



**Town of Ponce Inlet
Code Enforcement Board
Meeting Minutes
March 27, 2023**

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6 **1. CALL TO ORDER:** The meeting was called to order at 9:30 a.m. in the Council
7 Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida.

8
9 **2. PLEDGE OF ALLEGIANCE:** Led by Chairman Finch.

10
11 **3. ROLL CALL & DETERMINATION OF QUORUM:**

12 **Board Members Present:**

13 Ms. Richards, Seat #1

14 Mr. Finch, Seat #3

15 Mr. Michel, Seat #4

16 Ms. Cannon, Seat #5

17 Mr. Fuess, Alternate Seat #1

18
19 Mr. VanValkenburgh, Seat #2 and Mr. Young, Alternate Seat #2 were absent. A quorum was
20 established with five members present.

21
22 **A. Oath of Office: Joseph Young** – Removed by staff as Mr. Young was not present.

23
24 **Staff Members Present:**

25 Attorney Smith, Town Attorney

26 Attorney Cino, Code Board Attorney

27 Mr. Hooker, Code Compliance Manager

28 Ms. Hunt, Deputy Clerk

29 Mr. Nieves, Administrative Assistant (Code Division)

30
31 **4. ADOPTION OF THE AGENDA:** Vice-Chair Cannon moved to adopt the agenda as
32 presented; seconded by Ms. Richards. The motion PASSED 5-0, consensus.

33
34 **5. DISCLOSURE OF EX-PARTE COMMUNICATION:** None disclosed.

35
36 **6. ADMINISTERING THE OATH TO WITNESSES:** Attorney Cino administered the
37 *Oath* to the witnesses who intended to provide testimony.

38
39 **7. APPROVAL OF THE MINUTES:**

40
41 **A. February 27, 2023** – Chairman Finch asked if there were any changes; there were
42 none.

43
44 Vice-Chair Cannon moved to adopt the minutes as presented; seconded by Ms. Richards. The
45 motion PASSED 5-0, consensus.

48 **8. OLD BUSINESS:**

49

50 **A. Case # 2022-758; Property Address: 4505 South Atlantic Ave., #703**

51 **Owner(s): Doris & Jerry Clark**

52 **Violation(s): Expired Rental Permit**

53

54 Mr. Hooker reviewed the case history noting that the case was presented to this Board on February
55 17, 2023, which found the owners in non-compliance. He stated that the property is still being
56 rented and the property owners have not renewed their rental permit. There has been no
57 communication with the property owners and the property is under control of a management
58 company which refuses to provide staff with the information requested.

59

60 Chairman Finch asked if there was anyone present to speak on this case; there was not.

61

62 Vice-Chair Cannon moved to find the property remains in Non-Compliance, imposed a \$250 per
63 day fine, retroactive to March 13, 2023 and continuing until the property is brought into
64 compliance, and reiterated the \$250 Administrative Fee; seconded by Chairman Finch. The
65 motion PASSED 5-0, with the following vote: Ms. Richards – yes; Chairman Finch - yes; Mr.
66 Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess - yes.

67

68 **9. NEW BUSINESS:**

69

70 **A. Case # 2023-021; Property Address: 4737 South Atlantic Avenue**

71 **Owner(s): LuAnne Hilling Wolf**

72 **Alleged Violation(s): Work Without Permits**

73

74 Mr. Hooker provided testimony and photographic evidence that the property owners constructed
75 a dune walkover and beach stairs without permits. A contractor submitted a permit application
76 after the requested compliance date and it is currently under review.

77

78 Chairman Finch asked if there was anyone present to speak on this case; there was not.

79

80 Chairman Finch moved to find the property in Non-Compliance, granted 14 days to bring the
81 property into compliance, and assessed the \$250 Administrative Fee; seconded by Vice-Chair
82 Cannon. The motion PASSED 5-0, with the following vote: Ms. Richards – yes; Chairman Finch
83 - yes; Mr. Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess - yes.

