

1 TOWN OF PONCE INLET  
2 **CODE ENFORCEMENT BOARD**  
3 **HEARING MINUTES**  
4 **September 28, 2020**

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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.

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9 **2. PLEDGE OF ALLEGIANCE:** Chairman Villanella led attendees in the Pledge of  
10 Allegiance.

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

13 A quorum was established with the following members present:

14 Mr. Hinson, Seat 1

15 Mr. Villanella, Chairman, Seat 2

16 Mr. Finch, Vice-Chairman, Seat 3

17 Mr. Michel, Seat 4

18 Ms. Cannon, Seat 5

19 Ms. Bullock, Alternate 1

20  
21 There were no absences.

22  
23 Staff present:

24 Mr. Cino, Code Board Attorney

25 Mr. Disher, Assistant Senior Director

26 Ms. Dean, Acting Board Secretary

27 Mr. Hooker, Code Compliance Manager

28 Mr. Miller, Public Works General Manager

29 Mr. Smith, Town Attorney

30 Aaron Irwin, IT Director

31  
32 **4. ADOPTION OF THE AGENDA:** Chairman Villanella asked if there were any changes  
33 to the agenda; there were none.

34  
35 Mr. Hinson moved to adopt the agenda as presented; seconded by Mr. Cannon. The motion  
36 PASSED 5-0, consensus.

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38 **5. EX-PARTE COMMUNICATION:** None.

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40 **6. ADMINISTERING THE OATH TO WITNESSES:** Attorney Cino administered the  
41 *Oath* to witnesses who were present to testify.

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43 **7. APPROVAL OF THE MINUTES:**

44 A. July 27, 2020 – Chairman Villanella asked if there were any changes; there were  
45 none.

47 Mr. Hinson moved to approve the July 27, 2020 hearing minutes as presented; seconded by Mr.  
48 Michel. The motion PASSED 5-0, with the following vote: Mr. Finch - yes; Mr. Hinson yes; Mr.  
49 Villanella - yes; Mr. Michel - yes; Ms. Cannon - yes.

50

51 **8. OLD BUSINESS:**

52

53 A. Case #2019-653; property address: 4818 South Peninsula Drive

54 Owner(s): Albert & Cyndee Jarrell

55 Violation(s): Expired Building Permit(s)

56

57 Mr. Hooker reviewed the history of the case and stated that the property was brought into  
58 compliance on August 4, 2020. A permit was applied for to replace the expired permit. The owner  
59 paid the \$250 Administrative Fee and staff is waiting on the final inspection to close this case.  
60 Chairman Villanella asked if there was anyone present to speak on this case; there was not.

61

62 Mr. Finch moved to find the property in compliance; seconded by Mr. Michel. The motion PASSED  
63 5-0, with the following vote: Mr. Hinson yes; Mr. Villanella - yes; Mr. Finch - yes; Mr. Michel -  
64 yes; Ms. Cannon - yes.

65

66 **9. NEW BUSINESS:**

67

68 A. Case 2020-064; property address: 4453 South Atlantic Avenue, #1100

69 Owner(s): Edward & Dorcas Hunley

70 Alleged Violation(s): Expired Building Permit(s)

71

72 Mr. Hooker provided testimony and evidence regarding the expired permit for this address. He  
73 stated the property was brought into compliance on August 28, 2020, the final inspections have  
74 been done, and once the \$250 Administrative Fee is paid, we will be able to close out this case.

75

76 Ms. Cannon moved to find the property in compliance and to assess the \$250 Administrative Fee;  
77 seconded by Mr. Villanella. The motion PASSED 5-0, with the following vote: Mr. Hinson - yes;  
78 Mr. Villanella - yes; Mr. Finch - yes; Mr. Michel - yes; Ms. Cannon - yes.

79

80 B. Case 2020-129; property address: 4555 South Atlantic Avenue, #4702

81 Owner(s): Alan & Bonnie Bowen

82 Alleged Violation(s): Advertising rental property without permit

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84 Mr. Hooker withdrew this case.

85

86 Mr. Michel made a motion to approve withdrawal of this case, seconded by Mr. Finch. The motion  
87 PASSED 5-0, with the following vote: Mr. Hinson - yes; Mr. Villanella - yes; Mr. Finch - yes; Mr.  
88 Michel - yes; Ms. Cannon - yes.

89

90 C. Case 2020-374; property address: 4735 Dixie Drive

91 Owner(s): Raymond Webb

92 Alleged Violation(s): Work without permits or inspection approvals

93

94 Mr. Hooker provided testimony and photo evidence showing the property in non-compliance.  
95 Permits were not secured prior to the work being done. Mr. Webb was present to speak and  
96 contested the allegations.

97  
98 Mr. Michel moved to continue this case for 30 days, seconded by Mr. Hinson. Attorney Smith  
99 recommended that the Board grant the owner 30 days to come into compliance. Mr. Michel  
100 amended his motion to grant property owner until October 26, 2020 to secure all permits for work  
101 being done. The \$250 Administrative Fee will be discussed at the next Board meeting; seconded  
102 by Mr. Hinson. The motion PASSED 5-0, with the following vote: Mr. Hinson - yes; Mr. Villanella  
103 - yes; Mr. Finch - yes; Mr. Michel - yes; Ms. Cannon - yes.

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105 **10. ATTORNEY DISCUSSION:**  
106 A. Florida Supreme Court: Case #SC11-830, City of Palm Bay vs. Wells Fargo Bank,  
107 N. A. – Attorney Cino reviewed the information.

108  
109 **11. BOARD/STAFF DISCUSSION –**  
110 A. Mr. Hooker invited the Board to attend a “Human Trafficking” seminar being held  
111 at the Piggotte center in South Daytona on October 28<sup>th</sup> at 1pm as a training event.

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113 **13. ADJOURNMENT:** The hearing was adjourned at 10:09 AM.

114  
115 Respectfully submitted by,  
116  
117 \_\_\_\_\_  
118 Lois Dean, Board Secretary