



BAREFOOT BAY RECREATION DISTRICT BREVARD COUNTY, FLORIDA VIOLATIONS COMMITTEE



Agenda

625 Barefoot Blvd, Administration Bldg. Conference Room

09/09/2022

10:00 a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call: Chair David Wheaton, 1st Chair Vickie Sloss, 2nd Chair Steve Holmberg, Louise Crouse, John Vogt and Alternates Susan Hall and Ed Haslam.
- Approval of Minutes
- Swearing in of Inspectors and Witnesses
- Chairperson's and other member's Report

New Business: Current VC cases for review:

ADIR (address number)

1. 22-002329 922 FIR STREET

Central water, sewer, electricity

2. 22-002479 902 SPRUCE STREET
3. 22-002534 830 JUNIPER DRIVE

Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)

4. 22-002467 913 SPRUCE STREET
5. 22-002543 313 KIWI DRIVE
6. 22-002561 310 KIWI DRIVE

Condition of Prop. (C) Unauthorized items

7. 22-002289 830 JUNIPER DRIVE

Condition of Skirting

8. 22-002234 519 SAPOTE DRIVE

Nuisance

9. 22-002393 902 SPRUCE STREET

Closing Remarks: The next VC meeting is scheduled for Friday, September 23, 2022, in the Administration Building Conference room, at 625 Barefoot Blvd.

Adjournment:

Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant

Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must ensure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence which the appeal is based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the District does not provide one. **ATTN: PERSONS WITH DISABILITIES.** In accordance with the Americans with disabilities Act and Sect.286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least 48 hours prior to the meeting, contact the DOR Enforcement Staff at (772) 664-3141.



**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**



Minutes
625 Barefoot Blvd,
Administration Conference Room
08/26/2022
10:00 am

The Barefoot Bay Violations Committee held its regular Hearing on 08/26/2022 in Administration Conference Room at 625 Barefoot Bay, Florida 32976.

- **Call to Order:** Meeting was called to order at 10:00 a.m.
- **Pledge of Allegiance:** Ed Haslam led the pledge of allegiance.
- **Roll Call:** Present – Chair David Wheaton, 1st Chair Vickie Sloss Vice-Chair, Steve Holmberg, John Vogt, and Alternate Ed Haslam. Excused – Louise Crouse and Alternate Susan Hall.
- **Approval of Minutes:** 07/22/2022 approved as presented.
- **Swearing in of Inspectors and Witnesses:** David Wheaton swore in DOR Inspectors and James “Pat” Trevelino
- **Witnesses present:** None
- **Chair Report:** None
- **Committee Reports:** None
- **DOR Enforcement:** None
- **Other reports:** None

New Business: All cases were sent a Statement of Violation and Notice of Hearing via Regular 1st Class mail and Certified mail with a reasonable time to correct the violation. All properties were confirmed to be still in violation at the last inspection. Pictures were presented to the committee.

Inspector James Trevelino presented item(s): 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 15 came into compliance prior to the meeting.

Inspector James Trevelino presented item(s): 19 and 21 that DOR is working with the homeowner.

ADIR (Lamp Post)

1. 22-001775 1157 WATERWAY DRIVE
2. 22-001779 707 BAREFOOT BOULEVARD
3. 22-001897 964 BAREFOOT BOULEVARD

Inspector James Trevelino presented the above case(s) for the violation of: Article II, Section 3 (15) ADIR Lamp Post with a compliance date of (14) fourteen days September 9th, 2022. If the property is still in violation after fourteen days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next appropriate scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Vickie Sloss made the motion, seconded by Steve Holmberg, motion carried unanimously.

Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtnc.)

14. 22-002428 931 FRANGI PANI DRIVE

Inspector James Trevelino presented the above case(s) for the violation of: Article III, Section 2 (A) Lawn and Landscaping – Recurring Maintenance (Lot Mows, Trim Palms, Etc.). with a compliance date of (3) three days August 29th, 2022. A Lawn and Landscape Order will be issued. The district will continue to



**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**



maintain the lawn and landscape at the expense of the owner until the owner brings the property into compliance. An Order of Compliance will be obtained after three (3) consecutive and successful inspections. This expense will result in a lien on the property. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Ed Haslam made the motion, seconded by Steve Holmberg motion carried unanimously.

