BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE
Agenda

625 Barefoot Blvd, Administration Bldg. Conference Room

02/24/2023

10:00a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call: Chair David Wheaton, 1st Chair Vickie Sloss, 2nd Chair Louise Crouse, Steve Holmberg, 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:

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

1. 23-000184 730 GLADIOLUS DRIVE

Condition of Prop. (B) PW

2. 23-000094 922 LAUREL CIRCLE
3. 23-000096 449 DOLPHIN CIRCLE
4. 23-000102 1050 THRUSH CIRCLE

Condition of Prop. (C) Unauthorized items

5. 23-000104 907 HEMLOCK STREET

Pets

6. 23-000233 551 MARLIN CIRCLE

Closing Remarks: The next VC meeting is scheduled for Friday, March 10, 2023, in the Administration Building Conference room, at 625 Barefoot Blvd.

Adjournment:

_____

Sally-Ann Biondolillo

DOR/ARCC Administrative Assistant

Two or more Trustees of the Barefoot Bay Recreation District (BBRD) may attend this meeting.

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 insure 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
02/10/2023
10:00 am

The Barefoot Bay Violations Committee held its regular Hearing on 2/10/2023 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:** Chair David Wheaton led the pledge of allegiance.
- **Roll Call:** Present – Chair David Wheaton, Vice-Chair Vickie Sloss, 2nd Chair Steve Holmberg, Louise Crouse and Alternates Susan Hall, and Ed Haslam.
- **Reorganization of Officers:** Ed Haslam nominated David Wheaton as Chair, seconded by Louise Crouse, David Wheaton accepted. Louise Crouse nominated Vickie Sloss as Vice-Chair, seconded by Steve Holmberg, Vickie Sloss accepted. Vickie Sloss nominated Louise Crouse as 2nd Chair, Seconded by Ed Haslam, Louise Crouse accepted. Vote was held for Chair 4-1, Vote held for 1st chair unanimous. Vote held for 1st Chair 4-1.
- **Approval of Minutes:** 01/13/2023 approved as presented.
- **Swearing in of Inspectors and Witnesses**: Chair David Wheaton swore in DOR Inspector James Trevelino.
- **Witnesses present:** Trustee Joseph Klosky and Raymond Sawicki of 951 Frangi Pani Dr.
- **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 posted on the property 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): 1, 2, 4, 5, 6, and 8 came into compliance prior to the meeting.
Item(s): 7 is working with the homeowner.

Condition of Prop. (B) PW
3. 22-003291 927 HEMLOCK STREET

Inspector James Trevelino presented the above case(s) for the violation of: Article III, Section 2 (B) Condition of Property (Exterior of Home must be free of mildew, mold, and dirt) with a compliance date of (7) seven days February 17th, 2023. If the property is still in violation after seven days, the final order of the Violations Committee shall either be presented to the Board of Trustees at its next appropriate scheduled meeting to pursue legal or equitable action or other appropriate action or the District will contact their Power Wash contractor to bring the home into compliance, the expense of such action to 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. Vickie Sloss made the motion, seconded by John Vogt, motion carried unanimously.

BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE

Condition of Skirting
9. 22-002431 951 FRANGI PANI DRIVE
10. 22-003369 309 AVOCADO DRIVE

Inspector James Trevelino presented the above case(s) for the violation of: Article II, Section 3 (A) (7) Condition of Skirting with a compliance date of (14) fourteen days February 24, 2023. 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 purse 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. Louise Crouse made the motion, seconded by Vickie Sloss, motion carried unanimously. Homeowner Raymond Sawicki arrived after the vote and explained the type of material he has ordered. It was explained to him that he would have to submit a permit application and the Committee would decide if it would an appropriate material.

Pets
11. 23-000029 931 EVERGREEN STREET

Inspector James Trevelino presented the above case(s) for the violation of: Article III, Section 4 (E) Pets with a compliance date of (7) seven days February 17, 2023. If the property is still in violation after seven, the final order of the Violations Committee shall be presented to the Board of Trustees at its next appropriate scheduled meeting to purse 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. Louise Crouse made the motion, seconded by Vickie Sloss, motion carried unanimously.

Closing Remarks: The next regular meeting is to be held on Friday, February 24th, 2023, in the Administration Building Conference Room at 10:00 am.

Discussion: David Wheaton discussed with the Committee that he would present to the BOT about issuing fines to people with violations. The Committee refused to support this decision feeling the Charter would have to be changed, until there was approval from the General Counsel examine the Charter, County and State Statutes to be able to precede.

Adjournment: Meeting was adjourned at 10:36 a.m.

Sally-Ann Biondolillo
Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant

Two or more Trustees of the Barefoot Bay Recreation District (BBRD) may attend this meeting.

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.

VC AGENDA PACKET

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner
Vs

Case no. 23-000184

#3685/23-000184
GUALTIERI, WARD,gualtieri, kathleen a
140 LYMAN RD
EAST PATCHOGUE, NY 11772
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 # 70 Lot # 27
730 GLADIOLUS 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 02/24/2023 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: 02/24/2023

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: Jan 27, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

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.

February 08, 2023

BBRD DEED OF RESTRICTION STAFF

730 Gladiolus Dr. Lawn and landscape: dead fronds / dead vegetation removed.
02/08/2023

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	$7
Total	$70

Powerwash

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

EXHIBIT "A"

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner
Vs Case no. 23-000094

#0613/23-000094
WOODWARD, OLIVE I,
7627 S DUNE HIGHWAY
EMPIRE, MI 49630
Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 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 OF DEED OF RESTRICTION VIOLATION

- **Article III, Section 2 Conditions of Property (B)** The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS
Block # 115 Lot # 26
922 LAUREL CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Jan 17, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
January 17, 2023 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, 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 the 02/24/2023 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

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 for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition 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 OF 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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Dated this Date, February 08, 2023

Deed of Restrictions Staff

DATE: February 08, 2023

922 laurel Must maintain the house, awnings, and skirting free from mold, dirt, and mildew.
02/08/2023

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	$7
Total	$70

Powerwash

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

EXHIBIT "A"

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner
Vs Case no. 23-000096

#2848/23-000096
DRADDY, WILLIAM M LIFE ESTATE,
449 DOLPHIN CIR
BAREFOOT BAY, FL 32976
Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 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 OF DEED OF RESTRICTION VIOLATION

- **Article III, Section 2 Conditions of Property (B)** The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS
Block # 4 Lot # 13
449 DOLPHIN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Jan 17, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
January 17, 2023 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, 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 the 02/24/2023 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

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 for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition 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 OF 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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Dated this Date, February 08, 2023

Deed of Restrictions Staff

DATE: February 08, 2023

449 dolphin Must maintain the house, awnings, and skirting free from mold, dirt, and mildew.
02/08/2023

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	$7
Total	$70

Powerwash

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

EXHIBIT "A"

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner
Vs Case no. 23-000102

#1397/23-000102
SIEBER, ROBERT THERON,sieber, grace a
1050 THRUSH CIRCLE
BAREFOOT BAY, FL 32976
Respondent(s),

STATEMENT OF VIOLATION and NOTICE OF HEARING

PURSUANT to the Article III, Section 12 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 OF DEED OF RESTRICTION VIOLATION

- **Article III, Section 2 Conditions of Property (B)** The exterior of a home on any lot shall be maintained free of mildew, mold and dirt, which is visible when the house is viewed from the street or from any adjacent lot.

