

From: Jason ValaVanis
3640 Indian River Dr.
Cocoa, FL 32926

16 March 2022

To: Augusto Gonzalez
Code Enforcement
City of Cocoa

Re: Your Notice of Violation dated 02-4-22 for 2546 Indian River Dr., Cocoa FL 32922

Dear Mr. Gonzalez,

I am in receipt of your letter and it is very confusing. You claim my property has accumulated trash. I went there and don't see it. If there was trash on the lot, it appears to be gone. Also, your letter states that I have cleared the lot. Not true, the lot was cleared of pepper trees over a decade ago along with an old house and a dilapidated garage. Permits for each were obtained from the City of Cocoa. Also, I have photographs of the lot cleared from that time if you wish to see them. Just reach out.

As well, the recent activity on aforementioned lot is due to my neighbor (2600 Indian River Dr.) using my lot without my initial knowledge to access their backyard for questionable construction. In doing so, their contractors' heavy equipment disturbed the grasses and exposed the ground/sand. Yes, there were a significant amount of pepper trees on the lot and the contractor removed them as a courtesy in exchange of disturbing the surface. Also, in order to reduce erosion (which did not enter the lagoon), the contractor, as a courtesy, spread tiny pebbles on the surface of the first 30-40 ft along the shoulder. I believe it was a modest spread and it is basically now mixed in with the soil. In my opinion, the impact was less than negligible. Apparently, your office sees this differently. Please detail the impact and why it is a violation. Please, explain in detail, without just quoting Florida Statute numbers, why your office has determined this to be a significant environmental problem.

I took a sample of the pebbles to a landscaper and he said it looks like #8 or #89 pea stone. He actually laughed when I said the City of Cocoa thinks it is a State violation to place it on a private lot. He said it is used all the time in landscaping and for anti-erosion. He said he would gladly testify in front of judge on my behalf – for free.

Mr. Gonzalez, your letter demands that I correct the violation(s) by removing all debris and placing it in a building. Did you actually mean that? Which building do you suggest? Please elaborate. Remember, the lot is vacant. Also, your letter demands that I obtain a permit. A permit for what? I am not building anything. I am not clearing anything. A permit to remove pepper trees? I understand that is not required under Florida law. Please elaborate. Also, you demand that I apply for a site plan. A site plan for what? Please elaborate.

Mr. Gonzalez, I would heartfully appreciate an explanation, in detail, what you are referring to, what the actual violations are, and why you have chosen to harass me. Is it only needed for a grumpy neighbor to call your office and file a baseless complaint for you to harass a longstanding taxpayer?

I demand a full explanation of your claims of violations. If not please accept the decency of the situation that a Cocoa property owner is being conscientious enough to remove pepper trees, stay compliant, and contribute to the beauty of the Cocoa Indian River Lagoon scenic area. Please respond accordingly.

With best Regards,



Jason ValaVanis
321-960-1280 Cell