



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



Agenda  
1225 Barefoot Blvd, Bldg. D & E  
01/25/2019  
10:00 a.m.

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Minutes
- Swearing in of Inspectors and Witnesses
- Chairperson's and other member's Report

**New Business:** Current VC cases for review:

**ADIR (address number)**

1. 18-004509 848 WATERWAY DRIVE
2. 18-005483 561 DOLPHIN CIRCLE

**ADIR (Lamp Post)**

3. 18-004967 432 BAREFOOT BOULEVARD

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

4. 18-005276 704 SILVERTHORN COURT
5. 18-005279 1430 GARDENIA DRIVE
6. 18-005521 432 BAREFOOT BOULEVARD
7. 18-005595 917 WREN CIRCLE
8. 18-005616 763 LARK DRIVE

**Condition of Prop. (B) PW**

9. 18-003880 329 EGRET CIRCLE
10. 18-004784 750 PERIWINKLE CIRCLE
11. 18-005163 322 KIWI DRIVE
12. 18-005252 952 FRANGI PANI DRIVE
13. 18-005264 421 PAPAYA CIRCLE
14. 18-005278 806 DRACO DRIVE
15. 18-005331 1103 MYRTLE DRIVE
16. 18-005397 442 BAREFOOT BOULEVARD
17. 18-005399 579 MARLIN CIRCLE
18. 18-005479 379 DOLPHIN CIRCLE
19. 18-005523 432 BAREFOOT BOULEVARD

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

20. 18-005019 446 MARLIN CIRCLE
21. 18-005594 917 WREN CIRCLE

**Exterior Maintenance**

22. 18-005618 763 LARK DRIVE
  23. 19-000123 571 DOLPHIN CIRCLE
-



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



Agenda

1225 Barefoot Blvd, Bldg. D & E

01/25/2019

10:00 a.m.

**Closing Remarks:**

**Adjournment:**

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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) 664-4722.



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

Minutes

1225 Barefoot Blvd, Bldg. D & E

01/11/2019

10:00 a.m.



The Barefoot Bay Violations Committee held its regular Hearing on January 11, 2019 in Building D&E, Barefoot Bay, Florida 32976.

- **Call to Order:** Chair Joy Liddy called the hearing to order at 10:00 a.m.
- **Pledge of Allegiance:** John Atta led the pledge of allegiance.
- **Roll Call: Present:** Chair Joy Liddy- present, Vice Chair Al Grunow - present, 2nd Vice Chair Arlene Maguire - present, Mary Firlein - present, John Atta - present, Alternate Wilma Weglein - present, Alternate Jeff Grunow – present
- **Approval of Minutes:** August 24, 2018 Minutes were approved as presented.
- **Swearing in of officers:** Chair swore in the DOR Enforcement Inspectors Stephane Fecteau, Peter Essig, and Resident Relations Manager Rich Armington.
- **Witnesses present:** Resident Susan Bailey of 307 Avocado Drive
- **Chair report:** Joy Liddy requested a moment of silence for Jack Grantham.
- **Committee Reports:** None
- **DOR Enforcement:** None

**Other reports:** None

**New Business:**

**Election of Officers:** Arlene Maguire nominated Joy Liddy for Chair, Joy Liddy accepted. Mary Firlein nominated Arlene Maguire for 1<sup>st</sup> Vice Chair, Arlene Maguire accepted. Arlene Maguire nominated Mary Firlein for 2<sup>nd</sup> Vice Chair, Mary Firlein accepted. John Coffey swore in the Officers.

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 Essig presented item #'s 4, 5, 8, 10, 12, 14, 18 and 23 as complied prior with the meeting. Item #'s 3, 11, 22 and 25 have been temporarily removed due to the DOR is working with the residents

**ADIR (address number)**

**1. 18-004936 942 HYACINTH CIRCLE**

**2. 18-005077 1443 BAREFOOT CIRCLE**

Inspector Essig presented the above case(s) for the violation of: Article II, Section 3 (A) (16) Address Number. A compliance date of (14) fourteen days January 25th, 2019. 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 scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, Second by Mary Firlein, No discussion, Motion carried unanimously.