LOCATION/ADDRESS WHERE VIOLATION EXISTS
Block # 139 Lot # 23
1050 THRUSH CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Mold, dirt and mildew must be removed from the exterior of the home.

DATE OF VIOLATION FIRST OBSERVED: Jan 18, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

If at the end of this period the home has not been pressure washed of all mold, dirt and mildew, 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 the 02/24/2023 at 625 Barefoot Blvd. Administration building conference room, Barefoot Bay, Florida.** The purpose of this Hearing will be to determine whether or not if the alleged violation(s) exist.

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 for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance to include administrative fees and contractor costs in accordance with Exhibit "A" of **Resolution 2015-16** with the charge posted to the owner's District account. Said charge will constitute as a lien recorded on the property. ***In addition 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 OF 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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Dated this Date, February 08, 2023

Deed of Restrictions Staff

DATE: February 08, 2023

1050 Thrush Cir. Must maintain the house, fence, awnings, and skirting free from mold, dirt, and mildew.
02/08/2023

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	$7
Total	$70

Powerwash

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

EXHIBIT "A"

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner

Vs Case no. 23-000104

#1651/23-000104
CRAIG, ALLAN C,craig, linda
907 HEMLOCK 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, 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 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 of 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 # 7 Lot # 1
907 HEMLOCK STREET
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items/ Must be removed

DATE OF VIOLATION FIRST OBSERVED: Jan 18, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
01/18/2023 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

BBRD DEED OF RESTRICTION STAFF

DATE: February 07, 2023

BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE

NOTICE OF HEARING
Hearing Date: 02/24/2023

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 **02/24/2023 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 an 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.

February 07, 2023
Violations Committee/Deed of Restrictions Staff

907 Hemlock Unapproved items/ Must be removed.
02/07/2023

BAREFOOT BAY VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA

BAREFOOT BAY RECREATION DISTRICT
Petitioner
Vs Case no. 23-000233

#1904/23-000233
FRANGIONE, GINA,hagemeyer, ginamarie
551 MARLIN CIR
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. 4 (A) (B) (C) (D) (E) Pets**
  (A) Property Owners and their lessees, tenants, guests and invitees shall be responsible for the control of any pets owned by them while such pets are within Barefoot Bay. All pets shall be on a leash while being walked or exercised within Barefoot Bay outside the confines of the Owner's residence or completely enclosed fenced areas of a residential lot. The Owner of any pet shall be responsible for the immediate removal and proper disposal in accordance with any local, state or federal law of any bodily waste deposited by a pet on any property within Barefoot Bay. (B) Animals, livestock, or poultry of any kind shall not be raised, bred, or kept on any lot, except that two (2) dogs or two (2) cats or one (1) dog or one (1) cat or other small domesticated household pets which are kept inside the home provided they are not boarded, stabled, kenneled, or bred for commercial purposes. Swine, fowl and livestock (cows, horses, sheep, goats, etc.) shall not be kept on any lot in Barefoot Bay. No feral cat colony shall be maintained by any lot in Barefoot Bay. (C) No dog houses, kennels or animal cages of any kind shall be allowed outside of any home on any Lot within Barefoot Bay. (D) No Dangerous Dogs, as classified by the Brevard County Animal Services and Enforcement, pursuant to Sec. 14-49, Code of Ordinances of Brevard County, Florida, or as such section may be amended, shall be allowed to be maintained on any lot in Barefoot Bay. (E) No person shall knowingly keep or harbor any animal which is known to attack or harm any person or pet while walking or riding on streets or lots within Barefoot Bay.

LOCATION/ADDRESS WHERE VIOLATION EXISTS
Block # 6 Lot # 16
551 MARLIN CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): DANGEROUS DOG

DATE OF VIOLATION FIRST OBSERVED: Feb 03, 2023

DATE OF OWNER/PERSON IN CHARGE GIVEN NOTICE OF VIOLATION:
02/03/2023 via First Class

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: February 21, 2023

BBRD DEED OF RESTRICTION STAFF

DATE: February 09, 2023

BAREFOOT BAY RECREATION DISTRICT
BREVARD COUNTY, FLORIDA
VIOLATIONS COMMITTEE

NOTICE OF HEARING
Hearing Date: 02/24/2023

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 **02/24/2023 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 an 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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February 09, 2023
Violations Committee/Deed of Restrictions Staff

551 marlin Dangerous dog
02/09/2023

<

Animal Control Issue Summary

Job Num: 135311

Urgency: Normal

Date Received: 14-Nov-2022, 11:07:00 AM (11:07)

Officer Details: Aaron Becker

Officer Region: South

Agency: Brevard County

Agency Job / Event Number: **2022-00395507**

Animal Control Issue Codes

Animal Bite

Hide / Show Victim Details

Victim Details

Person ID: 598615

Name: Michael Mielnicki

Address: 353 Dolphin Circle, BAREFOOT BAY FL 32976

DOB: 17-Dec-1946

Phone: Home:315 439 9495
Mobile:
Work:

Email Address:

Hide / Show Owner Details

Owner Details

Person ID: 583525

Name: GINA Frangione

Address: 551 MARLIN Circle, SEBASTIAN FL 32976

Phone: Home:631 466 7518
Mobile:
Work:

Email Address:

Location Details

Location: 551 Marlin Circle BAREFOOT BAY FL 32976

Location Notes:

THERE HAVE BEEN PREVIOUS DISPATCH REQUESTS ON THIS STREET.

2 OTHER DISPATCH REQUESTS AT THIS ADDRESS Hide / Show

ANIMALS LICENSED AT THIS ADDRESS Hide / Show

No animals licensed at this address

Animal Control Issue Details

Received By: Stormie Hanson

Source: Public

Potential Violence: Unknown

Verbally Abusive: Unknown

Potential Violence Details:

Other Comments / Notes:

Nov 14 2022 11:10AM DOG VS DOG DOG VS HUMAN

Complainant Observed Animals: No **Commercial Livestock:** No

Inspection / Follow-up Notes

Date Added	Category	Notes	Added By
Nov 14 2022 11:11AM	NOTE	Bite fax via New World: BITE FAX: victim Michael Mielnicki: address 363 Dolphin Circle, Barefoot Bay: DOB 12/17/1946: phone 315-439-2314 or 315-439-9495: bite date 11/13/2022: injury bite / puncture to left hand: bite happened at East Ave & Merlin Circle by unknown pit bull dog brown and white in color	Crystal Rodriguez
Nov 17 2022 12:25PM	NOTE	Hanson, S (4988)/Rodriguez 4637 On November 14, 2022, at approximately 1036 hours, Officer Hanson responded to 353 Dolphin Circle, Barefoot Bay, Florida, 32976, in reference to a canine versus canine minor and canine versus human severe, received via bite fax. Upon arrival, Officer Hanson discovered an animal bite that occurred on November 13, 2022. On November 21, 2022, at approximately 1446 hours, Officer Rodriguez responded to 551 Marlin Drive Barefoot Bay and made contact with the canine owner, Ms. Gina Frangione. Victim: Michael Mielnicki and Canine Benny Address: 353 Dolphin Circle, Barefoot Bay, 32976 Canine: Small, black mixed male/ leashed Vaccinations/County Tags: Not Current Victim Location of incident: East Ave and Marlin Circle Injury Observed: Left hand ring finger with one stitch/ scratches to his left knee. Canine injuries: Puncture wounds and a laceration on the right side near his stomach which needed medical attention from Highlands Animal Hospital. Severity: Mr. Michael had to receive stiches on his finger Quarantine: N/A Door Tag: No Affidavit: Yes Suspect: Tunechi/ Owner: Gina Frangione Address: 551 Marlin Circle, Barefoot Bay, 32976 Canine: Tunechi, large brown brindle and white mixed male Vaccinations/County Tags: Current Observed: N/A Quarantine: Yes Door Tag: No Affidavit: Yes Witness list: N/A Evidence Collected: Digital Photographs: Yes Video Surveillance: No Bite Patrol: No Owner Surrender: No Euthanasia Request: No Supervisor Approval: Oliva Williams Citations issued: Mr. Michael Mielnicki (598615) C217330- First Offense-14-52(L):Failure to Vaccinate Dog	Stormie Hanson

		C217332- First Offense-14-52(M):Failure to Obtain license tag Gina Frangione (583525) C217372- First Offense-14-56: Animal at large C217373- First Offense- 14-58: Attack causing injury C217374- Third Offense- 14-58: Animal causing property damage For further details, refer to the attached written statements, pictures, and/or videos that were uploaded and attached to this report.	
Nov 29 2022 10:53AM	NOTE	Hahn #1859 After reviewing Ofc. Rodriguez's report, there is sufficient evidence to support the declaration of the dog "Tunechi" (966407) as Dangerous at this time. Over the previous two years, the canine Tunechi has been involved in 4 reported bites. These multiple incidents, where both domestic animals and humans were injured, as well as an additional report of Tunechi getting loose from his property and menacing members of his community in an aggressive fashion, satisfy the requirements for the declaring of a dog dangerous as set forth in section 14-49 of the Brevard County Ordinances In accordance with the statutory time frame pursuant to the provisions of section 14-49 of the Brevard County Ordinances, on or about the date of 11/28/22, a notice of sufficient cause shall be delivered to Mrs. Gina Frangione (583525), the owner of the attacking canine "Tunechi."	Chris Hahn
Nov 29 2022 1:50PM	NOTE	Hahn 1859 On 11/29/22 at approximately 1347 hours I responded to 551 Marlin Cir, Barefoot Bay, Fl to deliver a Notice of Sufficient Findings for the canine Tunechi. Upon my arrival, no one answered the door, and when I rang the home's "Ring" doorbell system, it stated that no one could answer at this time, but allowed me to record a message, where I left my contact information. I posted a notice with my direct contact information at the home's front door, next to the Ring Door bell camera. A picture of the posted notice has been uploaded to this job. Attachments: 1. Digital Media	Chris Hahn
Nov 30 2022 3:11PM	NOTE	Hahn #1859 Notice of Sufficient Cause Finding (Dangerous Canine), pursuant to the Dangerous Dog Section 14-49 of the Code of Ordinances of Brevard County Florida for the canine "Tunechi" (966407) was delivered by hand to Tunechi's owner Gina Frangione (583525), on 11/29/22 at 1523 hours. Mrs. Frangione signed for the notice without incident. Any request for hearings, or future compliance checks regarding this report will be documented and notated, with this report being updated accordingly. Attachments: 1. Notice of Sufficient Findings 2. Delivery Receipt	Chris Hahn
Dec 2 2022 8:54AM	NOTE	Finalized with Tunechi declared a dangerous canine. Notice of Sufficient Cause delivered to and signed by Ms. Fragione on 11/29/2022.	Aaron Becker

		FINALIZED - DD Declaration Becker/3939	
Dec 12 2022 8:41AM	NOTE	Hahn #1859 On 11/28/22 at 1534 hours, I received correspondence via text message from Mrs. Gina Frangione (583525), requesting a Special Magistrate hearing to appeal the declaration of her dog "Tunechi" (966407) a Dangerous dog. A special Magistrate hearing has been scheduled for 12/13/22 at 0900 hours. Attachments: Text message correspondence	Chris Hahn
Dec 13 2022 9:47AM	NOTE	Hahn #1859 A continuance has been granted by the Special Magistrate for the Dangerous Dog Hearing regarding the canine "Tunechi" (966407). The Owner of Tunechi, Mrs. Gina Frangione (583525) was notified of the continuance on 12/12/22 at 1825 hours. The victim of the incident Mr. Michael Mielnicki (598615), was notified of the continuance of on 12/12/22 at 1813 hours.	Chris Hahn

SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

Brevard County Jail Complex
860 Camp Road
Cocoa, FL 32927
(321) 690-1500
(321) 635-7800 fax

Canaveral Precinct
111 Polk Avenue
Cape Canaveral, FL 32920
(321) 868-1113
(321) 784-8340 fax

Criminal Investigative Services
340 Gus Hipp Boulevard
Rockledge, FL 32955
(321) 633-8499
(321) 633-8403 fax

East Precinct
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6652
(321) 454-6631 fax

North Precinct
750 S. Park Avenue
Titusville, FL 32780
(321) 264-5208
(321) 264-5359 fax

Operational Services
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6643
(321) 454-6642 fax

South Precinct
1515 Sarno Road, Bldg B.
Melbourne, FL 32935
(321) 253-6658
or (772) 664-1015
(321) 253-6666 fax

West Precinct
2725 Judge Fran Jamieson Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

CERTIFIED HAND-DELIVERY AFFIDAVIT

STATE OF FLORIDA
COUNTY OF BREVARD COUNTY

BEFORE ME, the undersigned authority, Officer **Christopher Hahn**, did appear, who after being duly sworn, deposes and says:

1. That the statements set forth herein are based upon personal knowledge.
2. That service was provided pursuant to Section 162.12(1), Florida Statutes.
3. That he delivered by **CERTIFIED HAND-DELIVERY** a Notice of Sufficient Cause of Dangerous Dog Section 14-49 of Code of Ordinances of Brevard County, Florida to **Mrs. Gina Frangione**
at 551 Marlin Cir on 11/28/22.

BCSO Animal Services

11/30/22

Christopher Hahn — Date
BCSO ANIMAL SERVICES (321)633-2024

SWORN to and subscribed before me
on 12/1/2022 by
Brevard County Sheriff's Office
Animal Cruelty Investigator, Agent Aaron Becker
#3939

Place notary seal here –

Personally known _____ OR Produced Identification _____
Type of Identification Produced _____.

