



The CITY OF DAYTONA BEACH SPECIAL MAGISTRATE MEETING MINUTES

City Hall
Commission Chambers
Regular Meeting

301 South Ridgewood Avenue
Monday, January 8, 2018
9:00 AM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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ATTENDEES:

Mr. Robert Riggio, Special Magistrate

STAFF:

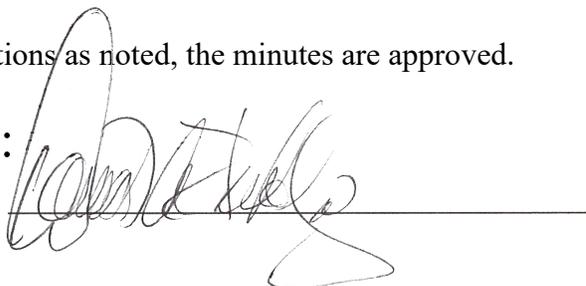
Anthony E. Jackson, Assistant City Attorney
Mr. Denzil Sykes, Code Supervisor
Mr. Steve Alderman, Code Inspector
Mr. Thomas Clig, Code Inspector
Ms. Juan Davis, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Jerome McCoy, Code Inspector
Mr. John Stenson, Code Inspector
Ms. Aimee Hampton, Board Secretary

Mr. Riggio asked for a correction to be made to the November minutes. Mr. Riggio stated Case 12 for Seaside Investments on Page 6 reads that the respondent is to come into compliance by December 6, 2017 and the date should be January 3, 2018.

Mr. Riggio asked for a correction to the December 12, 2017 minutes on Page 4. Mr. Riggio stated Case 7, GEA Seaside Investments at 216 Morningside, should read that the applicant is to withdraw the rental application within 10 days.

Mr. Riggio stated other than the corrections as noted, the minutes are approved.

Approval of Minutes by:
Special Magistrate



Cases that are in Compliance:

Ms. Hampton stated the following cases on the agenda for today's meeting are in compliance:

CASE # SMG 05-17-38 - GEA Seaside Investments, Inc.

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 509 & 511 Harvey Ave. - Violation(s)- Failure to obtain required residential rental license (RTL) - First Notified - 1/30/2017

COMPLIANCE 1/8/18

CASE # SMG 05-17-48 - GEA Seaside Investments, Inc.

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 308 N. Peninsula Dr- Violation(s)- Failure to obtain required residential rental license (RTL) - First Notified - 1/30/2017

COMPLIANCE 1/8/18.

CASE # SMG 01-18-17 -AKLIPSE Asset Management, Inc.

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4 and 304.18); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at 613 Willie Drive - Violation(s) - High weeds; building unsecured; broken doors and windows; no residential rental license (RTL); no business tax receipt (BTR) - First Notified - 11/2/2017

COMPLIANCE 1/8/18.

Ms. Hampton swore in members of the City staff.

Lien Review

SMG 08-17-68-367 Fordham Drive-Owner: Anthony M. Tocco

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 8.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, 304.13, 308.1), Violation(s) - Dilapidated fence; inoperable and unlicensed vehicle; broken windows; outside storage and broken exterior wall - First Notified - 3/27/2017. Order Imposing Fine/Lien of \$100.00 per day imposed on 11/9/2017. Compliance 11/20/2017 = 11 days x \$100 = \$1,100.00 plus Interest of \$7.61 and recording costs of \$24.00 = Total amount owed \$1,131.61.

Anthony Tocco, respondent, stated he has a call log that indicates the times he has called the City requesting an inspection of the repairs to the wall. Mr. Tocco stated the Special Magistrate hearings were delayed due to the hurricanes and then Ms. Davis was not available to verify compliance.

Mr. Jackson stated Mr. Tocco is correct that Ms. Davis was on administrative leave. Mr. Jackson stated the city requests the fine be waived.

DISPOSITION: Mr. Riggio ordered that the fine be waived.

Hearing of Cases:

CASE # SMG 09-17-72-Terry Tejeram Sitaram & Bibi N. Sitaram

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, and 304. 7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at 326 Jefferson Street -Violation(s)- Outside storage; Junk vehicles; dilapidated roof; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL) - First Notified - 6/24/2017

The respondents were not in attendance.

