



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



Agenda

1225 Barefoot Blvd, Bldg. D & E

03/22/2019

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 (garage or carport roof)

1. 19-000961 928 THRUSH CIRCLE

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

2. 19-000245 890 PECAN CIRCLE
3. 19-000790 333 PAPAYA CIRCLE
4. 19-000955 968 LAUREL CIRCLE
5. 19-000962 1039 WREN CIRCLE
6. 19-000965 1209 CHIPEWA DRIVE

Condition of Prop. (B) PW

7. 19-000119 1025 WREN CIRCLE
8. 19-000233 366 DOLPHIN CIRCLE
9. 19-000235 375 MARLIN CIRCLE
10. 19-000537 805 DRACO DRIVE
11. 19-000725 941 CASHEW CIRCLE

Condition of Prop. (C) Unauthorized items

12. 19-000082 1200 CALUSA DRIVE
13. 19-000416 516 EGRET CIRCLE

Exterior Maintenance

14. 19-000328 805 WREN CIRCLE

Closing Remarks:

Adjournment: The next regular meeting will be held on Friday, April 12, 2018 in Building D&E at 10:00 a.m.

Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant

Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must 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**



Minutes
1225 Barefoot Blvd., Bldg. D & E
03/08/2019
10:00 a.m.

The Barefoot Bay Violations Committee held its regular Hearing on 01/25/2019 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: Chair Joy Liddy - present, Vice Chair Arlene Maguire - present, 2nd Vice Chair Mary Firlein - excused, Al Grunow – present, John Atta - present, Alternate Wilma Weglein and Alternate Jeff Grunow – present and Jeff Grunow was a voting member.
- Approval of Minutes: 02/22/2019 Minutes Approved as presented.
- Swearing in of officers: Chair swore in the DOR Enforcement Inspectors Stephane Fecteau and Mary Barry
- Witnesses present: None
- Chair report: None
- Committee Reports: None
- DOR Enforcement: None
- Other reports: None

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

1. 19-000276 1053 MANILA DRIVE
2. 19-000730 1433 GARDENIA DRIVE

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 2 (A) Lawn and Landscaping – Recurring Maintenance (Lot Mows, Trim Palms, Etc.) 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. Jeff Grunow made the motion, Second by John Atta, No discussion, Motion carried unanimously.

Condition of Prop. (B) PW

8. 19-000313 1053 MANILA DRIVE
9. 19-000352 1026 ORIOLE CIRCLE
11. 19-000470 1039 WREN CIRCLE
12. 19-000472 1022 WREN CIRCLE
13. 19-000685 1108 BAREFOOT CIRCLE

Inspector Fecteau 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 March 15th, 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. Arlene Maguire made the motion, Second by Al Grunow, No discussion, Motion carried unanimously

Condition of Prop. (C) Unauthorized items

15. 18-005164 929 HEMLOCK STREET



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



Minutes
1225 Barefoot Blvd., Bldg. D & E
03/08/2019
10:00 a.m.

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 2 Condition of Property (C) Debris – Unapproved items. A compliance date of (7) seven days March 15th, 2019. Staff has prepared a Recommended 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. Jeff Grunow made the motion, Second by John Atta, No discussion, Motion carried unanimously.

Condition of Skirting

17. 19-000377 1321 BAREFOOT CIRCLE

Inspector Fecteau presented the above case(s) for the violation of: Article III, Section 10 Condition of Skirting. A compliance date of (14) fourteen days March 22nd, 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 Al Grunow, No discussion, Motion carried unanimously.

Exterior Maintenance

18. 18-005162 929 HEMLOCK STREET

19. 19-000191 869 CASHEW CIRCLE

Inspector Fecteau 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 March 22nd, 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. Jeff Grunow made the motion, Second by John Atta, No discussion, Motion carried unanimously.

Closing Remarks: Jeff Grunow will be excused at the next meeting on March 22, 2019

Adjournment: The next regular meeting will be held on Friday, March 22, 2019 in Building D&E at 10:00 a.m.

Sally-Ann Biondolillo

Sally-Ann Biondolillo
DOR/ARCC Administrative Assistant

Any person desiring to appeal any decision made by the Violations Committee, with respect to any matter considered at this meeting or hearing, will need a record of the proceedings for such purposes, must 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 VIOLATIONS COMMITTEE
BREVARD COUNTY, FLORIDA**

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000961

#0738/19-000961

MCALLISTER, DENISE & MIZE RODNEY,
PO BOX 101481
PALM BAY, FL 32910

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) (2) ADIR (garage or carport roof)**
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)(2) A garage or carport roof, including posts and fascia, fabricated of aluminum or other approved material.

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 134 Lot # 30
928 THRUSH CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Home must have carport repaired and utility room.

DATE OF VIOLATION FIRST OBSERVED: Mar 06, 2019

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

03/06/2019 via First Class
via Certified return receipt requested.
03/06/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: March 06, 2019

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

**NOTICE OF HEARING
Hearing Date: 03/22/2019**

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 03/22/2019 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.