SHERIFF WAYNE IVEY

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Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

Job: 135311

BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES AND ENFORCEMENT

DELIVERY RECEIPT

My signature below acknowledges my receipt of Brevard County Sheriff's Office Animal Services and Enforcement's "Notice of Sufficient Cause Finding" of Dangerous Dog Section 14-49 of Code of Ordinances of Brevard County, Florida regarding the following case:

OWNERS NAME: Gina Frangione
ADDRESS: 551 Marlin Cir,
Sebastian, Florida 32976
Job #: 135311
DATE OF INCIDENT: 11/13/22
NAME OF ANIMAL: "Tunechi"
ANIMAL DESCRIPTION: Brown Brindle, male, Mixed breed canine

Owner/Agent's Signature — Date: 11/28/22

Owner/Agent's Printed Name: Gina Marie Frangione — Relation to Owner

BCSO Animal Services Representative (Signature) — Date: 11/29/22 Time: 15:23

BCSO Animal Services Representative (Printed & ID #): Chris Hsu #1859

BITE REPORT

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER	DATE	TIME	LOCATION	BITE REPORT #
Rodriguez	11/14/22	10:40	353 Dolphin cir Barefoot bay 32976	135311

II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE)	GENDER	TELEPHONE (HOME)	TELEPHONE (WORK)	OTHER
Mielnicki	M	315-439-9495		

HOME ADDRESS	WORK ADDRESS
353 Dolphin Cird	

III. STATEMENT

☑ VICTIM ☐ OWNER ☐ WITNESS ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

Dog broke loose from owner and attacked my dog and me from behind. Dog latched on to my dog and bit him on the side and wouldnt let loose and well trying to brake them up dog bit me. Dog was a Pit bow brown and white came from his yard at 551 Marlin Circle.

end of statement

BREVARD COUNTY SHERIFF'S OFFICE
ANIMAL SERVICES AND ENFORCEMENT
AFFIDAVIT – BITE REPORT

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER	DATE	TIME	LOCATION	BITE REPORT #
Rodriguez	11/21/22	1500	551 Marlin Barefoot Bay,	135311

II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE)	GENDER	TELEPHONE (HOME)	TELEPHONE (WORK)	OTHER
Frangione, Gina		631 466 7518		

HOME ADDRESS	WORK ADDRESS
551 Marlin Cir, Barefoot Bay. 32976	

III. STATEMENT

☐ VICTIM ☑ OWNER ☑ WITNESS ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

On 11/13/22 @ 9am I had taken Tunechi out and after he did his business he came to me and while going to put his leash back on him while in gate he realized a dog was walking past and got out of my grip and took off towards him. I yelled to the man and told him to lift up his dog. The gentleman and I wrestled the dogs and I held Tunechi's mouth and squeezed to free pup. The other pup scratched and bit Tunechi + I as well but we did not seek care to avoid conflict with owner of other dog.

End of statement

CONTINUED ON NEXT PAGE

end of statement

V. SIGNATURE / OATH

I swear (or affirm) I have read this statement and it is true and correct to the best of my knowledge so help me God. GF

Signature of Affiant Gina Marie Frangione

Subscribed and sworn before me, a person authorized by law to administer oaths, this 21 day of November 2022 (year).

Signature of Notary/Law Enforcement Officer in performance of official duties 4637

Notary Public State of Florida
Crystal Rodriguez
My Commission
HH 222686
Exp. 1/31/2026

Affiant is: ☐ Personally Known ☐ I.D. Produced: FL DL

Brevard County Sheriff's Office
Animal Enforcement
Citation Court Information Sheet

Enforcement Officer Name and ID#	Date/Time	Case Number
Rodriguez 4637	11/13/2022 1030 hrs	135311

	Victim/Witness Name/Address/Date of Birth	Driver License Number/State	Citation Number
Add Row Delete Row	Michael Mielnicki- DOB-12/17/1946 353 Dolphin Circle, Barefoot Bay, Fl, 32976	M452550464570/FL	C217372/C217373/ C217374

	Citation Number	Offense	County Ordinance/Statute #
Add Row Delete Row	C217372	Animal at large	14-56
Add Row Delete Row	C217373	Attack causing injury	14-58
Add Row Delete Row	C217374	Animal causing property damage	14-58

Initial Reason for the Visit:

Animal Bite

Reason for Issuing the Citation and Statements Made by the Victim/Owner:

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

4637

Signature of Officer

Crystal Rodriguez 4637

Print Name of Officer

BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES
ANIMAL QUARANTINE INSTRUCTIONS

AEO# 4637

135311

BITE: 15927

DATE: 11/21/22

QUARANTINE DATE: 11/13/22

OWNER: Gina Frangione ANIMAL BREED: Mix PHONE (H): 631-446-7215

ADDRESS: 551 Marin Cir COLOR: brown/red AGE: 12 SEX: M PHONE (W):

CITY: Melbourne Beach ZIP: 32976 THIS QUARANTINE IS FOR: 10 DAYS NAME: Tiramisu

CONDITIONS FOR HOME QUARANTINE

By signing this form, the owner specifically agrees to fully and continuously comply with all the following conditions:

1. While under Home Quarantine the animal referenced above **MUST NOT RECEIVE A RABIES VACCINATION**.
2. The animal shall be confined to the home, a pen, a fenced area or other location, which has been specifically approved in writing. **THE ANIMAL MUST NOT BE ALLOWED TO RUN FREE DURING THE QUARANTINE PERIOD**.
3. The animal shall not be removed from the premises of the owner except for veterinary examinations without the written consent of a representative of Brevard County Sheriff's Office Animal Services.
4. The animal **MUST NOT BE KILLED**, disposed of, released or moved to another location during the quarantine period.
5. If the animal is removed from the home, pen or other approved area for veterinary examination or any other reason, it will be kept securely on a leash. This includes while being transported in a vehicle so as to prevent its escape through a window or open door.
6. **If the animal escapes or shows any symptoms of illness or change in temperament, the owner will immediately notify Brevard County Sheriff's Office Animal Services at 321.633.2024**.
7. In the event the animal dies or is killed during this quarantine period, the owner will notify Brevard County Sheriff's Office Animal Services immediately as indicated above. The carcass shall be surrendered to a Brevard County Sheriff's Office Animal Services Officer or a veterinarian who shall prepare and ship the specimen to a laboratory for rabies examination.
8. If the quarantined animal bites any person or other animal, said bite shall be reported by the owner to the Brevard County Sheriff's Office Animal Services.
9. The owner agrees to permit observation and examination of the animal at any time by representatives of the Brevard County Sheriff's Office Animal Services or to take the animal to the veterinarian if directed by the Brevard County Sheriff's Office Animal Services.
10. The owner accepts responsibility for and agrees to pay all costs of all veterinarian examination, tests, treatment, boarding, transportation or other incidental items which may be incurred as a result of this agreement.
11. The owner understands that any violation of State or County laws will result in immediate revocation of the Home Quarantine privilege and the owner agrees to immediately surrender the animal to representatives of the Brevard County Sheriff's Office Animal Services for quarantine during the remainder of the quarantine period.
12. The owner understands and agrees to submit the above-described animal for veterinary examination between the dates listed below. **The owner agrees to immediately send the completed request form to be received by the second (2nd) working day from the date of veterinary examination**.
13. A decision by the Brevard County Sheriff's Office Animal Services regarding approval, rejection or revocation of Home Quarantine is final. Failure to comply with any of these provisions will result in the issuance of a civil citation and civil penalty.