Mr. Jackson stated that the respondents are not in compliance, but Mr. Stinson has indicated that the respondents have been working on the property. Mr. Jackson asked that the order be amended to allow the respondents until February 7, 2018, to be in compliance.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION: Mr. Riggio amended the original order of non-compliance to February 7, 2018, or be returned for imposition of a fine up to \$1,000 per day

CASE # SMG 05-17-46 - GEA Seaside Investments, Inc.

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 232 N. Peninsula Dr - Violation(s) - Failure to obtain required residential rental license (RTL) - First Notified- 1/30/2017

Attorney Joel Osborne, 160 International Parkway, Suite 250, Heathrow, Florida spoke representing GEA Seaside Investments. Mr. Osborne spoke regarding Items 3, 4 and 1 O on today's agenda and asked that those cases be heard at the beginning of the meeting. Mr. Osborne stated his reason for requesting the items to be moved up on the agenda is due to business he must attend to in Seminole County.

Anthony Jackson, Assistant City Attorney, stated Juan Davis has been working with the respondent; and a City Rental License was required to be obtained. Mr. Jackson stated the property is currently in non-compliance. Mr. Jackson stated the permit was applied for and a request was made to the respondent on December 21, 2017 for additional information, which was not responded to. Staff is recommending that a fine be imposed of \$250 per day to a maximum of \$15,000.

Ms. Davis stated railings are to be added to the side entrance of the building and the front entranceway has exterior door issues that requires permits. Ms. Davis stated the permits were applied for and staff requested architectural drawings. Ms. Davis stated the architectural drawings have not been received and staff is waiting for those drawings in order to release the permit.

Mr. Osborne stated the Magistrate told his client to apply for permits; but when his client applied for the permits, he was told he needs to hire an architect. Mr. Osborne stated his client has hired an architect and is having plans completed and he does not feel as though his client is not in compliance since he has applied for a permit. Mr. Osborne stated his client is requesting an extension in order to allow time for completion of the plans and to have the work completed.

Mr. Riggio stated on December 12, 2017, Mr. Vukelja imposed a fine effective December 7, 2017 of \$250 per day up to \$15,000 on this property which is in place until permits are applied for.

Mr. Jackson stated that fine has stopped since building permits have been applied for. Mr. Jackson stated this case has been ongoing since January 2017, and he is not satisfied that Mr. Osborne now states he was unaware that additional information would have been needed when his client applied for a permit. Mr. Jackson stated staff is requesting that a fine be imposed.

Mr. Osborne stated a deadline was given to him to apply for the permits and that deadline was met; however, there is now a request for architectural drawings for a handrail, which was not anticipated. Mr. Osborne stated he is requesting additional time in order for the architect to complete the drawings.

Mr. Riggio asked how long it will take to get the plans completed.

Mr. Osborne stated the plans and railings should be in place in 30 days.

Mr. Jackson stated the respondent has not complied since January 2017, and the grace of the Magistrate has allowed this case to continue.

Mr. Riggio asked Mr. Osborne if his client would be willing to provide an affidavit that the property will not be rented until a rental license has been issued.

Mr. Osborne stated yes.

Mr. Riggio stated that he agrees with Mr. Osborne that if an affidavit should be filed stating the property is not rented and will not be rented until the rental license is obtained and the property meets all City codes. Mr. Riggio stated there is no current tenant affected by the delay.

Mr. Osborne stated the hurricanes in the State of Florida have affected the process.

Mr. Jackson stated he would be agreeable to allowing the respondent until the next Special Magistrate meeting to gain compliance.

DISPOSITION: Mr. Riggio amended the Order of Non-Compliance to change the compliance date to February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and the property is not to be rented until the rental license is issued. Mr. Riggio stated the respondent must file an affidavit with the Assistant City Attorney within the next 10 days stating that the property will not be rented until the rental license is issued.

CASE # SMG 05-17-47 - GEA Seaside Investments, Inc.

is cited for failure to correct violations City Code Ch. 26 Sec. 26-294, at 236 N. Peninsula Dr - Violation(s)-Failure to obtain required residential rental license (RTL) - First Notified -1/30/2017

Mr. Jackson stated the inspector has been in contact with Joel Osborne, attorney representing the respondent, and major repairs are required. Mr. Jackson stated the respondent intends to cease rental of the unit until the repairs are made. Mr. Jackson stated the respondent has indicated an affidavit will be submitted stating the property will not be used as a rental; and the property will not be rented until an application has been made for a rental license when repairs have been made. Mr. Jackson asked that the properties be secured during the repair process.