84

85 **B. Case #2023-026; Property Address: 4667 South Atlantic Avenue**

86 **Owners: John and Ultima Morgan**

87 **Alleged Violation(s): Work Without Permits**

88

89 Mr. Hooker provided testimony and photographic evidence that the property owners constructed
90 a dune walkover and beach stairs without permits. A representative of the Morgan's submitted a
91 permit application after the requested compliance date and it is currently under review.

92

93 Chairman Finch asked if there was anyone present to speak on this case; there was not.

94

95 Vice-Chair Cannon moved to find the property in Non-Compliance, granted 14 days to bring the
96 property into compliance, and assessed the \$250 Administrative Fee; seconded by Ms. Richards.

97 The motion PASSED 5-0, with the following vote: Ms. Richards – yes; Chairman Finch - yes; Mr.
98 Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess - yes.

- 99
100 **C. Case #2023-027; Property Address: 4651 South Atlantic Avenue**
101 **Owners: Towers VII**
102 **Alleged Violation(s): Work Without Permits**

103
104 Case was withdrawn by staff.

- 105
106 **D. Case #2023-035; Property Address: 4729 Dixie Drive**
107 **Owner(s): Victor Hall**
108 **Alleged Violation(s): Work Without Permits**

109
110 Mr. Hooker provided testimony and photographic evidence of a new fence installed at the property
111 and confirmed no permit had been applied for or issued. Repeated attempts to make contact with
112 the owners were unsuccessful, therefore a Notice of Violation was issued with the requested
113 compliance date of March 9, 2023. On March 9th, no permit application had been submitted by the
114 owners, resulting in the Notice of Hearing being issued. On March 14, 2023, five days after the
115 compliance date deadline, the owners submitted the permit application.

116
117 Chairman Finch asked if there was anyone present to speak on this case; there was not.

118
119 Vice-Chair Cannon moved to find the property in Non-Compliance, granted 14 days to bring
120 property into compliance by securing the permit and required inspections, and imposed the \$250
121 Administrative Fee; seconded by Ms. Richards. The motion PASSED 5-0, with the following vote:
122 Ms. Richards – yes; Chairman Finch - yes; Mr. Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess
123 - yes.

- 124
125 **E. Case #2023-076; Property Address: 4734 South Atlantic Avenue**
126 **Owner(s): Aisha Moore**
127 **Alleged Violation(s):**
128 **Property Maintenance Issues Involving Lot and/or Dwelling(s)**

129
130 Mr. Hooker provided testimony and photographic evidence of the condition of the property
131 including overgrown vegetation, rotting front and rear wooden decks and stairs, mold and mildew,
132 roof in disrepair, and general maintenance of the home and the property. He noted that Ms. Moore
133 is present to speak on this case. He stated that there had been communication with the owner, who
134 contacted 83 contractors to obtain bids (21 of which would work in Ponce Inlet). In January 2023,
135 she informed staff that she was preparing to hire a contractor to begin the project; since then, there
136 has been little communication with Ms. Moore and no permits have been applied for to make the
137 repairs. While reviewing the photographs, Mr. Hooker noted that an RV is parked in the driveway
138 giving the appearance of being lived in; and there have been complaints from neighbors about the
139 condition of the property.

140
141 Chairman Finch invited the property owner to address the Board and staff.

142
143 Ms. Moore, 4734 S. Atlantic Avenue - stated she purchased the home last April with the hopes of
144 remodeling and living in it permanently. She Air-B-n-B'd the property for a while and in July
145 2022, the property became uninhabitable. The two hurricanes caused more damage and it became

146 difficult to find an affordable general contractor to manage a renovation project. In addition, she
147 has reached out to structural engineers to inspect the structure for integrity. She stated that some
148 of the repairs she could do herself but most of the repairs need to be done by a professional and
149 she does not have the funds to do so. She stated that after the house became uninhabitable, she
150 purchased an investment property and lives in it. She reported that the property is insured with
151 Citizens Insurance. Mr. Hooker noted that Ms. Moore has been diligent in her work and asked if
152 she is an investor. Ms. Moore stated she owns properties in Volusia County and Texas, and
153 operates under the corporate name of Lucky Leverage, LLC. She stated that she decided to sell the
154 property and listed it with a realtor over the weekend.