Condition of Prop. (C) Unauthorized items

- 16. 22-002148 307 AVOCADO DRIVE
- 17. 22-002190 1216 GARDENIA DRIVE

Inspector James Trevelino presented the above cases(s) for the violation of: Article III, Section 2 Condition of Property (Unauthorized Items) with a compliance date of (7) seven days September 2nd, 2022. If the property is still in violation after seven days, the Recommended Curative Action Plan shall be presented to the Board of Trustees at its next appropriate meeting for further consideration or the District will abate the violation at the expense of the owner, in addition, the expense of such action will be billed to the owner's account and will result in a lien on the property. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Steve Holmberg made the motion, seconded by Ed Haslam, motion carried unanimously.

ADIR (Skirting Material)

- 18. 22-002917 934 THRUSH CIRCLE
- 20. 22-002195 922 FIR STREET

Inspector James Trevelino presented the above case(s) for the violation of: Article II, Section 3 (A) (7) Skirting material with a compliance date of (14) fourteen days September 9th, 2022. If the property is still in violation after fourteen days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next appropriate scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Vickie Sloss made the motion, seconded by Steve Holmberg, motion carried unanimously.

Closing Remarks: The next regular meeting is to be held on Friday, September 9th, 2022, in Administration Building Conference Room at 10:00 am.

Adjournment: Meeting was adjourned at 10:07 a.m.

Sally-Ann Biondolillo

Sally-Ann Biondolillo

DOR/ARCC Administrative Assistant

Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must ensure that a verbatim record and transcript of the proceedings, which record includes the testimony and evidence which the appeal is based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her expense, as the district does not provide one. ATTN: PERSONS WITH DISABILITIES. In accordance with the Americans with disabilities Act and Sect.286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding shall, at least 48 hours prior to the meeting, contact the DOR Enforcement Staff at (772) 664-3141.

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002329

#0615/22-002329

GARCIA, ROSARIO H,

922 FIR ST

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE II, SECT. 3 (A)(16) ADIR (address number)**

Section 3) A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements. (A)(16)The address number of all Residences shall be affixed to the front of the carport or garage in such a manner as to be clearly visible and legible from the public or private way on which the home fronts. The numerals of the address number shall not be less than three (3) inches in height and one-half (1/2) inches in width.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 110 Lot # 24

922 FIR STREET

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Address number shall be affixed to front of carport or garage. The numbers shall not be less than 3 inches high and 1 1/2 inches wide.

DATE OF VIOLATION FIRST OBSERVED: Aug 04, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

08/04/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: August 25, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 25, 2022

Violations Committee/Deed of Restrictions Staff



922 Fir Address number shall be affixed to front of carport or garage. The numbers shall not be less than 3 inches high and 1 1/2 inches wide.

Aug 25, 2022

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002479

#0593/22-002479

DOUGLAS, SANDRA J TRUSTEE,
9130 CENTRAL AVE
MICCO, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE II, SECT.3 (A) (8) Central water, sewer, electricity**

Section 3) A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements. (A)(8) Central water, sewer and electricity connected to the home.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 3 Lot # 33
902 SPRUCE STREET
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Central water, sewer and electricity connected to the home.

DATE OF VIOLATION FIRST OBSERVED: Aug 22, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

08/22/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: August 30, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at 10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 30, 2022

Violations Committee/Deed of Restrictions Staff



902 Spruce Central water, sewer and electricity connected to the home.
Aug 30, 2022

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002534

#0562/22-002534

DE MELIO, MARIA G,

830 JUNIPER DR

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE II, SECT.3 (A) (8) Central water, sewer, electricity**

Section 3) A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements. (A)(8) Central water, sewer and electricity connected to the home.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 113 Lot # 7

830 JUNIPER DRIVE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Central water, sewer and electricity connected to the home.

DATE OF VIOLATION FIRST OBSERVED: Aug 24, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

08/24/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: September 01, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at 10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida. The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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September 01, 2022

Violations Committee/Deed of Restrictions Staff



830 juniper Central water, sewer and electricity connected to the home.
Sep 01, 2022

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002467

#0098/22-002467

DAWLEY, KELLEY ZITER,

913 SPRUCE ST

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 4 Lot # 6

913 SPRUCE STREET

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 09/09/2022 at 625 Barefoot Blvd., Administration building conference room, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.***

DATE OF VIOLATION FIRST OBSERVED: Aug 18, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

August 18, 2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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August 25, 2022