Mr. Osborne stated he agrees with Mr. Jackson's statements.

DISPOSITION: Respondent will provide an affidavit within 10 days stating 236 N. Peninsula will not be rented, the property will be secured, and the property will be listed as part of the Trespass Arrest program.

CASE # SMG 12-17-93 - Baseline Capital Investments, LLC

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 304.1, 304.3, 304.6, 304.7), at 353 Seaview Avenue -Violation(s)-Trash

and debris; high weeds; premises identification; exterior walls; roofs and drainage - First Notified -3/25/2017

The respondents were not in attendance.

Mr. Jackson stated the inspector is Juan Davis and Ms. Davis has indicated that she has had no response from the owner. Mr. Jackson stated staff is requesting a fine of \$200 per day be imposed to a maximum of \$15,000, effective January 3, 2018.

DISPOSITION: A fine of \$200 per day is imposed to a maximum of \$15,000, or until compliance is obtained, effective January 3, 2018.

CASE NO SMG 11-17-85- Hope T. & Kenneth H. Lindsey

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8 and 304.3); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a, at 909 Lockhart Street-Violation(s)-Outside storage; parking on yard; boat storage; inoperative vehicles parked on sidewalk; no address numbers - First Notified -9/1/2017

The respondents were not in attendance.

Mr. Jackson stated the inspector is Mr. Alderman and has indicated that the respondents are working on compliance. Mr. Jackson stated the city is requesting that the respondent be given until February 7, 2018, to gain compliance.

DISPOSITION: Amend the Order of Non-Compliance to allow the respondents until February 7, 2018 to come into compliance or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day

CASE # SMG 11-17-86 - Beverly Shearer

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 303.1, 304.13, 304.7), at 1215 Golfview Drive-Violation(s) - Swimming pools, spas and hot tubs; exterior windows, skylight and door frames; roofs and drainage - First Notified -6/26/2017

The respondent was not in attendance.

Mr. Jackson stated the property remains in non-compliance.

Steve Alderman, Code Inspector, stated he has spoken with Mr. Blowers, who is the son of the owner. Mr. Alderman stated Mr. Blowers' father recently passed away and his mother has been moved to a care facility. Mr. Blowers indicated he is trying to address the issues. Mr. Alderman indicated the pool has been secured and there is a lock on the gate. Mr. Alderman stated the city is requesting that the order of non-compliance be amended to February 7, 2018 in order to allow time to repair the broken window.

Mr. Jackson asked Mr. Alderman if everything could be in compliance by February 7, 2018.

Mr. Alderman stated yes.

DISPOSITION: Amend order of non-compliance until February 7, 2018 in order to allow time for repairs to windows, roof repairs, and pool to be maintained, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day

CASE # SMG 12-17-99 - Eva M. Wright and Michael Wright

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2), at 117 S. Martin Luther King Blvd. - Violation(s) - Surfacing- potholes; protective treatment - paint and/or siding -First Notified -9/23/2017

The respondents were not in attendance.

Mr. Jackson stated there has been no change on the property since the last meeting. Mr. Jackson stated the driveway needs to be resurfaced and the City is asking that the respondents be given until March 7, 2018 to gain compliance or be returned to the Special Magistrate for imposition of a fine.

DISPOSITION: The respondent was found in non-compliance and was ordered to come into compliance by March 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-16 - GEA Seaside Investment, Inc.

is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at 358 Nautilus Avenue - Violation(s) -No permit for roof First Notified-11/2/2017

Mr. Jackson stated roof repairs were made at this address without obtaining a Building Permit. Mr. Jackson stated that staff is requesting that compliance be obtained by February 7, 2018. Mr. Jackson stated the property is occupied.

Joel Osborne, attorney representing the respondent, stated his client contests this action and a re-roofing was being done since Hurricane Matthew blew off the re-roof. Mr. Osborne stated the original roof underneath is stable.

Tom Clig, Code Inspector, stated the roof did blow off and the repairs that were done were more than 25% of the roof which requires a permit.

Mr. Osborne stated he talked with a roofer and was told the repairs would not require a permit.