155
156 Chairman Finch asked if there were any members of the public wishing to speak on this case.

157
158 Roger Rondini, 4735 Riverglen Boulevard – stated that Ms. Moore has a challenge ahead of her,
159 and although she has owned the property for a year, the structure had maintenance issues prior to
160 that. He stated that the roof shingles blow off when there are high winds and his pool screen has
161 been damaged by them; he also expressed concern that the house may collapse due to years of
162 neglect. Ms. Moore apologized to Mr. Rondini for the condition of her property and the damage
163 to his pool screen.

164
165 Mr. Michel moved to find the property in Non-Compliance, granted 30 days to bring property into
166 compliance by completing the following: patch roof, remove vines from the structure, pressure
167 wash and paint exterior, repair fascia, obtain an engineering report on the structural integrity of
168 the structure, and withheld the imposition of the \$250 Administrative Fee; seconded by Chairman
169 Finch. The motion PASSED 5-0, with the following vote: Ms. Richards – yes; Chairman Finch -
170 yes; Mr. Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess - yes.

171
172 **F. Case #2023-101; Property Address: 4591 South Atlantic Avenue**
173 **Owner(s): RFM Properties, LLC**
174 **Alleged Violation(s):**
175 **Property Maintenance Issues Involving Lot and/or Dwelling(s)**

176
177 Mr. Hooker provided testimony and photographic evidence of the condition of the property
178 including overgrown vegetation, rotting wood, mold and mildew, roof in disrepair, and general
179 maintenance of the home (main structure), the garage, and the grounds. He noted that an
180 investment company purchased this property in 2020 and obtained a Development Order to
181 improve it, but that has since expired. There has been no activity on property, there are no utilities
182 connected to the structures, and it is currently vacant. This property has been neglected for several
183 years and suffered more damage from Hurricanes Ian and Nicole. Numerous attempts to reach the
184 property owner(s) have been unsuccessful and there have been complaints from neighbors about
185 the condition of the property. On February 23, 2023, a Notice of Violation was issued with a
186 compliance date of March 3, 2023 to either: 1) secure a permit to make all repairs and clean-up
187 the grounds; or 2) secure a permit for demolition of the structures and clean-up of the grounds.
188 The NOH was signed for by Samantha Gonzalo on March 8, 2023 but as of today’s date there has
189 been no communication with the owners nor have there been permit applications submitted as
190 requested by staff.

191
192 Chairman Finch asked if there was anyone present to speak on this case – there was not; he asked
193 if there were any members of the public wishing to speak on this case.

194

195 Sharone LeMieux, 4590 S. Atlantic Avenue – Stated she lives across the street from this property
196 and that the property has been vacant for several years (except for homeless people). She suggested
197 that the Town intervene by purchasing the property and develop it to complement the historic value
198 of Winterhaven Road, the site of the historic section of the original raceway and Winterhaven Park.
199 Chairman Finch closed public comment.

200
201 Chairman Finch moved to find the property in Non-Compliance, granted 14 days to bring property
202 into compliance by submitting permit application to repair damages or demolish the structures, to
203 bring this case back on April 24th for a status update, and assessed the \$250 Administrative Fee;
204 seconded by Vice-Chair Cannon. The motion PASSED 5-0, with the following vote: Ms. Richards
205 – yes; Chairman Finch - yes; Mr. Michel - yes; Vice-Chair Cannon – yes; Mr. Fuess - yes.

206
207 **10. ATTORNEY DISCUSSION:** None.

208
209 **11. BOARD/STAFF DISCUSSION:** Mr. Hooker announced that the June 26, 2023 meeting
210 will be cancelled as he will be attending a conference and then on vacation.

211
212 **12. ADJOURNMENT:** The hearing was adjourned at 10:34 a.m.

213
214 Respectfully submitted by,

215
216 Peg Hunt
217 Peg Hunt
218 CMC/Deputy Clerk