BBRD DEED OF RESTRICTION STAFF



913 Spruce Lawn and landscape: high grass / weeds
Aug 25, 2022

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002543

#2229/22-002543

DOUGLAS, SANDRA J TRUSTEE,
9130 CENTRAL AVE
MICCO, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 22 Lot # 14
313 KIWI DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 09/09/2022 at 625 Barefoot Blvd., Administration building conference room, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

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If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.***

DATE OF VIOLATION FIRST OBSERVED: Aug 25, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

August 25, 2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

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August 25, 2022

BBRD DEED OF RESTRICTION STAFF



313 kiwi Lawn and landscape: high grass / weeds
Aug 25, 2022

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002561

#4079/22-002561

KLING, PETER R,

310 KIWI DR

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **Article III, Section 2, (A) Condition of Property**, to wit, The lawn and landscaped areas (including all trees, shrubs and other vegetation) of each lot shall not be neglected and shall be regularly pruned and maintained at the expense of the Owner or Resident of such lot. The lawn and landscaped areas shall be maintained free from all underbrush, excessive overgrowth, all rubbish, and weeds and grass in excess of six inches in height. "Excessive overgrowth" shall mean any vegetation that is not regularly pruned in accordance with common care for such vegetation. Dead vegetation on any lot is required to be promptly removed.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 21 Lot # 18

310 KIWI DRIVE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): High grass and weeds on property

It is requested that you come into compliance by maintaining the lawn and landscape within seven (7) days from the date of this letter and continue to maintain the lawn in good appearance. The Respondent must correct the alleged violation(s) by the date set forth herein and contact the Deed of Restrictions Enforcements Officer who signed the Statement of Violation to verify such correction.

If at the end of this period the lawn is not cut and if the Respondent disputes the existence of the violation(s) and wishes a hearing, **notice is hereby given that a Hearing will be conducted before the Violations Committee at 10:00 am on 09/09/2022 at 625 Barefoot Blvd., Administration building conference room, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The **Violations Committee** will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney.

If the **Violations Committee** finds the property in violation, the committee will issue a Final Order directing Barefoot Bay Property Services to mow your lot. In such an event, you will be billed a minimum of **\$140.00** for an initial lot mow and general landscape maintenance (including enforcement costs), a minimum of **\$70.00** for each recurring lot mow and general landscape maintenance performed in accordance with Exhibit "A" of Resolution 2015-16 until you obtain an Order of Compliance. ***In addition all social, family, and golf memberships affiliated with the property will be automatically suspended until you obtain an Order of Compliance.***

DATE OF VIOLATION FIRST OBSERVED: Aug 30, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

August 30, 2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 30, 2022

BBRD DEED OF RESTRICTION STAFF



310 kiwi Lawn and landscape: high grass / weeds
Aug 30, 2022

Costs to Cure Violations

Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$20
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$28
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$82
Postage and certified mail	\$10
Total	\$140

Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$15
DOR Enforcement	<u>\$7</u>
Total	<u>\$70</u>

Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$82
Postage and certified mail	<u>\$7</u>
Total	Actual contractor invoiced cost plus <u>\$89</u>

EXHIBIT "A"

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002289

#0562/22-002289

DE MELIO, MARIA G,

830 JUNIPER DR

BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE III, SECT. 2 (C) (D) Condition of Prop. (C) Unauthorized items**

(C) The lawn, landscaped areas, driveways and carports on each lot shall be kept free of all items of personal property except for customary outdoor items such as exterior patio or porch furniture, golf carts, vehicles, and barbecue grills. The intent of this requirement is to prohibit the accumulation and/or storage of items such as indoor furniture, automotive parts, cartons, boxes, debris and similar property which causes an unsightly appearance or nuisance if left on or about the exterior of a home.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 113 Lot # 7

830 JUNIPER DRIVE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items/Debris, Must be removed. Yard waste, desk, TV must be removed.

DATE OF VIOLATION FIRST OBSERVED: Jul 29, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

07/29/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: August 24, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 24, 2022

Violations Committee/Deed of Restrictions Staff



830 Juniper Unapproved items/ Must be removed.
Aug 24, 2022

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002234

#2000/22-002234

MICHENER, DONALD L,
519 SAPOTE DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE III, SECT.10 and SECT. 2(D) Condition of Skirting**

(10) The skirting material on all manufactured or modular homes shall be maintained at all times so that such skirting remains in substantially the same condition as when it was newly installed. No gaps or openings will be permitted to exist. Vents are to be maintained in good condition.

