



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



625 Barefoot Blvd.  
Administration Bldg. Conference Room  
01/26/2024  
10:00 a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call: 1st Chair Ed Haslam, 2nd Chair Louise Crouse, Susan Hall, and Alternates David Wheaton and Mark Thomasson.
- Re-Election of Officers
- 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. (B) PW**

1. 23-002731 917 CYPRESS STREET

**Condition of Prop. (C) Unauthorized items**

2. 23-002887 604 PUFFIN DRIVE

**TEMPORARY PORTABLE OR FREE-STANDING STRUCTURES**

3. 23-002826 1027 THRUSH CIRCLE

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**Closing Remarks:** The next VC meeting is scheduled for Friday, February 9, 2024, in the Administration Building Conference room, at 625 Barefoot Blvd.

**Adjournment:**

*Sally-Ann Biondolillo*

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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.**

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



625 Barefoot Blvd.

Administration Conference Room

10:00 a.m.

The Barefoot Bay Violations Committee held its regular Hearing on 1/05/2024 in the Administration Conference Room, Barefoot Bay, Florida 32976.

**Call to Order:** Vice-Chair Vickie Sloss called the hearing to order at 10:00 a.m.

**Pledge of Allegiance:** Louise Crouse led the pledge of allegiance.

**Roll Call:** Present: Vice-Chair Vickie Sloss, 2<sup>nd</sup> Chair Louise Crouse, members, Ed Haslam, and Alternate Mark Thomasson was a voting member. Excused: Member Susan Hall and Alternate David Wheaton.

**Election of Officers:** Ed Haslam nominated Vickie Sloss as Chair, seconded by Mark Thomasson, no others were nominated, motion carried. Mark Thomasson nominated Ed Haslam as 1<sup>st</sup> Chair, seconded by Louise Crouse, no others were nominated, motion carried. Ed Haslam nominated Louise Crouse as 2<sup>nd</sup> Chair, seconded by Mark Thomasson, no others were nominated, motion carried.

**Approval of Minutes:** Minutes from 12/22/2023 - Approved as presented.

**Swearing in of officers:** Chair Vickie Sloss swore in the DOR Enforcement Inspectors James Patrick 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 Certified Return Receipt requested, Regular 1st Class 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 Patrick Trevelino presented item #'s 4 as complied prior to meeting.  
Item #'s 1 – DOR is working with the homeowner.

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

2. 23-002584 1063 SEBASTIAN ROAD
3. 23-002695 580 DOLPHIN CIRCLE

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 January 8<sup>th</sup>, 2024. A Lawn

and Landscape Order will be issued. The district will continue to 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. The Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Louise Crouse made the motion, seconded by Ed Haslam, no discussion, motion carried unanimously.

**Condition of Prop. (C) Unauthorized Items**

5. 23-002633 379 DOLPHIN CIRCLE

Inspector James Trelvelino presented the above case(s) for the violation of: Article III, Section 2 Condition of Property (Unauthorized Items) with a compliance date of (7) seven days January 12<sup>th</sup>, 2024. 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. The Chairman entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Mark Thomasson made the motion, seconded by Louise Crouse, no discussion, motion carried unanimously.

**Closing Remarks:** Louise Crouse started the conversation about the Violation Letters that were sent to the Committee to review. Staff explained the changes in letters being sent to the homeowners that are in violation. The next VC meeting is scheduled for Friday, January 26, 2024, in the Administration Building Conference Room.

**Adjournment:** Meeting adjourned at 10:22 am.

*Sally-Ann Biondolillo*

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Sally-Ann Biondolillo  
DOR/ARCC Administration 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.

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-002731

#4162/23-002731

FORSYTH, JOSEPH ROBERT, JR,  
917 CYPRESS ST  
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 # 9 Lot # 5  
917 CYPRESS STREET  
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:** Nov 01, 2023

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

November 01, 2023 via First Class

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 23, 2024

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 01/26/2024 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.

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.

Dated this Date, January 11, 2024

Deed of Restrictions Staff

DATE: January 11, 2024



917 Cypress Must maintain the house, awnings, and skirting free from mold, dirt, and mildew.  
01/11/2024

## Costs to Cure Violations

### Initial Mow and General Landscape Maintenance

Equipment - Truck, lawn mower, weed eater, ear protection, safety glasses	\$75
Labor for two employees for one hour at \$10 per hour plus benefits and insurance	\$40
Code Enforcement costs of enforcement (Direct and Indirect) - at least four trips, documentation, notices and meetings	\$122
Postage and certified mail	\$12
<b>Total</b>	<b>\$249</b>

### Recurring Mow and General Landscape Maintenance

Equipment	\$20
Labor per hour	\$28
Administration and Supervision	\$24
DOR Enforcement	<u>\$7</u>
<b>Total</b>	<b><u>\$79</u></b>

### Powerwash

Contractor Invoiced Cost	TBD
Code Enforcement costs of enforcement (Direct and Indirect) (at least four trips, documentation, notices and meetings)	\$122
Postage and certified mail	<u>\$12</u>
<b>Total</b>	Actual contractor invoiced cost plus <u>\$134</u>

### EXHIBIT "A"

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-002887

#2294/23-002887

SPEZZANO, JOSHUA RYAN,  
604 PUFFIN 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 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 # 99 Lot # 24  
604 PUFFIN DRIVE  
BAREFOOT BAY, FL 32976

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

**DATE OF VIOLATION FIRST OBSERVED:** Nov 29, 2023

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

11/29/2023 via First Class

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 23, 2024

BBRD DEED OF RESTRICTION STAFF

DATE: January 10, 2024

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

**NOTICE OF HEARING  
Hearing Date: 01/26/2024**

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 01/26/2024 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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**January 10, 2024**

Violations Committee/Deed of Restrictions Staff



604 Puffin Unapproved items/ Must be removed.  
01/10/2024



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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 23-002826

#4601/23-002826

WARD, ROBERTA,

1027 THRUSH 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. (13) TEMPORARY PORTABLE OR FREE-STANDING STRUCTURES**

Temporary, portable, or freestanding structures that are installed for longer than 48 hours are prohibited unless an application is completed, submitted to and approved by the ARCC.

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 138 Lot # 14

1027 THRUSH CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Unapproved shed. Must submit ARCC permit.

**DATE OF VIOLATION FIRST OBSERVED:** Nov 21, 2023

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

11/21/2023 via First Class

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 23, 2024

BBRD DEED OF RESTRICTION STAFF

DATE: December 28, 2023

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

**NOTICE OF HEARING  
Hearing Date: 01/26/2024**

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 01/26/2024 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.

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**December 28, 2023**

Violations Committee/Deed of Restrictions Staff



1027 Thrush Unapproved shed. Must submit ARCC permit.  
12/28/2023