> <p>Case pending.</p>				
05/05/2009	67	Inspection After Lien Im	Residential Maintenance	Fail To Comply
05/05/2009	67	Inspection After Lien Im	DONT USE-Parking/Storage RVs/Equi	Fail To Comply
05/05/2009	67	Inspection After Lien Im	Do Not Use Junk Vehicle/Vessel	Fail To Comply
05/05/2009	67	Inspection After Lien Im	County's Cost	Fail To Comply
05/05/2009	67	Inspection After Lien Im	Outstanding SM Fine	Fail To Comply
05/05/2009	67	Inspection After Lien Im	Lien Filed in Special Master	Fail To Comply
<p>COMMENTS: Officer Supplement: On May 5, 2009, at 8:15am, I made an inspection. I observed that the violations remain on the property. Photos were taken and are attached.</p> <p>I spoke with the property owner, Mr. William Dennis, at this time. I explained that I would be coming by every couple of months to inspect the property for compliance. Mr. Dennis expressed understanding but did state that he would bring the property into compliance at this time.</p> <p>Case pending.</p>				
08/11/2009	67	Comments	Residential Maintenance	Comment

Brevard County Code Enforcement
ACTION FILE RECAP

INSPECTION HISTORY

DATE COMPLETED	INSPTR	VISIT DESCRIPTION	VIOLATION	RESULT
08/11/2009	67	Comments	DONT USE-Parking/Storage RVs/Equi	Comment
08/11/2009	67	Comments	Do Not Use Junk Vehicle/Vessel	Comment
08/11/2009	67	Comments	County's Cost	Comment
08/11/2009	67	Comments	Outstanding SM Fine	Comment
08/11/2009	67	Comments	Lien Filed in Special Master	Comment

COMMENTS: Officer Supplement: Under administrative order, dated August 11, 2009, Policy and Procedural Changes, Cold Cases: This case is being housed as a cold case.

Case pending.

PENDING REQUESTS

REQUESTED DATE	REQUESTED TIME	INSPECTOR	VISIT CODE
10/18/2007		LIENV	XXX

DOCUMENT HISTORY

DOCUMENT DATE	S/R	INT	SEQ	PARTY NAME	CERT. MAIL #	DOCUMENT
04/12/06	S	OWN	1	Dennis, William L.		Request for Hearing
05/01/06	S	OWN	1	Dennis, William L.		Enforcement Process (Rev 2009)
05/01/06	S	OWN	1	Dennis, William L.		FOF-Repeat/Recur/Initial
05/01/06	S	OWN	1	Dennis, William L.	0001-9380-0687	Revised Notice of Hearing 1-L
05/01/06	S	OWN	1	Dennis, William L.	0001-9380-0670	Rev Statement of Violation 1-L
05/01/06	S	OWN	1	Dennis, William L.		Zoning Certification
08/21/06	S	OWN	1	Dennis, William L.		Aff Non-Compliance
11/28/06	S	OWN	1	Dennis, William L.		Aff Non-Compliance
12/07/06	S	OWN	1	Dennis, William L.		Aff Non-Compliance
02/15/07	S	OWN	1	Dennis, William L.		Aff Non-Compliance
07/02/07	S	OWN	1	Dennis, William L.		Aff Non-Compliance
09/17/07	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance
09/26/07	S	CC	1	Lowery, Mark	0002 9730 1769	CSM NOH Request Imp Fine/Lien
09/26/07	S	OWN	1	Dennis, William L.	0002 9730 1752	CSM NOH Request Imp Fine/Lien
09/26/07	S	OWN	1	Dennis, William L.		CSM ORD Imposing Fine/Lien
09/26/07	S	OWN	1	Dennis, William L.		CSM Fine Status
09/26/07	S	OWN	1	Dennis, William L.		CSM Minutes
09/26/07	S	OWN	1	Dennis, William L.		NOH 1-pg Imposition
09/26/07	S	OWN	1	Dennis, William L.		Affidavit of Non-Payment
10/17/07	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance
10/23/07	S	OWN	1	Dennis, William L.		CEB/BSM/CSM Minutes
12/26/07	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance

Brevard County Code Enforcement
ACTION FILE RECAP

DOCUMENT HISTORY

DOCUMENT DATE	S/R	INT	SEQ	PARTY NAME	CERT. MAIL #	DOCUMENT
10/13/08	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance
02/06/09	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance
05/11/09	S	OWN	1	Dennis, William L.		CSM AFF of Non-Compliance

INTERESTED PARTIES

CODE	NAME	ADDRESS	PHONE
CC	Mark Lowery	456 Thomas Dr. Melbourne, FL 32935	(321) 254-2064
COM	Mark Lowery	456 Thomas Dr. Melbourne, FL 32935	(321) 254-2064
OWN	William L. Dennis	448 Thomas Street Melbourne, FL 32935	(321) 259-3372

NO ADDITIONAL NOTES IN FILE.