I AFFIRM THAT I UNDERSTAND THE ABOVE REQUIREMENTS AND WILL CONFORM TO THEM.

AEO	DATE	OWNER	DATE
4637	11/21/22		11/21/22

QUARANTINE TIME UP 11/23/2022 Veterinary examination to take place between 11/21/22 and 11/23/22.

Owner is responsible for immediate mailing of **COMPLETED QUARANTINE FORM**. The form must be received no later than two (2) working days from the date of veterinary examination. Send to: **BREVARD COUNTY SHERIFF'S OFFICE ANIMAL SERVICES, 2725 JUDGE FRAN JAMIESON WAY, A119, VIERA, FL 32940**.

TO BE COMPLETED BY VETERINARIAN:

I certify that I have examined the above-described animal and in my professional opinion find it to be free of rabies and <u>has not been vaccinated for rabies during this quarantine</u>. Quarantine may be terminated.

VETERINARIAN'S SIGNATURE **DATE**

CLINIC STAMP

SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

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Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

Gina Frangione
551 Marlin Cir,
Sebastian, Florida 32976

November 23rd, 2022

RE: Notice of Sufficient Cause Finding to Declare a Dog Dangerous, Chapter 14, Code of Ordinances of Brevard County, Florida

Dear: Mrs. Gina Frangione
Attached hereto please find copies of the Brevard County Animal Services Bite Report and other pertinent information concerning the following incident:

Job #: 135311
DATE OF INCIDENT: 11/13/22
NAME OF ANIMAL: Tunechi
ANIMAL DESCRIPTION: Male Brown Brindle Mixed Breed canine

The above records of Brevard County Animal Services and Enforcement indicate that you are the owner of the above referenced dog. Therefore, you are hereby notified that Brevard County Animal Services and Enforcement intends to declare the above described dog to be a Dangerous Dog, pursuant to the provisions of section 14-49, Code of Ordinances of Brevard County, Florida. The decision to declare your dog as dangerous is based on the incident described in the enclosed reports and affidavits.

Pursuant to the provisions of Code Section 14-49, Brevard County Animal Services and Enforcement has investigated the above described incident, and has determined your dog meets one or more of the definitions of a "Dangerous Dog."

You have the right to request a hearing before the Brevard County Animal Services and Enforcement Magistrate within seven (7) calendar days from receipt of this notice. If you do not request a hearing to petition the County's intent to declare the dog dangerous, no hearing or appeal procedure, as set forth in law, shall be available thereafter. No dog that is the subject of an investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings related to the classification.

The request for the hearing shall be in writing to:

Brevard County Sheriff's Office, Animal Services and Enforcement
Attn: Animal Enforcement Investigations
2775 Judge Fran Jamieson Way, A119
Melbourne Florida 32940

IT IS THE RESPONSIBILITY OF THE DOG OWNER TO BE INFORMED OF THE PROVISIONS OF CHAPTER 14, ANIMAL SERVICES AND ENFORCEMENT CODE OF ORDINANCES OF BREVARD COUNTY FLORIDA, CONCERNING DANGEROUS DOGS , AND TO PURSUE WHATEVER REMEDIES THE OWNER FEELS APPROPRIATE.

If you have any questions concerning this matter, please contact the Brevard County Sheriff's Office Animal Services and Enforcement Department at (321) 633-2024

Sincerely,

Christopher Hahn
Animal Enforcement Investigator
Brevard County Sheriff's Office
Animal Services Enforcement

Aaron Becker
Animal Cruelty Investigator, Agent
Brevard County Sheriff's Office
Animal Services Enforcement

Enclosures:
Bite Report(s)/Affidavit(s)/Case Reports
Copy of Brevard County Ordinance, Chapter 14, Section 14-49

SHERIFF WAYNE IVEY

BREVARD COUNTY SHERIFF'S OFFICE

700 S. Park Avenue ★ Titusville, Florida 32780-4095 ★ (321) 264-5201 ★ (321) 264-5360 fax ★ www.BrevardSheriff.com

Brevard County Jail Complex
860 Camp Road
Cocoa, FL 32927
(321) 690-1500
(321) 635-7800 fax

Canaveral Precinct
111 Polk Avenue
Cape Canaveral, FL 32920
(321) 868-1113
(321) 784-8340 fax

Criminal Investigative Services
340 Gus Hipp Boulevard
Rockledge, FL 32955
(321) 633-8499
(321) 633-8403 fax

East Precinct
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6652
(321) 454-6631 fax

North Precinct
750 S. Park Avenue
Titusville, FL 32780
(321) 264-5208
(321) 264-5359 fax

Operational Services
2575 N. Courtenay Pkwy.
Merritt Island, FL 32953
(321) 454-6643
(321) 454-6642 fax

South Precinct
1515 Sarno Road, Bldg B.
Melbourne, FL 32935
(321) 253-6658
or (772) 664-1015
(321) 253-6666 fax

West Precinct
2725 Judge Fran Jamieson Way, Bldg. E
Viera, FL 32940
(321) 633-2123
(321) 633-1965 fax

Gina Frangione
551 Marlin Cir,
Sebastian, Florida 32976

December 13, 2022

RE: Notice of Sufficient Cause Finding to Declare a Dog Dangerous, Chapter 14, Code of Ordinances of Brevard County, Florida

Dear: Mrs. Gina Frangione
Attached hereto please find copies of the Brevard County Animal Services Bite Report and other pertinent information concerning the following incident:

Job #: 135311
DATE OF INCIDENT: 11/13/22
NAME OF ANIMAL: Tunechi
ANIMAL DESCRIPTION: Male Brown Brindle Mixed Breed canine

The above records of Brevard County Animal Services and Enforcement indicate that you are the owner of the above referenced dog. Therefore, you are hereby notified that Brevard County Animal Services and Enforcement intends to declare the above described dog to be a Dangerous Dog, pursuant to the provisions of section 14-49, Code of Ordinances of Brevard County, Florida. The decision to declare your dog as dangerous is based on the incident described in the enclosed reports and affidavits.

Pursuant to the provisions of Code Section 14-49, Brevard County Animal Services and Enforcement has investigated the above described incident, and has determined your dog meets one or more of the definitions of a "Dangerous Dog."

You have the right to request a hearing before the Brevard County Animal Services and Enforcement Magistrate within seven (7) calendar days from receipt of this notice. If you do not request a hearing to petition the County's intent to declare the dog dangerous, no hearing or appeal procedure, as set forth in law, shall be available thereafter. No dog that is the subject of an investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings related to the classification.

