

Agenda

**Commission Chambers, City Hall
301 South Ridgewood Avenue
Daytona Beach, Florida**

CODE ENFORCEMENT BOARD

**CITY OF
DAYTONA BEACH**

NOTICE – 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. Any discussion or contact outside the Code Enforcement Board Meeting with members of the Board concerning any quasi-judicial matter which is, or will come, before The Board for a vote are to be disclosed and made part of the record prior to or at the hearing on the matter.

Members: Weegie Kuendig, Chairman; Turner Hymes, Vice-Chairman; Cheryl House; Neil Harrington; Thomas A.D. Jones, Valoree McLean and Karen Robey

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023		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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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

FEBRUARY 14, 2019 - 9:00 A.M.

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of January 10, 2019 Meeting Minutes**
- 4. Disclosure of Ex Parte Communications**
- 5. Announcements**
- 6. Lien Reviews**

7. Hearing of Cases

CONTINUED CASES:

CASE # 1 - CEB 01-19-16 - Stefan Liebe is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at **815 Mason Ave.**

Violation(s) – **Replace signage on the pole sign or remove pole sign.**

First Notified – 3/29/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Barbara J. Collins)

CASE # 2 - CEB 01-19-17 - Daniel M & Haesun McCune is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **801 Mason Ave.**

Violation(s) – **Clean exterior surfaces of dirt, mold and grime.**

First Notified – 2/15/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Barbara J. Collins)

CASE # 3 - CEB 01-19-05 - Steven L. & Judy L. Suter is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.13, 304.7, 304.2 and 304.4), at **626 Clark St.**

Violation(s) – **Broken windows, damaged roof, peeling paint, structural members (carport).**

First Notified – 11/1/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(John C. Stenson)

CASE # 4 - CEB 01-19-08 - Evelina Brockington is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.1, 302.4, 302.5, 302.7, 302.8, 304.1.1.7, 304.2, 304.3, 304.6, 304.7, 304.8, 304.13, 304.15, 308.1, 309.1, and 504.3), at **626 South St.**

Violation(s) – **Property owner responsibility. Vacant structure and land. Sanitation. Weeds. Rodent harborage. Assessory structure (fencing). Junk vehicles. Unsafe condition (exterior walls). Peeling paint. Address numbers. Exterior walls. Damaged roof. Decorative features (lattice). Broken windows. Damaged exterior doors. Rubbish/garbage. Infestation. Plumbing system hazard (lack of service).**

First Notified – 10/23/2018

ACTION TO BE TAKEN: Con't. for a progress report; compliance set for March 6, 2019.

DISPOSITION _____

(John C. Stenson)

CASE # 5 - CEB 01-19-09 - Kenneth Jacobs is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp 302.7, 304.7 and 302.8), at **615 Clark St**

Violation(s) – **Outside storage, parking in the yard, damaged fencing, damaged roof and junk vehicles.**

First Notified – 11/5/2018

ACTION TO BE TAKEN: Compliance with outside storage, parking, junk vehicle and fencing by 2/6/2019; compliance with roof by 4/3/2019.

DISPOSITION _____

(John C. Stenson)

CASE # 6 - CEB 08-18-87 - Donald W. Barnard is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.1, 302.7, 304.2, 304.6, 304.13), at **29 S Grandview Ave.** Violation(s) – Outside storage, trash and debris, broken windows, peeling and fading paint, damaged exterior walls and fencing. First Notified – 4/10/2018

Compliance 2-4-2019

CASE # 7 - CEB 01-19-13 - Raul R. Gonzalez-Cruz & Liliam Gonzalez is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2), at **120 Palm Dr.** Violation(s) – Maintenance Code - peeling paint or unprotected exterior surfaces. First Notified – 9/17/2018

Compliance 2-4-2019

CASE # 8 - CEB 12-18-163 - Maschwitz AMG LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **900 S Peninsula Dr #300**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain rental license (RTL).**

First Notified – 9/22/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Jerome O. McCoy)

CASE # 9 - CEB 12-18-166 - Keep It Up LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **900 S Peninsula Dr #202**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 9/22/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Jerome O. McCoy)

CASE # 10 - CEB 12-18-159 - Audrey Houston is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3, 704.2); Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 304.14); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90.297), at **727 School St.**

Violation(s) – **Electrical system hazards, insect screens, no smoke detectors, structural appearance standards - roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 10/26/2017

ACTION TO BE TAKEN: Con't from Dec. 2018 for progress report and compliance date.

DISPOSITION _____

(Jerome O. McCoy)

CASE # 11 - CEB 01-19-04 - Prem K. Bhandari is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **431 Warner Pl.**

Violation(s) – **Failure to obtain rental license (RTL).**

First Notified – 3/21/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Jerome O. McCoy)

CASE # 12 - CEB 11-18-149 - Jerry W. Albro is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.2, 302.1, 302.3, 304.2, 304.13, 308.1), at **209 Woodland Ave.**

Violation(s) – **Maintenance responsibility, property sanitation, driveway maintenance, protective treatment, boarded windows and doors, rubbish and garbage accumulation.**

First Notified – 7/25/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Steve Alderman)

CASE # 13 - CEB 01-19-01 - Land Trust Service Corp Trust No 416 is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.2, 302.3, 302.7, 304.2, 304.3); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **416 N Oleander Ave.**

Violation(s) – **Site appearances, Sidewalk/driveways, property ID, exterior walls, protective treatment, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 9/20/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Steve Alderman)

CASE # 14 - CEB 01-19-02 - Land Trust Service Corp Trust No 416 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.6, 302.3, 304.9, 504.2, 605.2); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **418 N Oleander Ave.**