ENFORCEMENT HISTORY

BOARD: CSM

DATE: 05/18/06 CASE: 06-0825

STATUS: HEARD BY BOARD

MOTION: Stewart B. Capps
SECOND: Not Applicable

PER DIEM FINE OF: 25.00
FINE OF: 711.00

STARTING: 08/17/06

ATTENDING: William Dennis, present
Sally Lany, present
George Wolfe, CEO, pres

BOARD ORDERS (IF ANY):

The Respondent(s) acknowledged non-compliance with Sections 62-2117, RECURRING, and 94-48 and 94-311 to 94-314, INITIAL, Brevard County Code. The Special Magistrate ordered the violation be corrected by 08-16-06 (90 days). In the event the violation is not corrected by the specified time, a fine of \$25.00 per day will begin to accrue and will continue to accrue until the property is brought into compliance. Costs in the amount of \$711.00 were assessed and are to be paid within 30 days of this hearing.

BOARD COMMENTS (IF ANY):

Respondent was present and did not contest violations.

George Wolfe, CEO, was present and did not testify since Respondent did not contest.

The Special Magistrate ordered that the RECURRING and INITIAL violations exist and ordered a compliance date of 08-16-06 (90 days) with a fine to begin to accrue of \$25.00 per day if not in compliance. The County may tow vehicle(s) at owner's expense. Costs assessed were in the amount of \$711.00 and must be paid within 30 days of this hearing.

BOARD: CSM

ATTENDING: William Dennis, not pres
George Wolfe, CEO, pres

DATE: 10/18/07 CASE: 06-0825

STATUS: HEARD BY BOARD

MOTION: Stewart B. Capps

SECOND: Not Applicable

BOARD ORDERS (IF ANY):

The Special Magistrate ordered the fine be imposed as stated on the Administrative Fine/Lien in Case #06-0825. The fine has accrued to the amount of \$10,675.00 as of today's date. The fine will not exceed \$17,014.00 which is 35% of the assessed value of the property. Enforcement costs in the amount of \$711.00 are also imposed.

BOARD COMMENTS (IF ANY):

The Special Magistrate ordered that the fine of \$10,675.00 and cost of \$711.00 be imposed as a lien. The Order Imposing Administrative Fine and/or Costs As Lien was recorded in the public records of Brevard County, Book 5819 Pages 6290-6291. Exhibits A-F were entered into evidence.

FINES HISTORY (* INCREASING DAILY)

TYPE	FEE DUE	ADJUSTMENT	FEE PAID	DATE
00	0.00*	17014.00	0.00	02/09/09
CB	711.00	0.00	0.00	05/23/06

Worksheet for Assessment of Actual Costs for Case 11CE-01040 (Recurring)

Inspector	Lock		Previous Inspector	Wolfe				
Wages S&B Hourly	\$22.86		Wages S&B	\$ 22.86				
Per Minute	\$0.38		Per Min	\$ 0.38				
Officer Costs:								Sub Total
# Field Inspections	1 x		\$22.86	Hourly	Total	\$22.86		\$22.86
Previous Inspection	18 x		\$22.86	Hourly	Total	\$411.48		\$411.48
Vehicle Mileage								per mile
# Field Inspections	1 x2: Rdtrip		2 x miles	16	32	0.445		\$14.24
Previous Inspection	18 x2: Rdtrip		36 x miles	16	576	0.445		\$256.32
Adminstrative Costs:								
		Minutes						
# Computer Entries	10	10	100		\$0.38			\$38.00
# Telephone calls	6	5	30		\$0.38			\$11.40
# Research	2	15	30		\$0.38			\$11.40
# Hearings/Prehearings	2	120	240		\$0.38			\$91.20
								\$152.00
								\$152.00
Previous Adminstrative Costs:								
		Minutes						
# Computer Entries	27	10	270		\$0.38			\$102.60
# Telephone calls	4	5	20		\$0.00			\$0.00
# Research	6	15	90		\$0.00			\$0.00
# Hearings/Prehearings	2	120	240		\$0.00			\$0.00
								\$102.60
								\$102.60
Extra Investigative Insp:								
		Minutes						
S&B Hr/Mn								
Scanes-Research	4	15	60		0.58			\$34.80
Bowen-Research	1	15	15		0.76			\$11.40
Sullivan-Research	1	15	15		0.58			\$8.70
Sobrino-Research	1	15	15		0.96			\$14.40
Env. Health-Research	1	15	15		0.32			\$4.80
Env. Health-Telephone	1	5	5		0.32			\$1.60
								\$75.70
								\$75.70
Recording Fees								
1 Page	\$10.00							\$10.00
2 Pages	\$28.50							\$28.50
3 Pages	\$39.00							\$39.00
4 Pages	\$49.50							\$49.50
Hearings (public, extension, reduction, imposition)	3 x		\$200.00				Legal Fees	\$600.00
Hearing Prep Office-number of hearings	4 x		\$85.00					\$340.00
Subtotal Actual Costs for case								\$2,063
Enforcement Costs Assessed and Paid - \$350 or \$550								\$711
Balance due of Actual Costs - DEFICIT								\$1,352

Dana Blickley, CFA
Property Appraiser
Brevard County, FL



**Property
 Details**

General Parcel Information

Parcel ID:	27-37-18-06-00000.0-0027.00	Millage Code:	4200	Exemption:	1	Use Code:	110
Site Address:	448 THOMAS DR , MELBOURNE 32935					Tax ID:	2719524

Site Address is assigned by Brevard County Address Assignment for E-911 purposes and may not reflect the postal community name.