The request for the hearing shall be in writing to:

Brevard County Sheriff's Office, Animal Services and Enforcement
Attn: Animal Enforcement Investigations
2775 Judge Fran Jamieson Way, A119
Melbourne Florida 32940

IT IS THE RESPONSIBILITY OF THE DOG OWNER TO BE INFORMED OF THE PROVISIONS OF CHAPTER 14, ANIMAL SERVICES AND ENFORCEMENT CODE OF ORDINANCES OF BREVARD COUNTY FLORIDA, CONCERNING DANGEROUS DOGS , AND TO PURSUE WHATEVER REMEDIES THE OWNER FEELS APPROPRIATE.

If you have any questions concerning this matter, please contact the Brevard County Sheriff's Office Animal Services and Enforcement Department at (321) 633-2024

Sincerely,

Christopher Hahn
Animal Enforcement Investigator
Brevard County Sheriff's Office
Animal Services Enforcement

#13979

Aaron Becker
Animal Cruelty Investigator, Agent
Brevard County Sheriff's Office
Animal Services Enforcement

Enclosures:
Bite Report(s)/Affidavit(s)/Case Reports
Copy of Brevard County Ordinance, Chapter 14, Section 14-49

BECA - Brevard Electronic Court Application

Logged in as: Public

Log Out

Name Search - HAGEMEYER

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
05-2020-IN-001994-AXXX-XX	HAGEMEYER GINA M	DEFENDANT (1)	BREVARD CO VS HAGEMEYER GINA	ANIMAL CONTROL	08/21/2020	ORIGINAL DISPOSED	04/08/1970	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	08/12/2020	AC 14 58 ANIMAL CAUSING PROPERTY DAMAGE 1ST OFF	08/25/2020	GUILTY	2020AC90253

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
05-2020-TR-030699-AXXX-XX	HAGEMEYER JAIZEN MICHAEL	DEFENDANT (1)	STATE VS HAGEMEYER	TRAFFIC INFRACTION	12/16/2020	ORIGINAL PENDING	06/20/2000	135.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	12/16/2020	SAFETY BELT VIOLATION OPERATOR	01/26/2021	GENERATED NONCOMPLIANCE	2020ADYGQ7E

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
05-2021-IN-000821-AXXX-XX	HAGEMEYER GINA M	DEFENDANT (1)	BREVARD COUNTY VS HAGEMEY	ANIMAL CONTROL	05/14/2021	ORIGINAL DISPOSED	04/08/1970	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	05/09/2021	AC 14 58 ANIMAL CAUSING PROPERTY DAMAGE 2ND OFF	07/12/2021	GUILTY	2021C213866
2	05/09/2021	AC 14 55 FAILURE TO SECURE ANIMAL 1ST OFF	07/12/2021	ACQUITTED	2021C213867

Case Number	Party Name	Party Type	Case Title	Case Type	Filing Date	Case Status	DOB	Amount Due
05-2021-TR-025777-AXXX-XX	HAGEMEYER NICHOLAS CHARLES	DEFENDANT (1)	STATE VS HAGEMEYER NICHOLAS CH	TRAFFIC INFRACTION	09/26/2021	ORIGINAL DISPOSED	09/07/1993	0.00

Count	Charge Date	Charge	Disposition Date	Final Disposition	Citation Number
1	09/24/2021	SPEED POSTED MUNICIPALITY SPEEDING 6 TO 9 MPH	11/18/2021	ADJUDICATION WITHHELD	2021AEVBZCE

4 Current Cases Returned

BETWEEN '04/01/2020' AND '11/15/2022'

Close

Brevard County Sheriff's Office
Animal Enforcement
Citation Court Information Sheet

Enforcement Officer Name and ID#	Date/Time	Case Number
Rodriguez 4637	11/13/2022 1030 hrs	135311

	Victim/Witness Name/Address/Date of Birth	Driver License Number/State	Citation Number
Add Row Delete Row	Michael Mielnicki- DOB-12/17/1946 353 Dolphin Circle, Barefoot Bay, Fl, 32976	M452550464570/FL	C217372/C217373/ C217374

	Citation Number	Offense	County Ordinance/Statute #
Add Row Delete Row	C217372	Animal at large	14-56
Add Row Delete Row	C217373	Attack causing injury	14-58
Add Row Delete Row	C217374	Animal causing property damage	14-58

Initial Reason for the Visit:

Animal Bite

Reason for Issuing the Citation and Statements Made by the Victim/Owner:

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

4637

Signature of Officer

Crystal Rodriguez 4637

Print Name of Officer

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

_____

ANIMAL ENFORCEMENT CIVIL CITATION **CITATION NUMBER** C 217330

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/14/2022 11:25	**VIOLATION NUMBER:** 135311	
NAME (FIRST, M.I., LAST): Michael Mielnicki		
ADDRESS: 353 Dolphin Circle, , BAREFOOT BAY Florida 32976		
TELEPHONE: 3154399495	**DOB:** 12/17/1946	**SEX:** Male
DL OR OTHER ID NUMBER:	**EXPIRATION DATE:**	**ISSUING STATE:**
ANIMAL NAME: Benny	**AGE:** 9 Year(s) 0 Months 0 Weeks	**SEX:** Male
COLOR: Black /	**PRIMARY BREED:** Mixed Breed (Small)	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 Marlin Circle, BAREFOOT BAY, FL, 32976, United States

✓ **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** ____ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-52(L) 1st Offense - Failure to Vaccinate Dog Cat or Ferret	$120.00
	PAY THIS AMOUNT: $120.00

FACTS CONSTITUTING PROBABLE CAUSE
Canine Benny (985268) does not have a current rabies vaccine.

SIGNATURE OF OFFICER Crystal Rodriguez, 4637	**DATE / TIME** 11/14/2022 11:27
SIGNATURE OF PERSON CITED Michael Mielnicki	**DATE / TIME** 11/14/2022

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-_____

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

_____

ANIMAL ENFORCEMENT CIVIL CITATION **CITATION NUMBER** C 217332

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/14/2022 11:26	**VIOLATION NUMBER:** 135311	
NAME (FIRST, M.I., LAST): Michael Mielnicki		
ADDRESS: 353 Dolphin Circle, , BAREFOOT BAY Florida 32976		
TELEPHONE: 3154399495	**DOB:** 12/17/1946	**SEX:** Male
DL OR OTHER ID NUMBER:	**EXPIRATION DATE:**	**ISSUING STATE:**
ANIMAL NAME: Benny	**AGE:** 9 Year(s) 0 Months 0 Weeks	**SEX:** Male
COLOR: Black /	**PRIMARY BREED:** Mixed Breed (Small)	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

353 Dolphin Circle, BAREFOOT BAY, FL, 32976, United States

X **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** _____ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-52(M) 1st Offense - Failure to Obtain Rabies Certificate / License Tag	$120.00
	PAY THIS AMOUNT: $120.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Benny (985268) does not have proof of a current county license.

