

**SPECIAL
MAGISTRATE**

City Commission Chambers
301 S. Ridgewood Ave.,
Daytona Beach, FL 32115

David A. Vukelja
Special Magistrate

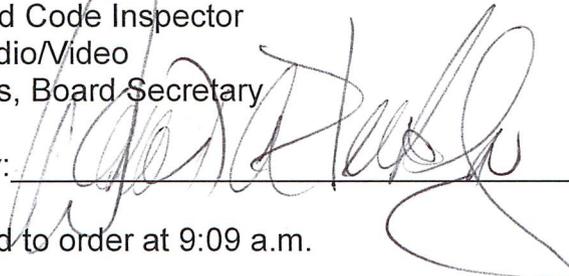
March 12, 2019

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony E. Jackson, Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Officer James S. Thomas, Daytona Beach Police Department
Mr. Denzil Sykes, Neighborhood Services Manager
Mr. Steve Alderman, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Mark A. Jones, Code Inspector
Mr. Jerome McCoy, Code Inspector
Mr. Clifford Recanzone III, Code Inspector
Mr. John Stenson, Lead Code Inspector
Mr. Charles Smarr, Audio/Video
Ms. Vivian June Barnes, Board Secretary

Approval of Minutes by:  _____ Special Magistrate

The meeting was called to order at 9:09 a.m.

Mr. Vukelja approved and signed the minutes of the February 12, 2019 meeting and the Bike Week Appeals meeting.

Mr. Vukelja asked if there were any announcements.

Mr. Barnes stated the following cases are in compliance.

CASE # 2 - SMG 11-18-125 - LA Philip, Inc. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3.a; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at **845 Valencia Ave.** Violation(s) – Lack of required permits, outside storage, dilapidated

accessory structure (fencing), damaged roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 8/6/2018.

Compliance 2/4/2019

CASE # 8 - SMG 09-18-112 - Bulldog LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.1, 304.2, 304.6, 304.7, 304.13, 304.8); City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **208 Fairview Ave.** Violation(s) – No address numbers, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 3/1/2018.

Compliance 2/25/2019

CASE # 9 - SMG 06-18-61 - Sheila A Minnick/Dillon Property Management is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 604.3, 605.2); Art. 6 Sec. 6.19.A.4, at **532 Orange Ave.** Violation(s) – Maintenance Code - smoke alarms, protective treatment, weeds, structural appearance standards, exterior structure - roofs and drainage, insect screens, pest elimination - infestation, interior surfaces, electrical system hazards, receptacles, inoperable windows, window, skylight and door frames. First Notified – 3/1/2018.

Compliance 3/12/2019

CASE # 11 - SMG 02-19-32 - Charles McDowell is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **134 Harney St.** Violation(s) – Parking - illegal parking in the front yard on the grass. First Notified – 11/6/2018.

Compliance 3/12/2019

CASE # 15 - SMG 02-19-30 - Morning Star Missionary Baptist Church of Daytona Beach by Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 505.3), at **643 Madison Ave.** Violation(s) – Maintenance Code - paint fading and peeling, no water. First Notified – 10/25/2018.

Compliance 2/11/2019

CASE # 33 - SMG 03-19-57 - Elizabeth F. Aloisa, as trustee of the Elizabeth F. Aloisa Trust dated April 23, 2002 is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **724 N Grandview Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/17/2018.

Compliance 2/25/2019

CASE # 36 - SMG 03-19-71 - The Charles M Nichols & Mary M Nichols Revocable Trust dated June 28, 2005 is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294,

at **1290 9th St. #608**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12/27/2018.

Compliance 3/6/2019

CASE # 39 - SMG 03-19-42 - BH Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **212 Madison Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/25/2018 and 6/5/2018.

Compliance 2/14/2019

CASE # 41 - SMG 03-19-40 - Bulldog LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **801 S. Ridgewood Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 6/30/2018.

Compliance 2/27/2019

CASE # 42 - SMG 03-19-74 - Bulldog LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **1212 S Ridgewood Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 6/30/2018.

Compliance 2/27/2019

CASE # 43 - SMG 03-19-41 - Burgoyne Properties Ltd. is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **180 N. Beach St. (Parcel #5339-01-07-0030)**. Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 5/19/2018.

Compliance 2/11/2019

CASE # 48 - SMG 03-19-73 - DB Mainland LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13), at **115 N Ridgewood Ave.** Violation(s) – Broken window. First Notified – 10/24/2018.

Compliance 2/22/2019

Ms. Barnes swore in members of the staff who would be testifying.

Mr. Vukelja called Case #12.

CASE # 12 - SMG 01-19-16 - Harbourside Sunsets COA Inc. 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, 304.1, 304.2, 304.3, 304.4, 304.6, 304.7, 304.8, 304.9, 304.10, 304.12, 304.13.1, 304.13.2, 604.3.1 and 605.3), at **900 S. Peninsula Dr.** Violation(s) – Maintenance Code - Missing and peeling paint, mold and mildew, exterior walls, concrete, cracking, rotting wood, missing paint, damaged roofing, damaged fascia and soffit, electrical boxes (open wire),

exterior electrical fixtures broken, exterior address numbers dilapidated, damaged exterior walls, fence, missing paint, dilapidated auxiliary structure, rotten wood, missing paint, missing guardrails and handrails many locations throughout building. First Notified – 9/26/2018.