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



Minutes

1225 Barefoot Blvd, Bldg. D & E

09/14/2018

10:00 a.m.

**Clotheslines**

**6. 18-005411 307 AVOCADO DRIVE**

Inspector Essig presented the above case(s) for the violation of: Article III, Section 9 Clothesline. A compliance date of (7) seven days January 18<sup>th</sup>, 2019. If the property is still in violation after seven days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair Joy Liddy sworn in resident Susan Bailey of 307 Avocado Drive. Mrs. Bailey explained that she would need more time to have it removed. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. John Atta made the motion to table this for 30 days, Second by Mary Firlein, Motion carried unanimously.

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

7. 18-005568 1129 BAREFOOT CIRCLE

9. 18-005855 903 BAREFOOT BOULEVARD

Inspector Essig presented the above case(s) for the violation of: Article III, Section 2 Condition of Property (A). 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. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, Second by Mary Firlein, No discussion, Motion carried unanimously.

**Condition of Prop. (B) PW**

13. 18-004165 1206 MARIGOLD DRIVE

15. 18-004582 916 JACARANDA DRIVE

16. 18-004588 951 PERIWINKLE CIRCLE

17. 18-004628 516 EGRET CIRCLE

19. 18-004965 401 OSPREY DRIVE

20. 18-005076 1443 BAREFOOT CIRCLE

21. 18-005416 748 LARK DRIVE

Inspector Essig 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) Power Wash. A compliance date of (7) seven days January 18<sup>th</sup>, 2019. 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 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. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, Second by John Atta, No discussion, Motion carried unanimously.

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

24. 18-005505 808 BEECH COURT

Inspector Essig presented the above case(s) for the violation of: Article III, Section 2 (C) Condition of Property (Debris – Unapproved Items. A compliance date of (7) seven days January 18<sup>th</sup>, 2019. Staff has prepared a Recommended



**BAREFOOT BAY RECREATION DISTRICT  
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09/14/2018

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Curative Action Plan for the abatement of the violation and presented to the committee. I ask the committee to review and approve this plan. Additionally I ask the committee that if the property is still in violation after seven days, the Recommended Curative Action Plan shall either be presented to the Board of Trustees at its next scheduled meeting for further consideration or the District will abate the violation at the expense of the owner, in addition, the expense of such action will be billed to the owner's account and will result in a lien on the property. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. John Atta made the motion, Second by John Atta, No discussion, Motion carried unanimously.

**Condition of Skirting**

26. 18-005312 913 YEW STREET

Inspector Essig presented the above case(s) for the violation of: Article III, Section 10 Condition of Skirting Material on Home.

A compliance date of (14) fourteen days January 25<sup>th</sup>, 2019. 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 scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, Second by Mary Firlien, No discussion, Motion carried unanimously.

**Exterior Maintenance**

27. 18-004819 1215 CHIPEWA DRIVE

Inspector Essig presented the above case(s) for the violation of: Article III, Section Eleven Maintenance of Exterior of the Home. A compliance date of (14) fourteen days January 25<sup>th</sup>, 2019. 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 scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. John Atta made the motion, Second by Mary Firlien, No discussion, Motion carried unanimously.

**Vehicle Violations (Boats/Trailer/RV/Comm. Vehicles, Etc.)**

28. 18-004333 926 PERIWINKLE CIRCLE

Inspector Essig presented the above case(s) for the violation of: Article III, Section 3 (A, B, C, D, E) Parking of Vehicles. A compliance date of (3) three days January 14<sup>th</sup>, 2019. If the property is still in violation after three days, the final order of the Violations Committee shall be presented to the Board of Trustees at its next scheduled meeting to pursue legal or equitable action or other appropriate action with failure to comply. Chair entertained a motion to approve the recommendation of the DOR/ARCC Inspector. Arlene Maguire made the motion, Second by Mary Firlien, No discussion, Motion carried unanimously.