Violation(s) – **Site appearance standards, off-street parking, sidewalks and driveways, exterior walls, overhang extensions, plumbing systems, electrical hazards, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 9/17/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Steve Alderman)

CASE # 15 - CEB 11-18-150 - Monir Y El Farra is cited for failure to correct violations of The Land Development Code, Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.4, 302.7, 304.3, 304.6, 304.7, 304.11 and 304.13.1), at **121 Lockhart St.**

Violation(s) – **Exterior structure, glazing, chimneys and towers, roofs and drainage, exterior walls, premises identification, accessory structures, weeds, vacant structures and land.**

First Notified – 8/31/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone III)

NEW CASES:

CASE # 16 - CEB 02-19-24 - Katie Deweese is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.A; Art. 6 Sec. 6.2.H.7.A, at **833 Valencia Ave.**

Violation(s) – **Parking on an unapproved surface - on the front lawn.**

First Notified – 9/20/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 17 - CEB 02-19-31 - Patricia H. Heard is cited for failure to correct violations of The Land Development Code, Art 3. Sec. 3.4.S.1, at **822 Vernon St.**

Violation(s) – **Installed fence without a permit.**

First Notified – 9/21/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 18 - CEB 02-19-32 - Assad O. & Selma Z. Knio is cited for failure to correct violations of The Land Development Code, Art 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.7), at **1301 Woodbine St**

Violation(s) – **Damaged roof, parking on the front and side yard, damaged fence.**

First Notified – 10/16/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 19 - CEB 02-19-27 - Trace Lynn Ornelaz is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **509 Mobile Ave.**

Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 12/17/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Jerome O. McCoy)

CASE # 20 - CEB 02-19-23 - Lakeysha Deyun Allen is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **703 Kingston Ave.**

Violation(s) – **Junk vehicle (no tag).**

First Notified – 10/11/2018

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____
(Daniel Garcia)

CASE # 21 - CEB 02-19-20 - Walter McCarthy is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.2, 302.7, 308.1), at **2210 N Oleander Ave.**

Violation(s) – **Damaged accessory structure (fence), rubbish and trash.**

First Notified – 8/9/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steve Alderman)

CASE # 22 - CEB 02-19-21 - Arlene K. and Legera M. Danielides is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.8, 304.2), at **300 Emory Dr.**

Violation(s) – **Exterior siding falling, protective treatment.**

First Notified – 8/20/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steve Alderman)

CASE # 23 - CEB 02-19-28 - Allen & Deborah Bukowski is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.2; Art. 6 Sec. 6.2.H.7.a, at **420 Golf Blvd.**

Violation(s) – **Shed not permitted on city easement, parking on unimproved surface on city easement.**

First Notified – 9/10/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steve Alderman)

CASE # 24 - CEB 02-19-29 - Mark Spritzler as Trustee of the Perfect World Programming Trust u/a/d September 8, 2017 is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S, at **117 S Grandview Ave.**

Violation(s) – **No permit for renovation.**

First Notified – 10/11/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steve Alderman)

CASE # 25 - CEB 02-19-30 - Charles C. & Lorraine Buncombe is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.2, 304.7), at **408 Zelda Blvd.**

Violation(s) – **Failure to maintain structure, roofs and drainage.**

First Notified – 10/22/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steve Alderman)

8. Miscellaneous Business

MB-1

Respondent's request for re-hearing of Lien Review Reduction Order from \$30,298.00 to \$17,000.00 for the following two cases heard at the January 10, 2019 meeting.

CEB 10-17-135 - 506 5th Avenue - Peter Schiess (current owner is Celtics Capital LLC) 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). Violation(s) – Roof damage; exterior needs painting. First Notified – 7/18/2017. Compliance date – 12/17/2018. **Order Imposing Fine-Lien of \$250 per day effective November 9, 2017. \$15,000.00 plus \$24.00 recording costs = \$15,024.00 total amount due.** (Jerome O. McCoy)

CEB 10-17-136 - 506 5th Avenue - Peter Schiess (current owner is Celtics Capital LLC) is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.14); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297. Violation(s) – missing insect screens; failure to obtain required residential Rental License (RTL); failure to obtain Business Tax Receipt (BTR). First Notified – 7/27/2017. Compliance date – 12/17/2018. **Order Imposing Fine-Lien of \$250 per day effective November 9, 2017. \$15,000.00 plus \$250.00 for no Business Tax License plus \$24.00 recording costs = \$15,274.00 total amount due.** (Jerome O. McCoy)

MB-1

Respondent's request for re-hearing of Lien Review Reduction Order from \$20,274.00 to \$10,012.00 for the following case heard at the January 10, 2019 meeting.

CEB 11-17-158 - 126 S. Oleander Avenue - AF126southoleander Residential Trust dated 1/26/16 is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.3, 302.7, 304.1, 304.2, 304.6, 304.8, 304.13, 304.13.2, 304.14, 604.3); Art. 6 Sec. 6.19.A.3. Violation(s) – Sidewalks; driveways; accessory structures; general maintenance; protective treatment; exterior walls; decorative features; window, skylight, door frames; unopenable windows; insect screens; electrical system hazards and site appearance standards, failure to obtain Business Tax License. First Notified – 8/18/2017. Compliance date: 12/19/2018. **Order Imposing Fine-Lien of \$250 per day effective April 12, 2018. \$20,000.00 maximum plus \$250.00 for no Business Tax License plus \$24.00 recording costs = \$20,274.00.** (Mark A. Jones)

9. Election of Chair & Vice Chairman

10. Adjournment