



**Town of Ponce Inlet
Code Enforcement Board
Meeting Minutes
April 24, 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.

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

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

12 **Board Members Present:**

13 Ms. Richards, Seat #1

14 Mr. Van Valkenburgh, Seat #2

15 Mr. Finch, Seat #3

16 Mr. Michel, Seat #4

17 Ms. Cannon, Seat #5

18 Mr. Fuess, Alternate Seat #1

19 Mr. Young, Alternate Seat #2

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21 A quorum was established with five members present.

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23 **A. Oath of Office: Joseph Young** – *Administered by Attorney Cino.*

24
25 **Staff Members Present:**

26 Attorney Smith, Town Attorney

27 Attorney Cino, Code Board Attorney

28 Mr. Hooker, Code Compliance Manager

29 Ms. Hunt, Deputy Clerk

30 Ms. Stewart, Assistant Deputy Clerk

31 Mr. Nieves, Administrative Assistant (Code Division)

32 Mr. Disher, Town Manager

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

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

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

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

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44 **A. March 27, 2023** – Chairman Finch asked if there were any changes; there were
45 none.

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

49 **8. OLD BUSINESS:**

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51 **A. Case # 2023-101; Property Address: 4591 South Atlantic Avenue**

52 **Owner(s): RFM Properties**

53 **Violation(s): Property Maintenance Issues Involving Lot or Dwelling**

54

55 Mr. Hooker reviewed the case history, noting that the case was presented to this board on March
56 27, 2023, which found the owners in violation of the cited sections of code. They were granted 14
57 days or until April 10, 2023, to comply with the adopted code. As of today, there has been no
58 contact with ownership and the property remains in non-compliance. The dwelling has been
59 vacant since October 2020. Staff is requesting to reiterate the original order from March 27, 2023,
60 and impose a \$250 fine per day per violation retroactive to the April 10, 2023, compliance date and
61 impose the \$250 administrative fee.

62

63 Attorney Smith requested Mr. Hooker describe each of the violations that are being fined; Mr.
64 Hooker explained the violations and provided photos; there are four violations at \$250 each for a
65 total of \$1,000 per day plus the \$250 administrative fee. He reviewed the steps taken to contact
66 the owners and noted there has been no contact from them.

67

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

69

70 The board postponed this item to the next meeting. The motion PASSED 5-0, with the following
71 vote: Ms. Richards – yes; Chairman Finch 83 - yes; Mr. Michel - yes; Vice-Chair Cannon – yes;
72 Mr. Van Valkenburgh - yes.

73

74 **9. NEW BUSINESS:**

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76 **A. Case # 2022-684; Property Address: 4620 Riverwalk Village Court #7302**

77 **Owner(s): Cynthia House & Rhonda Witwer**

78 **Alleged Violation(s): Expired Rental Permit**

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80 Mr. Hooker provided evidence and testimony that the property owners have not renewed their
81 rental permit, the fines remain unpaid, and there has been no communication from the owners since
82 November 14, 2022. Staff is requesting the board grant the owner until May 8, 2023, to secure the
83 rental permit or acknowledge they have no intentions of renting the property; impose the \$250
84 administrative fee; and if not in compliance by May 8, 2023, bring this item back to the board at
85 the May 22, 2023.

86

87 Chairman Finch asked if there was anyone present to testify on this case; there was not.

88

89 Chairman Finch moved to continue this case to the next meeting; seconded by Vice-Chair Cannon.
90 The motion PASSED 5-0, with the following vote: Chairman Finch - yes; Mr. Michel - yes; Vice-
91 Chair Cannon – yes; Ms. Richards – yes; Mr. Van Valkenburgh - yes.

92

93 **10. ATTORNEY DISCUSSION:** Attorney Cino provided a review of the Florida Attorney
94 General Opinion (AGO 2022-01) regarding vacation rentals and the municipal regulation by
95 zoning overlay. There were no questions.

96
97 **11. BOARD/STAFF DISCUSSION:** Mr. Hooker introduced Ms. Debbie Stewart, Assistant
98 Deputy Clerk; she will be the recording secretary for the Code Enforcement Board going forward.
99

100 **12. ADJOURNMENT:** The hearing was adjourned at 10:03 a.m.

101
102 Respectfully submitted by,

103
104 *Debbie Stewart*

105 Debbie Stewart
106 Assistant Deputy Clerk