**Closing Remarks:** BOT Chair Joe Klosky addressed the Committee in regards to Cliff Repperger coming to speak about the Sunshine Law. He would appreciate it if the BOT, ARCC and the VC members could attend this workshop on January 22, 2019 at 5:00 p.m. at building D & E. U 7

**Adjournment:** The meeting was adjourned at 10:30 a.m. The next regular meeting will be held on Friday, January 25, 2019 in Building D & E at 10:00 a.m. U 7



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

Minutes

1225 Barefoot Blvd, Bldg. D & E  
09/14/2018  
10:00 a.m.



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Sally-Ann Biondolillo  
ARCC/DOR Administrative Assistant

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-004509

#4010/18-004509

CONLON, KAREN,  
848 WATERWAY DR  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

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

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

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

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

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 125 Lot # 40  
848 WATERWAY DRIVE  
BAREFOOT BAY, FL 32976

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

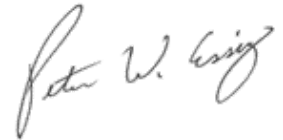
**DATE OF VIOLATION FIRST OBSERVED:** Oct 08, 2018

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

10/08/2018 via First Class

01/08/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 08, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 **01/25/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

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

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

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

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.**

**January 08, 2019**

Violations Committee/Deed of Restrictions Staff



848 Waterway. No house number.



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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005483

#2429/18-005483

BANK OF AMERICA NA,  
5720 PREMIER PARK DR C/O OCWEN LOAN SERVICING LLC  
WEST PALM BEACH, FL 33407

Respondent(s),

**STATEMENT OF VIOLATION**

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

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

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

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

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 7 Lot # 11  
561 DOLPHIN CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Missing address number. The address number of all Residences shall be affixed to the front of the carport or garage in such a manner as to be clearly visible and legible from the public or private way on which the home fronts. The numerals of the address number shall not be less than three (3) inches in height and one-half (1/2) inches in width.

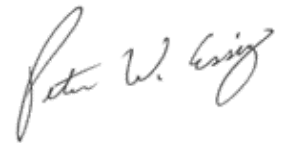
**DATE OF VIOLATION FIRST OBSERVED:** Nov 30, 2018

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

11/30/2018 via First Class

01/16/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 15, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 **01/25/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

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

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

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

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.**

**January 15, 2019**

Violations Committee/Deed of Restrictions Staff



561 Dolphin. No address number.

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-004967

#0315/18-004967

UNITS 4 LEASE INC,  
390 ROOSEVELT AVE  
SATELLITE BEACH, FL 32937  
Respondent(s),

**STATEMENT OF VIOLATION**

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

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

- **ARTICLE II, SECT. 3 (A)(15) ADIR (Lamp Post)**

Section 3) A manufactured or modular home installed on any lot in Barefoot Bay shall meet the following design and installation requirements and shall be continuously maintained in compliance with such requirements. (A)(15) A Lamp Post approved by the ARCC shall be installed in front of all Residences and maintained in operational condition. Said Lamp Post shall be illuminated from dusk to dawn.

(See ARCC Guidelines for specific lamppost and lighting requirements.)

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 84.B Lot # 10  
432 BAREFOOT BOULEVARD  
BAREFOOT BAY, FL 32976

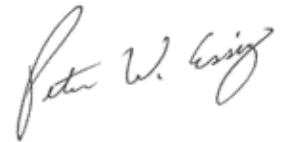
**DESCRIPTION OF VIOLATION(s):** Lamppost off. Lampposts must be on from dusk until dawn, at least 40 watts, and white, clear, or yellow.

**DATE OF VIOLATION FIRST OBSERVED:** Nov 04, 2018

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

11/04/2018 via First Class  
01/09/2019 via Certified return receipt requested.  
01/09/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 09, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 **01/25/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

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

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

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

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.**

**January 09, 2019**

Violations Committee/Deed of Restrictions Staff



432 Barefoot Boulevard. 6:00 AM. Lamppost off.

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005276

#3636/18-005276

SNAY, WILLIAM P,  
704 SILVERTHORN CT  
BAREFOOT BAY, FL 32976

Respondent(s),

**STATEMENT OF VIOLATION**

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

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

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

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 83 Lot # 57  
704 SILVERTHORN COURT  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Lawn and Landscape: Dead palm fronds.