March 06, 2019

Violations Committee/Deed of Restrictions Staff



928 THRUSH

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000245

#0547/19-000245

ESSA, JEFFREY WILLIAM,
890 PECAN 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, 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 # 108 Lot # 13
890 PECAN 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 03/22/2019 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: 03/22/2019**

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: Jan 18, 2019

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

via First Class
via Certified return receipt requested.
03/12/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 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.

March 12, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



890 pecan
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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000790

#2850/19-000790

HORVATH, DAWN ELIZABETH,
2020 SE HIDEAWAY CIR
PORT ST LUCIE, FL 34952

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 # 26 Lot # 25
333 PAPAYA 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 03/22/2019 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: 03/22/2019**

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: Feb 22, 2019

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

March 02, 2019 via First Class

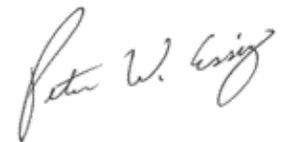
03/03/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 17, 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.

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March 02, 2019



Peter Essig, DOR Inspector
772-664-4722



333 Papaya (right/rear). High grass.
Peter Essig
Mar 02, 2019



333 Papaya (front). High grass
Peter Essig
Mar 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000955

#0844/19-000955

JOHNSON, DENIS J,
968 LAUREL 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, 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 # 115 Lot # 12
968 LAUREL 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 03/22/2019 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: 03/22/2019**

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: Mar 06, 2019

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

March 06, 2019 via First Class
via Certified return receipt requested.
03/12/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 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.

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March 12, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



968 laurel
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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000962

#4862/19-000962

GRAY, VERA A TRUSTEE, BAREFOOT BAY UNIT 2 PART 10

PO BOX 100643

PALM BAY, FL 32910

Respondent(s),

STATEMENT OF REPEAT 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 REPEAT violation or violations of the Deed of Restrictions of the Barefoot Bay Recreation District, described herein.

AND

PURSUANT to the Violations Committee Findings of Fact and Recommended Order - Case# 18-003010. The respondent(s) are further advised that should a repeat violation occur, the respondent(s) will not be given notice to cure and will be brought before the Violations Committee.

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

• **ARTICLE III, SECT. 2 (A) (D) Lawn and Landscape Recurring Maintenance Condition of Prop. (A)(D) Lawn & Landscape (Recurring Mtn.)**

(A) 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, or presents an inherent danger in either height, placement or as restricted in ARCC Guidelines. Dead vegetation on any lot is required to be promptly removed.

(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 # 137 Lot # 20

1039 WREN CIRCLE

BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): lawn and landscape: high grass/weeds/overgrown bushes: repeat violation (VC case 18-003010)

DATE OF VIOLATION FIRST OBSERVED: Mar 07, 2019

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

March 07, 2019 via First Class

via Certified return receipt requested.

03/07/2019 via Posted

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

**NOTICE OF HEARING
Hearing Date: 03/22/2019**

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 **03/22/2019 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.

March 07, 2019

Violations Committee/Deed of Restrictions Staff



1039 wren
Stephane Fecteau
Mar 07, 2019

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000965

#4870/19-000965

STEPHENS, DESIREE,
8501 ASTRONAUT BLVD, #5-178
CAPE CANAVERAL, FL 32920

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 # 47 Lot # 5
1209 CHIPEWA DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): all dead vegetation must be removed from 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 03/22/2019 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: 03/22/2019**

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: Mar 07, 2019

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

via First Class

March 07, 2019 via Certified return receipt requested.

03/07/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 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.

March 07, 2019



Stephane Fecteau, DOR Inspector
772-664-4722



1209 chipewa
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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000119

#1663/19-000119

POULIN, MARCELLA,
1025 WREN 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 # 137 Lot # 13
1025 WREN CIRCLE
BAREFOOT BAY, FL 32976

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

DATE OF VIOLATION FIRST OBSERVED: Jan 11, 2019

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

January 11, 2019 via First Class
via Certified return receipt requested.
02/28/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 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 03/22/2019 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, February 28, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: February 28, 2019



1025 wren
Stephane Fecteau
Feb 28, 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000233

#2728/19-000233

HERMAN, KRISTINE K,
366 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 # 9 Lot # 9
366 DOLPHIN CIRCLE
BAREFOOT BAY, FL 32976

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

DATE OF VIOLATION FIRST OBSERVED: Jan 17, 2019

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

January 17, 2019 via First Class

03/08/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 17, 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 03/22/2019 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.

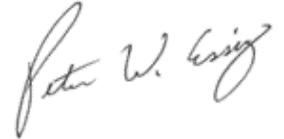
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance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



Peter Essig, DOR Inspector
772-664-4722

DATE: March 08, 2019



366 Dolphin. Mold/dirt/mildew
Peter Essig
Mar 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000235

#2617/19-000235

WILSON, MARK J,
375 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 # 9 Lot # 20
375 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: Jan 17, 2019

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

January 17, 2019 via First Class

03/08/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 17, 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 03/22/2019 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.