Mr. Clig stated he spoke with Mr. Osborne and stated an affidavit would be required from a roofing contractor indicating the roof is stable and no permit is required for the repairs.

Mr. Osborne stated he would provide an affidavit from a roofing contractor that repairs will not require a building permit.

DISPOSITION: Order of Non-compliance issued until February 7, 2018 or be returned to the subsequent Special Magistrate meeting for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-01 - Chalmer V. & Ann E. Edwards

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3, 605.2, 704.2, 304.7, 304.10, 304.11, 304.14, 309.1,); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297, at 550 Foote Court - Violation(s) -Electrical system hazards; electrical equipment -receptacles; no smoke alarms; structural appearance standards; roof and drainage; exterior surfaces; stairways, decks, porches must be installed; chimney; failure to obtain required residential rental license. First Notified -10/10/2017

Ann Edwards, respondent, was sworn in and stated violations do exist and work is being done to correct the violations.

Mr. Jackson stated the property is not in compliance and feels the work could be completed by March 7, 2018.

Jerome McCoy, Code Inspector, stated he spoke with Ms. Edwards and the work that needs to be done will require the work of a contractor and building permits will have to be secured. Mr. McCoy stated the property is a rental property and the complaints were driven by the tenant.

Mr. Riggio asked Ms. Edwards if she feels the work can be completed by March 7, 2018.

Ms. Edwards stated yes.

Mr. Riggio stated a contractor will have to be employed, permits issued, and then an inspection must be done by Mr. McCoy to determine compliance.

DISPOSITION: The Special Magistrate found the respondent to be in non-compliance and ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-02-Andrew Phillips

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 302.8, 304.2), at 625 Loomis Avenue - Violation(s) - Outside storage; junk vehicle; protective treatment; high weeds - First Notified - 10/2/2017

Mr. Jackson stated the inspector is Jerome McCoy. Mr. McCoy has spoken with the respondent and the respondent feels he can have the property in compliance by February 7, 2018.

Andrew Phillips was sworn in and stated he had nothing to add to Mr. Jackson's comments.

Mr. Riggio stated that Mr. Phillips will need to contact Mr. McCoy well before February 7, 2018 in order that an inspection can be completed of the repairs.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day

CASE # SMG 01-18-03 -Dexter Hawkins

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 505.3), at 2 Debiasi Lane- Violation(s)- No water service First Notified - 11/28/2017

The respondent was not in attendance.

Mr. Jackson stated the inspector is Mike Fitzgerald. Mr. Jackson stated the violation was no water service, but the property is now in compliance.

Mike Fitzgerald stated the property was occupied and there was no water service. Mr. Fitzgerald stated the renters have moved from the property and the respondent has paid for the permit to have water service installed.

DISPOSITION: The Special Magistrate found the respondent was in non-compliance but as of this date is in compliance; and should the respondent return to non-compliance, the respondent will be returned to the Special Magistrate for imposition of a fine up to \$5,000 per day.

CASE # SMG 01-18-04- Ejaz Ahmed

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 504.1, 305.3, 309.4) City Code Ch. 90 Sec. 90-297, at 1370 S. Palmetto Avenue - Violation(s) - Damaged plumbing; damaged walls; proof of pest elimination; failure to obtain business tax receipt (BTR) - First Notified - 7/28/2017

Christine DiNardo, Property Manager, and Ejaz Ahmed were sworn in. Ms. DiNardo stated the respondent is now in compliance. Ms. DiNardo stated there are minor plumbing issues, a smoke detector that needs a battery, and repairs to a water heater which will all be completed by the end of the week.

Mr. Jackson stated the inspector, Mike Fitzgerald, has stated he has been in communication with Ms. DiNardo and feels compliance can be achieved by February 7, 2018.

Mr. Fitzgerald stated the Building Department completed a rental license inspection on February 8, 2018 and failed. Mr. Fitzgerald stated the property is still in non-compliance.

DISPOSITION: The Special Magistrate found that the property is in non-compliance and ordered that the property be in compliance by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-05- Douglas R. Miles and Patricia R. Miles Trust Agreement dated 6-2-2016

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8); Art. 6 Sec. 6.2.H.7.a, at 2628 S. Peninsula Drive - Violation(s)-Junk vehicle; parking vehicle on the front lawn- First Notified -6/14/2017

William Bush, the property manager, was sworn in. Mr. Bush stated Ms. Miles states she did not receive the notice of violation. Mr. Bush stated he visited the property and found the vehicles were parked in the wrong place, but the vehicles have been moved.