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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: 01/25/2019**

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:** Nov 18, 2018

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

November 18, 2018 via First Class

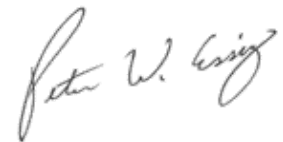
01/11/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

**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 772-664-4722.**

**January 11, 2019**



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Peter Essig, DOR Inspector  
772-664-4722





704 Silverthorn. Dead palm fronds.  
Peter Essig  
Jan 09, 2019



704 Silverthorn. Dead palm fronds.  
Peter Essig  
Jan 09, 2019

## 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
<b>Total</b>	<b>\$140</b>

### Recurring Mow and General Landscape Maintenance

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

### Powerwash

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

## EXHIBIT "A"



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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005279

#4339/18-005279

BOTINDARI, DANA A,  
5581 SILVER STREET RD  
AUBURN, NY 13021

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 # 65 Lot # 15  
1430 GARDENIA 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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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: 01/25/2019**

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:** Nov 18, 2018

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

November 18, 2018 via First Class

January 08, 2019 via Certified return receipt requested.

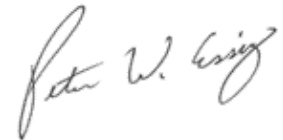
01/08/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

**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 772-664-4722.**

**January 08, 2019**



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Peter Essig, DOR Inspector  
772-664-4722



## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005521

#0315/18-005521

UNITS 4 LEASE INC,  
390 ROOSEVELT AVE  
SATELLITE BEACH, FL 32937

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 # 84.B Lot # 10  
432 BAREFOOT BOULEVARD  
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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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: 01/25/2019**

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:** Dec 04, 2018

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

December 04, 2018 via First Class  
via Certified return receipt requested.  
01/14/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 21, 2019

**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 772-664-4722.**

**January 14, 2019**



Stephane Fecteau, DOR Inspector  
772-664-4722



432 bfb

Stephane Fecteau

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005595

#0342/18-005595

COSTANZO, RONALD HENRY,  
2687 Mohican Dr Melbourne FL 32935  
MELBOURNE, FL 32935

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 # 136 Lot # 26  
917 WREN CIRCLE  
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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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: 01/25/2019**

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:** Dec 10, 2018

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

January 03, 2019 via First Class  
via Certified return receipt requested.  
01/03/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 10, 2019

**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 772-664-4722.**

**January 03, 2019**



Stephane Fecteau, DOR Inspector  
772-664-4722



917 wren  
Stephane Fecteau



## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005616

#2644/18-005616

REALHome Services and Solutions,  
1000 Abernathy Road NE, Suite 200  
ATLANTA, GA 30328

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 # 129 Lot # 32  
763 LARK DRIVE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):**

**lawn and landscape: tree(s) need to be trimmed/dead fronds removed**

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida. The purpose of this Hearing will be to determined whether or not if the alleged violation(s) exist.**

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-003880

#0493/18-003880

AZZARO, COLLEEN,

329 EGRET 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 # 103 Lot # 2

329 EGRET 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:** Aug 22, 2018

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

November 15, 2018 via First Class

01/03/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

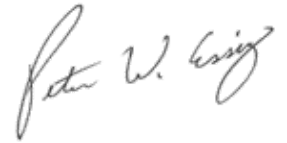
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 02, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 02, 2019



329 Egret. Mold/dirt/mildew.

Peter Essig

Jan 02, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-004784

#4216/18-004784

APPLEGATE, ROBERT,  
3210 READING AVE  
HAMMONTON, NJ 08037

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 # 70 Lot # 1  
750 PERIWINKLE 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:** Oct 23, 2018

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

October 23, 2018 via First Class

January 02, 2019 via Certified return receipt requested.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

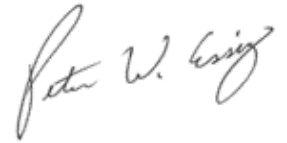
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 02, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 02, 2019



750 Periwinkle. Mold/dirt/mildew.

Peter Essig  
Dec 30, 2018



## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005163

#3226/18-005163

GRANDE, MICHAEL A,  
322 DR KIWI  
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 # 21 Lot # 24  
322 KIWI DRIVE  
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 15, 2018