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 CR 4637	**DATE / TIME** 11/14/2022 11:30
SIGNATURE OF PERSON CITED Michael Mielnicki	**DATE / TIME** 11/14/2022

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-_____

BREVARD COUNTY SHERIFF'S OFFICE
ANIMAL SERVICES AND ENFORCEMENT
AFFIDAVIT – BITE REPORT

I. STATEMENT INFORMATION

INTERVIEWING ASE OFFICER	DATE	TIME	LOCATION	BITE REPORT #
Rodriguez	11/14/22	10:40	353 Dolphin cir Barefoot bay 32976	135311

II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE)	GENDER	TELEPHONE (HOME)	TELEPHONE (WORK)	OTHER
Mielnicki	M	315-439-9495		

HOME ADDRESS	WORK ADDRESS
353 Dolphin Cird	

III. STATEMENT

☑ VICTIM ☐ OWNER ☐ WITNESS ☐ OTHER

PLEASE FILL OUT THE FORM BELOW; DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

Dog broke loose from owner and attacked my dog and me from behind. Dog latched on to my dog and bit him on the side and wouldnt let loose and well trying to brake them up dog bit me. Dog was a Pit bow brown and white came from his yard at 551 Murlin Circle.

end of statement

CONTINUED ON NEXT PAGE

end of statement

V. SIGNATURE / OATH

I swear (or affirm) I have read this statement and it is true and correct to the best of my knowledge so help me God MJM

Signature of Affiant

Michael J. Mielnicki

Subscribed and sworn before me, a person authorized by law to administer oaths, this 14 **day of** November 2022 **(year).**

Signature of Notary/Law Enforcement Officer in performance of official duties.

4637

Notary Public State of Florida
Crystal Rodriguez
My Commission
HH 222686
Exp. 1/31/2026

Affiant is: ☐ **Personally Known** ☑ **I.D. Produced:** FL IDL

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

_____

ANIMAL ENFORCEMENT CIVIL CITATION **CITATION NUMBER** C 217372

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30	**VIOLATION NUMBER:** 135311	
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	**DOB:** 4/8/1970	**SEX:** Female
DL OR OTHER ID NUMBER: F652293706280	**EXPIRATION DATE:** 4/8/2028	**ISSUING STATE:** FL
ANIMAL NAME: TUNECHI	**AGE:** 12 Year(s) 3 Months 1 Weeks	**SEX:** Male
COLOR: Brown Brindle /	**PRIMARY BREED:** Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

X **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** ____ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-56 1st Offense - Animal at Large	$55.00

PAY THIS AMOUNT: $55.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 CR 4637	**DATE / TIME** 11/21/2022 16:33
SIGNATURE OF PERSON CITED Gina Marie Frangione	**DATE / TIME** 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

ANIMAL ENFORCEMENT CIVIL CITATION **CITATION NUMBER** C 217373

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30	**VIOLATION NUMBER:** 135311	
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	**DOB:** 4/8/1970	**SEX:** Female
DL OR OTHER ID NUMBER: F652293706280	**EXPIRATION DATE:** 4/8/2028	**ISSUING STATE:** FL
ANIMAL NAME: TUNECHI	**AGE:** 12 Year(s) 3 Months 1 Weeks	**SEX:** Male
COLOR: Brown Brindle /	**PRIMARY BREED:** Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

X **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** ____ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-58 1st Offense - Attack Causing Injury	$220.00

PAY THIS AMOUNT: $220.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637	**DATE / TIME** 11/21/2022 16:37
SIGNATURE OF PERSON CITED Gina Marie Frangione	**DATE / TIME** 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-_____

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-

_____

ANIMAL ENFORCEMENT CIVIL CITATION **CITATION NUMBER** C 217374

IN THE NAME OF BREVARD COUNTY, THE UNDERSIGNED OFFICER CERTIFIES HAVING PROBABLE CAUSE TO BELIEVE THAT ON:

VIOLATION / OFFENSE DATE AND TIME: 11/13/2022 10:30	**VIOLATION NUMBER:** 135311	
NAME (FIRST, M.I., LAST): GINA M Frangione		
ADDRESS: 551 MARLIN Circle, , SEBASTIAN Florida 32976		
TELEPHONE: 631 466 7518	**DOB:** 4/8/1970	**SEX:** Female
DL OR OTHER ID NUMBER: F652293706280	**EXPIRATION DATE:** 4/8/2028	**ISSUING STATE:** FL
ANIMAL NAME: TUNECHI	**AGE:** 12 Year(s) 3 Months 1 Weeks	**SEX:** Male
COLOR: Brown Brindle /	**PRIMARY BREED:** Medium Cross Breed	

DID UNLAWFULLY COMMIT, IN BREVARD COUNTY, FLORIDA, A VIOLATION OF THE BREVARD COUNTY ORDINANCE INDICATED BELOW, AT THE LOCATION OF:

551 MARLIN Circle, SEBASTIAN, FL, 32976, United States

_X_ **NO COURT APPEARANCE REQUIRED IF PAID WITHIN 30 DAYS.** _____ **MANDATORY COURT APPEARANCE REQUIRED.**

DESCRIPTION OF CHARGE	FEE
14-58 3rd Offense - Animal Causing Property Damage	$300.00

PAY THIS AMOUNT: $300.00

FACTS CONSTITUTING PROBABLE CAUSE

Canine Tunechi (966407) was at large and attacked another canine causing minor injury and injured a human as well per witness affidavit

SIGNATURE OF OFFICER Crystal Rodriguez, 4637 CR 4637	**DATE / TIME** 11/21/2022 16:44
SIGNATURE OF PERSON CITED Gina Marie Frangione	**DATE / TIME** 11/21/22

PURSUANT TO F.S. § 828.27(5), ANY PERSON WHO WILLFULLY REFUSES TO SIGN AND ACCEPT A CITATION MAY BE CHARGED WITH A MISDEMEANOR OF THE SECOND DEGREE.

IF YOU ELECT NOT TO CONTEST THE CITATION YOU MUST PRESENT THIS CITATION TO THE CLERK OF THE COURT ALONG WITH YOUR PAYMENT OF THE CITATION AMOUNT WITHIN 30 DAYS AND NO COURT APPEARANCE SHALL BE REQUIRED. IF YOU ELECT TO CONTEST THE CITATION, YOU MUST CONTACT THE CLERK OF COURT TO REQUEST A HEARING WITHIN 30 DAYS. SEE IMPORTANT INSTRUCTIONS ON THE FINAL PAGE OF THIS CITATION.