Owner Information

Owner Name:	SHEAFFER, WENDY ELAINE
Second Name:	DENNIS, DANIEL LOUIS
Mailing Address:	330 ALDER AVE SE
City, State, Zipcode:	PALM BAY, FL 32909

Abbreviated Description

Plat Book/Page:	0011/0057	Sub Name:	ALTON THOMAS ACRES SUBD	LOT	27
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Value Summary

Roll Year:	2012	2013	2014
Market Value Total: ¹	\$54,160	\$57,110	\$54,440
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$54,160	\$55,080	\$54,440
Assessed Value School:	\$54,160	\$55,080	\$54,440
Homestead Exemption: ²	\$25,000	\$25,000	\$25,000
Additional Homestead: ²	\$4,160	\$5,080	\$4,440
Other Exemptions: ²	\$0	\$0	\$0
Taxable Value Non-School: ³	\$25,000	\$25,000	\$25,000
Taxable Value School: ³	\$29,160	\$30,080	\$29,440

Land Information

Acres:	0.37
Site Code:	1

1: Market value is established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

2: Exemptions are applicable for the year shown and may or may not be applicable if an owner change has occurred.

3: The Additional Homestead exemption does not apply when calculating taxable value for school districts pursuant to Amendment 1.

Sale Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	Sale Screening Code	Sale Screening Source	Physical Change Code	Vacant/Improved
1690/0025	12/1/1976	\$15,000	AG				

Sale screening and sale screening source codes are for assessment purposes only and have no bearing on potential marketability of the property.

Building Information

PDC #	Use Code	Year Built	Story Height	Frame Code	Exterior Code	Interior Code	Roof Type	Roof Material	Floors Code	Ceiling Code
1	110	1957	8	03	03	03	02	04	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Bonus Rooms	RV Carport	RV Garage	Total Base Area
1	918	575	1,011	0	270	0	84	0	0	0	0	0	918

Extra Feature Information

Extra Feature Description	Units
OUTBUILDING	180

SERVER DATE: 08/25/2014

AUTHORIZED USERS ONLY

Brevard County Property Appraiser

Comments

RENUMBER: 2719524 SITE ADDRESS: 448 THOMAS DR MELBOURNE 32935
 PARCEL ID: 27-37-18-06-*27
 PRIMARY OWNER: SHEAFFER, WENDY ELAINE

LINE	ROLL	COMMENTS
1	1990	---NOTE: 3038/4618 BUNTING TO WILLIAM LOUIS DENNIS & WENDY
2	1990	ELAINE, H/W 1/27/90 CJ---
3	1995	FJ 3436/2682 #94-14888-FD-4 PROPERTY TO WM LOUIS DENNIS 11/28/94
4	1995	VH---
5	2000	EFF.AGE CHANGED FOR 2000 PER FC 10-29-99 BY WHR.
6	2010	CHANGED WILLIAM'S SSN P/DOR SS LIST AND ACCURINT
7	2012	CHANGED MILL CD 5300 TO 4200 PER 2012 COMMISSION
8	2012	DISTRICT CHANGE RES 2011-267
9	2014	PER MARITAL SETTLEMENT AG 3436/2683 #94-14888-FD-4
10	2014	PROPERTY TO WILLIAM LOUIS DENNIS; UPON HIS DEATH, THE
11	2014	SOLE OWNERSHIP OF THIS PROPERTY WILL BE GIVEN TO WENDY
12	2014	ELAINE DENNIS &/OR DANIEL LOUIS DENNIS---
13	2014	DC 7084/2153 FOR WILLIAM LOUIS DENNIS; DOD 3/6/2014;
14	2014	TITLE TO WENDY ELAINE DENNIS &/OR DANIEL LOUIS DENNIS
15	2014	P/FJ 3436/2683---
16	2014	MAILED A/C FORM TO WENDY DENNIS (SHEAFFER) AT 330 ALDER
17	2014	AVE SE PALM BAY FL 32909
18	2014	NAME CHANGE FROM WENDY ELAINE DENNIS TO WENDY ELAINE
19	2014	SHEAFFER P/MARRIAGE LICENSE 3599/3669
20	2014	A/C PER OWNER REQUEST FORM
2000	1993	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2001	1994	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2002	1995	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2003	1996	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2000	1997	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2001	1999	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2002	2000	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2003	2001	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2004	2001	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2005	2002	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2006	2003	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2007	2003	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2008	2004	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2009	2005	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2010	2005	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100
2011	2006	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100 STW105UD
2012	2007	UC 110 GA 161172000 IA 9180000 EX BA 3600 AA 0 MI 100 STW105UD