(D) In the event that any lawn, landscaped areas, driveway, carport or home is not maintained in compliance with the requirements of Section 2, Section 10, or Section 11 of Article III, the Recreation District shall have the right to enter upon the lot and take any action reasonably necessary to cause the home and lot to come into compliance with the requirement of subsections (A), (B), (C) of Section 2, Section 10, or Section 11 of Article III. The expense of such action shall be billed by the Recreation District to the owner, shall be a personal obligation of the owner, and shall be paid by the owner within thirty days after the owner is provided with written notice of such expenses. If payment is not made within the said thirty day period, the expense in question shall become a lien upon the said lot until paid, which lien shall have priority as of the date of recording of a notice thereof in the public records of Brevard county; provided, however, such lien shall not be superior to the lien for county taxes or the lien for the Recreation District's assessments and maintenance fees. The sum so due to the Recreation District may be collected by either an action of law, or the Recreation District shall have the right at its discretion to proceed to foreclose the above -described lien. In the event of such litigation, the Recreation District shall have the right to recover the costs thereof including a reasonable attorney's fee.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 34 Lot # 9
519 SAPOTE DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Skirting needs to be replaced / repaired

DATE OF VIOLATION FIRST OBSERVED: Jul 25, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

07/25/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: August 25, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 25, 2022

Violations Committee/Deed of Restrictions Staff



519 Sapote Skirting needs to be replaced / repaired
Aug 25, 2022

**BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 22-002393

#0593/22-002393

DOUGLAS, SANDRA J TRUSTEE,
9130 CENTRAL AVE
MICCO, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

PURSUANT to the Article(s) listed below, of the Barefoot Bay Deed of Restrictions, the undersigned DOR Enforcement Officer hereby gives notice of a violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

SECTION(S) OF DEED OF RESTRICTION VIOLATION(S)

- **ARTICLE III, SECT. 5 Nuisance**

No nuisance shall be allowed upon any Lot, nor shall the occupant of any Lot be permitted to conduct or engage in any activity which interferes with the peaceful possession and proper use of neighboring property by the Owners thereof. No person shall make unlawful use of any Lot within Barefoot Bay, and the occupants of all Lots shall comply with all valid laws, zoning ordinances and regulations of Brevard County and the State of Florida.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 3 Lot # 33
902 SPRUCE STREET
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): No nuisance shall be allowed upon any Lot, nor shall the occupant of any Lot be permitted to conduct or engage in any activity which interferes with the peaceful possession and proper use of neighboring property by the Owners thereof.

DATE OF VIOLATION FIRST OBSERVED: Aug 11, 2022

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:

08/11/2022 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: September 06, 2022

BBRD DEED OF RESTRICTION STAFF

DATE: August 17, 2022

**BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE**

**NOTICE OF HEARING
Hearing Date: 09/09/2022**

The Respondent must correct the alleged violation(s) contained in the enclosed Statement of Violation by the date set forth therein and contact the Deed of Restrictions Enforcement Officer who signed the Statement of Violation to verify such correction. If the Respondent disputes the existence of the violation(s) and wishes a hearing, notice is hereby given that a **Hearing** will be conducted before the Violations Committee at **10:00 A.M. on 09/09/2022 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

If the violation(s) described in the Statement of Violation are corrected and then recur, or if the violations are not corrected by the time specified for correction, the case shall be presented to the Committee. In the case of a repeat violation, the case shall be presented to the Committee, whether or not a violation is present at the time.

The Violations Committee will receive testimony and evidence at the **Hearing** and make Findings of Fact as are supported by the testimony and evidence pertaining to matters alleged in the enclosed Statement of Violations. The respondent is entitled to testify and present evidence and witnesses at the **Hearing**, or may be represented by an attorney. ***If the committee finds the property to be in violation all social, family, and golf memberships affiliated with the property will be automatically suspended.***

IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE PROCEEDING WILL BE REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED (FS 286.0105) SUCH PERSON MUST PROVIDE A COURT REPORTER, COURT STENOGRAPHER OR OTHER METHOD ACCEPTABLE TO A COURT OF LAW TO PROVIDE FOR SUCH VERBATIM RECORD; THE DISTRICT DOES NOT PROVIDE SUCH RECORD.

THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-3141.

August 17, 2022

Violations Committee/Deed of Restrictions Staff



902 Spruce No nuisance shall be allowed upon any Lot, nor shall the occupant of any Lot be permitted to conduct or engage in any activity which interferes with the peaceful possession and proper use of neighboring property by the Owners thereof.

Aug 17, 2022