(FOR CLERK USE) COURT CASE NO. 05-20-_____IN_____-A-_____

Brevard County Sheriff's Office Animal Services

Animal Services: Home
(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/)
Animal Abuse Registry
(https://animalabusedatabase.com/animalabusedatabasesearch)
Animal Tags & Licenses
(https://www.petparentusa.com/FL_Brevard.aspx)
Enforcement: Home
(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/)
Enforcement: Main
(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/animal-services/)
Animal Services Affidavits
(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/dangerous-dog-list/)
Dangerous Dog List
(https://www.brevardsheriff.com/home/commands-services/operational-services/animal-services/enforcement/animal-services/pet-searches/)
Pet Searches
(https://www.brevardsheriff.com/home/sheriffs-posse/)
Sheriff's Pet Posse
(https://www.brevardsheriff.com/home/sheriffs-posse/paws-stripes-college/)
Paws & Stripes College
(https://www.brevardsheriff.com/home/news/)
Other Links

Dangerous Dog List

Shannon Boyd
4029 Garden wood Cir, Grant Valkaria Fl 32949
321-626-7062
"Charlie" (DD 274)" Brown, Male Mixed breed canine
"Cody" (DD275), Brown, Male Mixed breed canine

Carolyn Karsk
2222 Washington St, Palm Bay Fl 32905
321-872-5780
"Lady" (DD276), Grey and White Mixed breed dog

Alex Abreu
2881 Detached Cir, Palm Bay, Fl 32920
772-494-3516
"Ares" (DD277), Blue and white female Mixed breed dog

Brian Newland
1625 E Carriage Dr Titusville, FL 32796
(321)961-6283

To file a report or complaint, or to report animal abuse or cruelty, please call 321-633-2024

Donate to Us

(https://www.petparentusa.com/FL_Brevard.aspx)

services/other-links-animal-services/)

Dog ‘Jaxon’ (DD 246) Mastiff Mix

Amber Flannery
1005 Bonnymede Dr Titusville, FL 32796
(321)431-9419
Dog ‘Georgia’ (DD247) Black Mouth Cur Mix

Jessica Osborne/Dawson Paine
5951 Lord St Mims, FL 32754
(321)698-7093
Dog ‘Milo’ (DD 248) Catahoula

Brenda Burnett
113 Martesia Way Indian Harbour Beach, FL 32937
(719)322-9833
Dog ‘Percy’ (DD 249) German Shepherd Mix

Linda Gransbury
713 Gibbons Rd SW
Palm Bay, Florida 32908 321-626-6961
Dog “Titan” (DD 242) Brindle/white mix breed

Megan Goss
2160 Warwick Rd
Melbourne, Florida 32935
321-208-4968
Dog “Jake” (DD 235) Brown Brindle Mix Breed

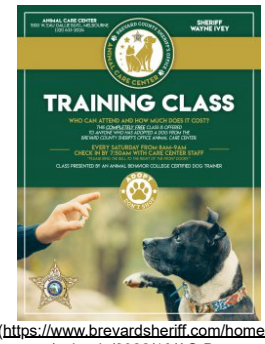
Kim Koebberling
1150 Grapefruit RD SE,
Palm Bay, Florida 32909
321-265-2538
Pretty Dawg (DD 233) Red Chinese Sharpei Mix Breed

Frederick Hinojosa
1023 Lynn Ct,
Titusville, Florida 32796
352-207-1821
Dog “Willie” (DD 229) Brown Hound Mix Breed

Kathryn Wilson
102 Twin Lakes Rd,
Palm Bay FL 32901
321-951-2769
Dog ‘Ziva’ (DD 239) Blue, Retriever Mix Breed

Vanessa Waysome
258 Coronada Blvd,
Titusville, FL 32780
321-458-3587
Dog ‘Zeus’ (DD 240) Brindle, Cane Curso

Denise Minchella
1590 Salmon St
Merritt Island, FL 32952



(https://www.brevardsheriff.com/home/wp-content/uploads/2022/10/AS-Dog-Training-Class-Flyer-V3.pdf)

(http://www.brevardsheriff.com/home/wp-content/uploads/2015/05/dogfighting_how_to_recogniz

(https://www.brevardsheriff.com/home/wp-content/uploads/2021/11/Community-Cat.pdf)

Animal Services Administration

1515 Sarno Road, Bldg B.
Melbourne, Fl 32935
(321) 633-2024
animalservices@bcso.us
(mailto:animalservices@bcso.us)

Animal Services Operations
Director Joe Hellebrand
Admin Phone: 321-633-2105
Fax: 321-633-2141

Foster Coordinator
fostercoordinator@bcso.us
(mailto:fostercoordinator@bcso.us)

Rescue Coordinator
rescuecoordinator2@bcso.us
(mailto:rescuecoordinator2@bcso.us)

Special Events Coordinator
Kayli Wilson
kayli.wilson@bcso.us
(mailto:kayli.wilson@bcso.us)

Animal Care Center

5100 West Eau Gallie Blvd
Melbourne, FL 32934
Phone: 321-633-2024
Fax: 321-253-6623
View Map
(https://maps.google.com/maps?q=5100+West+Eau+Gallie+Blvd++Melbourne,+Fl+3293
Hours of Operation
Monday, Tuesday, Thursday, Friday,
Saturday 11-6
Wednesday 1-6
Sunday 12-4

321-652-2271
Dog ‘Hannah’ (DD 245) Catahoula/Mastiff mix

Juan Torres
812 Marian Ct.
Titusville, FL, 32780
(904)-210-9721
Dog “Rocky” (DD252) Black and White Mix Breed

Carlos Reyna
621 Paw Paw St
Cocoa, FL 32922
(561)-584-0176
Dogs “Bella” (DD 253) Gray and White Mix Breed and King (DD 254) White and Brown Mix Breed

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Jeffery Strom
1036 Potenza Dr
West Melbourne, FL 32904
(321)-482-4277
Dog Dalgo (DD 255) White Mastiff Mix Breed

Laura Waelti
7290 Waelti Dr
Melbourne, FL 32940
321-403-5336
Dog: Bear (DD 259) Brown Brindle Mix Breed

Andrea Stowe
799 Alfonso Ave SE
Palm Bay, FL 32909
321-306-7152
Dog: Monster (DD 262) Tan Curr

Jeremy Trillich
2839 Dutton Dr,
Titusville, FL 32796
321-368-5018
Dog: Bryn (DD267) Brown Brindle Mix Breed

Steven Kirsner
4439 Chiming Ln,
Viera, FL 32955
321-749-7000
Dog: Bear (DD268) Brown Chow Mix Breed

Mary Young
300 McGill Ln,
Merritt Island, FL 32953
321-689-2374
Dog: George (DD266) Black Brindle Shepherd Mix

Daniel Bross
Dog: Opossum (DD 265) Brindle/White Mix Breed

James Chalk
1800 Fletcher St.
Melbourne, FL 32901
(321)-216-8855
Dog “GB” (DD271) German Shephard

Christie Cloke
1625 Dozier Cir SE
Palm Bay, FL 32909
Dogs “Rascal” (DD 269) Gray and White Mix Breed “Bosco” (DD270) Brown and White St. Bernard

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Francis Grijalva- Garcia
217 Coral Way, Cocoa Fl 32922
321-298-1478
“Rocky” (DD278), Beige, Male mixed breed canine

Jonte Robinson
1429 Lark Ct, Titusville Fl 32780
321-917-3898
“Patrick” (DD279), Black and white, Male, mixed breed canine

Gina Frangione
551 Marlin Cir, Barefoot Bay, Fl 32976
631-466-7518
“Tunechi” (DD280), Brown Brindle, Male, mixed Breed Canine

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11/14/2022

11/14/2022

11/14/2022

the findings are inadequate and untrue and request a hearing. Thank you GinaMarie Frangione

Thank you for the correspondence, we will set a hearing for the next magistrate hearing on 12/13

Thank you I appreciate your time.

Tuesday 9:28 AM

Hello Officer Hahn just wondering big you have a time yet and is the date still 12/13? Thank you.