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

November 15, 2018 via First Class

01/11/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

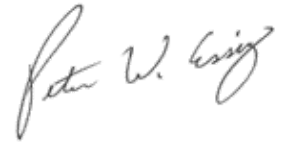
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 11, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 11, 2019



322 Kiwi. Mold/dirt/mildew.

Peter Essig  
Jan 09, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005252

#3729/18-005252

DODGE, ARNETTE,  
952 FRANGI PANI DR  
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 # 120 Lot # 52  
952 FRANGI PANI DRIVE  
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 17, 2018

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

November 17, 2018 via First Class

01/08/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

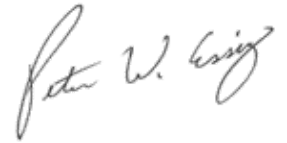
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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, January 08, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 08, 2019



952 Frangi Pani. Mold/dirt/mildew.

Peter Essig  
Jan 05, 2019

## 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
<b>Total</b>	<b>\$140</b>

### Recurring Mow and General Landscape Maintenance

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

### Powerwash

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

## EXHIBIT "A"

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005264

#1863/18-005264

AMARAL, MARIE,  
421 PAPAPYA 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 # 28 Lot # 11  
421 PAPAYA 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:** Nov 17, 2018

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

November 17, 2018 via First Class

01/03/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.***

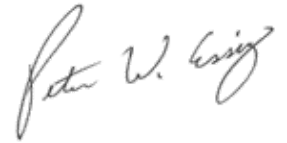
IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE



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, January 02, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 02, 2019



421 Papaya. Mold/dirt/mildew.

Peter Essig  
Jan 02, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005278

#3941/18-005278

ELY, JOHN, III W,

806 DRACO DR

SEBASTIAN, 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 # 83 Lot # 79

806 DRACO DRIVE

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 18, 2018

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

November 18, 2018 via First Class

01/08/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

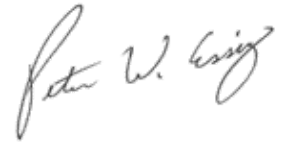
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IF ANY INDIVIDUAL WISHES TO APPEAL ANY DECISION MADE BY THE VIOLATIONS COMMITTEE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, A VERBATIM RECORD OF THE

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, January 08, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 08, 2019



806 Draco. Mold/dirt/mildew.

Peter Essig  
Jan 06, 2019

## 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
<b>Total</b>	<b>\$140</b>

### Recurring Mow and General Landscape Maintenance

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

### Powerwash

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

## EXHIBIT "A"

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005331

#0567/18-005331

NOPONEN, CONCETTA LIFE ESTATE (DEBORAH JACKSON),  
82 OSBORNE RD  
WARE, MA 01082

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 # 113 Lot # 6  
1103 MYRTLE DRIVE  
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 20, 2018

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

November 20, 2018 via First Class

01/15/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 22, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

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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, January 15, 2019

*Stephane Fecteau*

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Stephane Fecteau, DOR Inspector  
772-664-4722

DATE: January 15, 2019



1103 myrtle  
Stephane Fecteau  
Jan 15, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**



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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005397

#1252/18-005397

BONCEK, BECKY,  
7 RIVER OAK DR  
SEBASTIAN, FL 32958

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 # 84.B Lot # 5  
442 BAREFOOT BOULEVARD  
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 24, 2018

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

November 24, 2018 via First Class  
January 08, 2019 via Certified return receipt requested.  
01/08/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

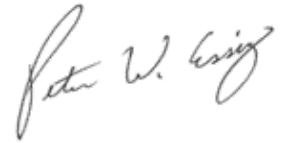
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 08, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 08, 2019



442 Barefoot Boulevard. Mold/dirt/mildew.

Peter Essig  
Jan 06, 2019

## 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
<b>Total</b>	<b>\$140</b>

### Recurring Mow and General Landscape Maintenance

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

### Powerwash

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

## EXHIBIT "A"

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005399

#2997/18-005399

BAGDONAS, KAREN L,  
579 MARLIN 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 # 6 Lot # 2  
579 MARLIN 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:** Nov 24, 2018

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

November 24, 2018 via First Class

01/11/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

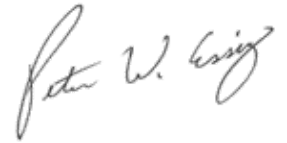
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 11, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 11, 2019



579 Marlin. Mold/dirt/mildew.

Peter Essig  
Jan 09, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005479

#3084/18-005479

VAN BERSCHOT, ERIC,  
379 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 # 8 Lot # 18  
379 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:** Nov 30, 2018

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

November 30, 2018 via First Class

01/16/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.