Mr. Jackson stated Michael Fitzgerald is the inspector on the property and has indicated that the property is currently in compliance. Mr. Jackson stated there is a citizen who has indicated they would like to be heard on this matter.

Vern Weatherholtz, 3 Grandview Circle, Daytona Beach, Florida was sworn in and stated the two unlicensed vehicles have not been removed. Mr. Weatherholtz stated there are currently six cars on the property and there is a two-car driveway.

Mr. Fitzgerald stated when the property was first cited, there was a junk vehicle behind the fence and a vehicle on the lawn. Mr. Fitzgerald stated those vehicles are no longer there. Mr. Fitzgerald stated if there is future parking on the grass, that would be considered a repeat violation and subject to returning to the Special Magistrate for imposition of a fine.

DISPOSITION: The Special Magistrate issued an order of non-compliance and ordered that the respondent come into compliance by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-06 - Helena W. Montgomery Revocable Trust dated 12/17/09

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.7, 304.12, 304.14, 305.3, 309.1), at 405 Wisteria Road - Violation(s) - Rental Inspection - damaged roof; damaged walls; handrails; damaged windows- First Notified- 11/17/2017

Samuel Harkness was sworn in and stated he was a friend of the family and was asked to appear at today's hearing on behalf of the respondent.

Mr. Jackson stated Mike Fitzgerald is the inspector and noted the property is in non-compliance.

Mr. Harkness stated the property is not occupied and is in the process of an eviction procedure. Mr. Harkness stated the property is listed for sale and is currently not rented. Mr. Harkness stated many of the violations were a result of the hurricanes and have been repaired. Mr. Harkness stated the roofer has many other contracts ahead of this one.

Mr. Jackson stated the city would like the repairs to be completed by February 7, 2018; and asked that the respondent contact the inspector if repairs have not been completed by February 7, 2018.

DISPOSITION: The Special Magistrate ordered that the respondent is in non-compliance and ordered that compliance be obtained by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-07 - Michael K. Toole

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.8 and 304.9), at 138 W. International Speedway Blvd. - Violation(s) - Exterior structure overhang extensions; exterior structure decorative features; damaged awning - First Notified -9/5/2017

The respondent was not in attendance.

Mr. Jackson stated the inspector is Steve Alderman and Mr. Alderman has stated that the property is in non-compliance.

DISPOSITION: The Special Magistrate found the respondent to be in non-compliance and order that the respondent come into compliance by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-08 - Delbert D. Gayle & Kerriann Gayle

is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6. Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.8), at 925 Niles Street - Violation(s) - Site appearance standards; structural appearance standards; off-street parking; junk vehicles - First Notified -9/1/2017

The respondent was not in attendance.

Mr. Jackson stated Steve Alderman is the Code Inspector and Mr. Alderman stated the property is in non-compliance but feels the items can be corrected by February 7, 2018.

DISPOSITION: The Special Magistrate found the respondent to be in non-compliance and ordered that the respondent come into compliance by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-09 - L.J. Freeman & Robin Spencer

is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at 1232 Peachtree Road - Violation(s)-No permit for post fire demolition/construction - First Notified -11/10/2017

The respondents were not in attendance.

Mr. Jackson stated the Code Inspector is Steve Alderman and Mr. Alderman stated he has had no response from the respondent and would like the respondent to be given until February 7, 2018 to achieve compliance.

DISPOSITION: The Special Magistrate found the respondent to be in non-compliance and ordered that the respondent come into compliance by February 7, 2018 or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day.

CASE # SMG 01-18-10 - US Bank Trust NA as Trustee for LSF9 Master Participation Trust

is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.3, 302.7, 303.2, 304.1, 304.6, 304.7, 304.9), at 1200 Sunland Road - Violation(s) - Vacant structure and land; exterior property areas; swimming pool enclosure; exterior structure general; exterior structure walls; roofs and drainage; overhang extensions - First Notified-10/13/2017

The respondent was not in attendance.