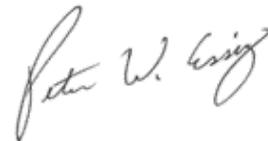
If the **Violations Committee** finds the property in violation, the Committee will issue a Final Order for District Management to hire a licensed and insured contractor to bring a cure to the violation on the property. Said Order will provide for the cost incurred to bring the property into compliance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



Peter Essig, DOR Inspector
772-664-4722

DATE: March 08, 2019



375 Marlin. Mold/dirt/mildew
Peter Essig
Mar 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000537

#4146/19-000537

4000 LLC,
401 E LAS OLAS BLVD , UNIT STE 130-521
FT LAUDERDALE, FL 33301

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 # 74 Lot # 33
805 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: Feb 11, 2019

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

February 11, 2019 via First Class
03/06/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 19, 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 03/22/2019 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, March 05, 2019

Mary Barry

Mary Barry, DOR Inspector
772-664-4722

DATE: March 05, 2019



805 Draco..Mold/dirt/mildew
Mary Barry
Mar 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000725

#0706/19-000725

HAWKINS, DAVID J,
941 CASHEW CIR
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 # 114 Lot # 58
941 CASHEW 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: Feb 18, 2019

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

February 18, 2019 via First Class
via Certified return receipt requested.
03/11/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 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 03/22/2019 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, March 11, 2019

Stephane Fecteau

Stephane Fecteau, DOR Inspector
772-664-4722

DATE: March 11, 2019



941 cashew
Stephane Fecteau
Mar 11, 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
Total	\$140

Recurring Mow and General Landscape Maintenance

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

Powerwash

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

EXHIBIT "A"

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

BAREFOOT BAY RECREATION DISTRICT

Petitioner

Vs

Case no. 19-000082

#4426/19-000082

MURRAY, RICHARD P,
1200 CALUSA DR
BAREFOOT BAY, FL 32976

Respondent(s),

STATEMENT OF VIOLATION

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

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

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

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

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

LOCATION/ADDRESS WHERE VIOLATION EXISTS

Block # 49 Lot # 1
1200 CALUSA DRIVE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): unapproved items

DATE OF VIOLATION FIRST OBSERVED: Jan 07, 2019

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

March 07, 2019 via First Class
via Certified return receipt requested.
03/07/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 2019



Stéphane Fecteau, DOR Inspector
772-664-4722

DATE: March 07, 2019

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

**NOTICE OF HEARING
Hearing Date: 03/22/2019**

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 03/22/2019 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.

March 07, 2019

Violations Committee/Deed of Restrictions Staff



1200 CALUSA

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-000082

Address: 1200 CALUSA DRIVE

Acct# 4426

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 # 19-000082 Description	Unit Price	Customer # 4426 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. 19-000416

#1611/19-000416

BIANCO, ANGELINA,
811 JAMAICA AVE
SEBASTIAN, FL 32958

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 # 91 Lot # 23
516 EGRET CIRCLE
BAREFOOT BAY, FL 32976

DESCRIPTION OF VIOLATION(s): Unapproved items in and around carport (tires, etc). Must be removed.

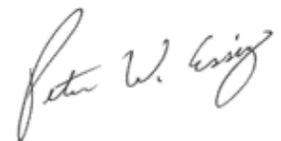
DATE OF VIOLATION FIRST OBSERVED: Feb 02, 2019

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

February 02, 2019 via First Class

03/08/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 17, 2019



Peter Essig, DOR Inspector
772-664-4722

DATE: March 08, 2019

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

**NOTICE OF HEARING
Hearing Date: 03/22/2019**

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 03/22/2019 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.

March 08, 2019

Violations Committee/Deed of Restrictions Staff



516 Egret. Unauthorized items in and around carport. Tires, wood.

Barefoot Bay Recreation District

Violations Committee

"Recommended Curative Action Plan"

Resolution 2013-05

Case no: 19-000416

Address: 516 EGRET CIRCLE

Acct# 1611

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 # 19-000416 Description	Unit Price	Customer # 1611 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. 19-000328

#1333/19-000328

ARMOUR-WIEGAND, PATRICIA A,
805 WREN 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 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 # 19
805 WREN CIRCLE

DESCRIPTION OF VIOLATION(s): siding damage

DATE OF VIOLATION FIRST OBSERVED: Jan 28, 2019

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

01/28/2019 via First Class
via Certified return receipt requested.
03/06/2019 via Posted

DATE ON/BY WHICH VIOLATION TO BE CORRECTED: March 18, 2019



Stephane Fecteau, DOR Inspector
772-664-4722

DATE: March 05, 2019

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

**NOTICE OF HEARING
Hearing Date: 03/22/2019**

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 03/22/2019 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.

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March 05, 2019

Violations Committee/Deed of Restrictions Staff



805 wren siding damage