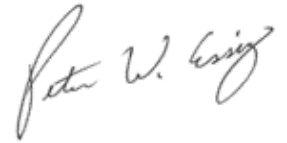
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance 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 772-664-4722.

Dated this Date, January 15, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 15, 2019



379 Dolphin. Mold/dirt/mildew.

Peter Essig  
Jan 15, 2019



## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005523

#0315/18-005523

UNITS 4 LEASE INC,  
390 ROOSEVELT AVE  
SATELLITE BEACH, FL 32937

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 # 84.B Lot # 10  
432 BAREFOOT BOULEVARD  
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:** Dec 04, 2018

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

December 04, 2018 via First Class

01/14/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 21, 2019

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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 772-664-4722.

Dated this Date, January 14, 2019

*Stephane Fecteau*

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Stephane Fecteau, DOR Inspector  
772-664-4722

DATE: January 14, 2019



432 bfc  
Stephane Fecteau  
Jan 14, 2019

## **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
<b>Total</b>	<b>\$140</b>

### **Recurring Mow and General Landscape Maintenance**

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

### **Powerwash**

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

## **EXHIBIT "A"**

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005019

#3045/18-005019

LAWSON, RUBY MARIE,

446 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. 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 # 1 Lot # 27

446 MARLIN CIRCLE

BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Debris in backyard (disassembled shed, etc); must be removed.

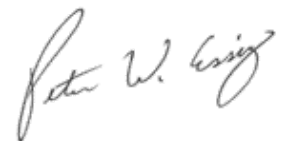
**DATE OF VIOLATION FIRST OBSERVED:** Nov 07, 2018

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

December 19, 2018 via First Class

01/11/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 11, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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 property is found 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 772-664-4722.**

**January 11, 2019**

Violations Committee/Deed of Restrictions Staff



446 Marlin (rear). Unapproved items/debris

# Barefoot Bay Recreation District

## Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 18-005019

Address: 446 MARLIN CIRCLE

Acct# 3045

Debris

- A. Occupation Status of Property: \_\_\_\_ Occupied \_\_\_\_ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: \_\_\_\_
- C. Recommended proposed secured relocation/storage area off property: \_\_\_\_
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: \_\_\_\_

### Project Milestone      Date Estimate

Project Start Date      TBD

Project End Date      TBD

Property Services  
Qty

Debris Removal - Case # 18-005019  
Description

Unit Price

Customer # 3045  
Line Total

(     ) hrs

(     ) Dump Truck and Driver

\$75.00

(     ) hrs

(     ) Laborers

\$20.00

Disposal of Debris

\$50.00

Disposal of Tires

**Total**

**\$**

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by

M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on \_\_\_\_\_. (Initials)  
\_\_\_\_\_

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005594

#0342/18-005594

COSTANZO, RONALD HENRY,  
2687 Mohican Dr Melbourne FL 32935  
MELBOURNE, FL 32935

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 # 136 Lot # 26  
917 WREN CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** metal debris must be removed

**DATE OF VIOLATION FIRST OBSERVED:** Dec 10, 2018

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

December 10, 2018 via First Class  
January 3, via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 21, 2019



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Stephane Fecteau, DOR Inspector  
772-664-4722

DATE: January 03, 2019



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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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 property is found 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 772-664-4722.**