Mr. Jackson stated the Code Inspector is Steve Alderman and Mr. Alderman stated he has had no response from the respondent and would like the respondent to be given until February 7, 2018 to achieve compliance.

Mr. Riggio stated one of the items is a swimming pool enclosure and asked if the enclosure has been secured.

Mr. Alderman stated it is not secure. Mr. Alderman stated there is a gate on the north side that closes but there is no gate on the south side. Mr. Alderman stated the property owner lives in San Diego, California, and the property manager lives in Atlanta, Georgia. Mr. Alderman stated he has provided photographs to the property manager but has heard nothing from the manager.

DISPOSITION: The Special Magistrate found the respondent to be in non-compliance and ordered that the respondent come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and have the owner secure the swimming pool within 10 days; and if owner has not secured the swimming pool by January 19, 2018, the city will take actions to secure the pool or be returned to the Special Magistrate for a fine of up to \$1,000 per day.

CASE # SMG 01-18-11 - Budget Builders Wholesale Lumber Company

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297 ; City Code Ch. 26 Sec. 26-294, at 120 Tarracina Way - Violation(s)-Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)- First Notified -11/22/2017

The respondent was not in attendance.

Mr. Jackson stated Mr. Stinson is the Code Inspector and spoke with the property manager. Mr. Jackson stated homes were constructed on Grand Champions and rental licenses were not obtained.

John Stinson, Code Inspector, stated this is a new development and the homes are occupied but rental licenses have not been obtained.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and imposition of a fine of up to \$250 for failure to obtain a business tax receipt.

CASE # SMG 01-18-12 - Budget Builders Wholesale Lumber Company

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at 124 Tarracina Way -Violation(s)-Failure to obtain business tax receipt (BTR}; Failure to obtain required residential rental license (RTL} - First Notified -11/22/2017

The respondent was not in attendance.

Mr. Jackson stated Mr. Stinson is the Code Inspector and spoke with the property manager. Mr. Jackson stated homes were constructed on Grand Champions and rental licenses were not obtained.

John Stinson, Code Inspector, stated this is a new development and the homes are occupied but rental licenses have not been obtained.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and imposition of a fine of up to \$250 for failure to obtain a business tax receipt.

CASE # SMG 01-18-13 - Budget Builders Wholesale Lumber Company

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at 132 Tarracina Way Violation(s)-Failure to obtain business tax receipt (BTR}; Failure to obtain required residential rental license (RTL}- First Notified -11/22/2017

The respondent was not in attendance.

Mr. Jackson stated Mr. Stinson is the Code Inspector and spoke with the property manager. Mr. Jackson stated homes were constructed on Grand Champions and rental licenses were not obtained.

John Stinson, Code Inspector, stated this is a new development and the homes are occupied but rental licenses have not been obtained.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and imposition of a fine of up to \$250 for failure to obtain a business tax receipt.

CASE # SMG 01-18-14 - Budget Builders Wholesale Lumber Company

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297 ; City Code Ch. 26 Sec. 26-294, at 144 Tarracina Way -Violation(s)-Failure to obtain business tax receipt (BTR}; Failure to obtain required residential rental license (RTL}- First Notified -11/22/2017

The respondent was not in attendance.

Mr. Jackson stated Mr. Stinson is the Code Inspector and spoke with the property manager. Mr. Jackson stated homes were constructed on Grand Champions and rental licenses were not obtained.

John Stinson, Code Inspector, stated this is a new development and the homes are occupied but rental licenses have not been obtained.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and imposition of a fine up to \$250 for failure to obtain a business tax receipt.

CASE # SMG 01-18-15 - Budget Builders Wholesale Lumber Company

is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at 196 Tarracina Way -Violation(s)-Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL) - First Notified-11/22/2017

The respondent was not in attendance.

Mr. Jackson stated Mr. Stinson is the Code Inspector and spoke with the property manager. Mr. Jackson stated homes were constructed on Grand Champions and rental licenses were not obtained.

John Stinson, Code Inspector, stated this is a new development and the homes are occupied but rental licenses have not been obtained.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by February 7, 2018, or be returned to the Special Magistrate for imposition of a fine of up to \$1,000 per day and imposition of a fine of up to \$250 for failure to obtain a business tax receipt.

Miscellaneous Business

There was no miscellaneous business.

Adjournment

There being no further business, the meeting was adjourned at 10:51 a.m.

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