**January 03, 2019**

Violations Committee/Deed of Restrictions Staff



# Barefoot Bay Recreation District

## Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 18-005594

Address: 917 WREN CIRCLE

Acct# 0342

Debris

- A. Occupation Status of Property: \_\_\_\_ Occupied \_\_\_\_ Unoccupied
- B. Recommended proposed secured relocation/storage area on property: \_\_\_\_
- C. Recommended proposed secured relocation/storage area off property: \_\_\_\_
- D. Recommended abatement agent: District Management
- E. Estimate of Expense: \_\_\_\_

### Project Milestone      Date Estimate

Project Start Date      TBD

Project End Date      TBD

Property Services Qty	Debris Removal - Case # 18-005594 Description	Unit Price	Customer # 0342 Line Total
(    ) hrs	(    ) Dump Truck and Driver	\$75.00	
(    ) hrs	(    ) Laborers	\$20.00	
	Disposal of Debris		\$50.00
	Disposal of Tires		
		<b>Total</b>	<b>\$</b>

This is a quotation on the goods or services named, subject to the conditions. Such conditions may include but not limited to whether the property is occupied.

Approved by      M.Joy Liddy, Violations Committee Chair

I certify that the above mentioned property was abated by property services on \_\_\_\_\_. (Initials)  
\_\_\_\_\_

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 18-005618

#2644/18-005618

REALHome Services and Solutions,  
1000 Abernathy Road NE, Suite 200  
ATLANTA, GA 30328

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.11 and SECT 2(D) Exterior Maintenance**

(11) The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

(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 # 129 Lot # 32  
763 LARK DRIVE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** missing fascia / open gap

**DATE OF VIOLATION FIRST OBSERVED:** Dec 11, 2018

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

12/11/2018 via First Class  
01/02/2019 via Certified return receipt requested.

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 21, 2019



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Stephane Fecteau, DOR Inspector  
772-664-4722

DATE: January 02, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, Barefoot Bay, Florida.** The purpose of this **Hearing** will be to determine whether or not the alleged violation(s) exist.

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

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

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

**THIS IS A PUBLIC MEETING. ALL INTERESTED PARTIES MAY ATTEND. THE FACILITY WHEREIN THIS PUBLIC MEETING WILL BE HELD IS ACCESSIBLE TO THE PHYSICALLY HANDICAPPED. IN ACCORDANCE WITH AMERICAN DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE DEED OF RESTRICTIONS ENFORCEMENT OFFICE AT 772-664-4722.**

**January 02, 2019**

Violations Committee/Deed of Restrictions Staff



763 Lark

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

**BAREFOOT BAY RECREATION DISTRICT**

Petitioner

Vs

Case no. 19-000123

#2106/19-000123

PETER KERR REVOCABLE TRUST,  
571 DOLPHIN 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.11 and SECT 2(D) Exterior Maintenance**

(11) The exterior of each home, including, but not limited to, windows, screens, roofs, gutters, and siding shall be maintained in good condition at all times and/or in substantially the same condition as when each item was newly installed without gaps or openings. Only materials as approved by ARCC shall be used.

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

**LOCATION/ADDRESS WHERE VIOLATION EXISTS**

Block # 7 Lot # 6  
571 DOLPHIN CIRCLE  
BAREFOOT BAY, FL 32976

**DESCRIPTION OF VIOLATION(s):** Exterior maintenance: Fascia/shed must be repaired.

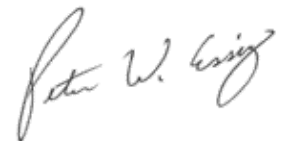
**DATE OF VIOLATION FIRST OBSERVED:** Jan 11, 2019

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

11/21/2018 via First Class

01/11/2019 via Posted

**DATE ON/BY WHICH VIOLATION TO BE CORRECTED:** January 20, 2019



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Peter Essig, DOR Inspector  
772-664-4722

DATE: January 11, 2019

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

**NOTICE OF HEARING  
Hearing Date: 01/25/2019**

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 01/25/2019 at 1225 Barefoot Boulevard, Building D&E, 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.**

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**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 11, 2019**

Violations Committee/Deed of Restrictions Staff



571 Dolphin (rear). Fascia/shed/siding damage.

Peter Essig  
Jan 09, 2019



571 Dolphin (rear). Fascia/shed damage.  
Peter Essig  
Jan 09, 2019