Ms. Karen Wonsetler, attorney, came forward. She stated this particular property needed to obtain three bids for the engineering and structural matters that are required and that has been done since the last meeting. She stated some curative work has also been done and some completed. She stated others are set for this Monday but the bulk of the roofing and structuring has now been quantified at \$670,000 and will be a special assessment. She stated they have pulled the permits for the fence, had to get a variance so that they could delay the landscaping, completed some electrical - particularly the emergency lighting, and put up some dry wall. She stated beginning Monday, there will be work completed on the bumping up of the dock - which was unsafe, pressure washing, smoke alarms and an electrical panel is being completely updated. She stated the shed is being removed, wood rot being fixed and address plaques are being installed. She stated the majority of the roof and structural issues are going to be a special assessment of \$30-34 thousand dollars per unit owner. She stated the special assessment meeting is going to require 30 days notice to homeowners and the last bid was just finalized yesterday. She stated their plan is to have the meeting in April and the Board has the authority to grant payment plans so she's looking at 30, 60, 90 and 120-day payments. She stated that exceeds the value of most of the units and when money starts coming in, they already have the roofing, railing and structural engineer contractor ready to sign but is waiting until they actually have the money solidified. She stated she is asking if they can have one more review before the final report. She stated they would continue to provide proof of voluntary cure and of the good faith efforts they are making. She stated they have avoided condemnation and the Board of Directors is committed to financing using a special assessment. She stated they could not take a loan against a special assessment and they could not pledge real property and she believes there will be a number of owners selling. She stated if that happens, the title will be free and clear because most of the owners don't have mortgages on their property. She stated the condominium association has no reserves and the special assessment would allow them to catch up on those reserves in order to maintain the property. She stated there was a prior owner that manage the complex, and also managed some units, but they have broken that up and hired an independent Property Manager.

Mr. Vukelja asked how many units were there and Ms. Wonsetler stated 39.

Mr. Vukelja asked if there were any vacant properties and Ms. Wonsetler stated there were a few but they don't rent the properties so she is not sure exactly how many.

Mr. Jackson stated they are moving forward and that's the desire of the City. He stated he understands this could take some time and the request for 60 days progress report is reasonable and the City thinks that's a good idea but would like a written timeline.

Mr. Vukelja asked if the safety issues had been corrected.

Mr. Jackson stated the inspector reports they have fixed all the safety issues.

Ms. Wonsetler gave the Special Magistrate a list of the violations that would be corrected on Monday and listed the work to be done with the special assessment.

Ms. Wonsetler stated the safety issues were very real and they immediately corrected those. She gave a listing of those safety issues that had been corrected.

Mr. Jackson stated they would like a written timeline to help the inspector anticipate what they are accomplishing and what they still need to do. He stated he understands there are monetary issues, he just wants something that they can go to and look at and check off as the work progresses.

Ms. Wonsetler stated the City is welcome to attend the special assessment meeting and agreed to provide a written timeline for the next meeting. She stated they were going to put the special assessment money toward the roof first and then work down. She stated painting would be the last issue.

DISPOSITION: Mr. Vukelja ordered a written proposed timeline to the City for the April 9, 2019 meeting and continued the case to the May 14, 2019 meeting for a progress report and the determination of a compliance date.

Mr. Vukelja called the Lien Review.

LR-1 SMG 01-19-05 - 257 Perfect Dr. - 2018-2 IH Borrower LP is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, Violation(s) – Failure to obtain Rental License (RTL). First Notified – 11/5/2018. **Order Imposing Fine-Lien of \$100.00 per day effective February 7, 2019. Compliance – February 14, 2019. \$700.00 plus \$24.00 recording costs = \$724.00 due.**

Respondent was not present.

Mr. Jackson stated the position of the city is no reduction. He stated the respondents said that there was an oversight during a merger and he believes that it's a reasonable amount of money to pay for the involvement of staff.

DISPOSITION: Noting the absence of the respondent, Mr. Vukelja denied the request for reduction of the lien.

CASE # 1 - SMG 12-18-163 - GEA Seaside Investments Inc. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 404.12, 304.6, 304.2, 304.14, 304.10, 304.4, 304.15, 304.13, 304.7, 305.3, 603.1, 604.3.2.1, 605.2, 704.2, 602.3 and 304.10), at **21 S Peninsula Dr.** **Violation(s)** – Damaged sidewalk. Damaged steps and handrails. Damaged exterior surfaces. Exterior paint. Missing screens, Damaged porch and railings. Structural supports. Damaged exterior doors. Broken/inoperable windows. Damaged roof. Damaged interior surfaces (flooring). Inoperable appliances (stove). Damaged electrical fixtures. Inoperable outlets. Lack of required smoke detectors. Lack of operable heat source. Damaged balcony. First Notified – 10/12/2018.

Angela Hendry, attorney for GEA Seaside Investments, came forward.

Mr. Jackson stated the inspector is John Stenson and they have had some issues with permitting. He stated they have applied for the permits but they haven't been issued yet. He stated the respondent was asking until June and they have done some stuff for the non-compliance but they are not done. He stated staff is willing to give them until June but they would like to have a progress report update in April and once the permits are issued to make sure they are on track. He stated there was concern before with making sure the work that needs to be permitted has permits.

Ms. Hendry stated the permits are still pending for the balcony. She stated the City is requiring more information and it is unclear what they need. She stated they have a contractor that they are working with and they believe it can be completed within the time frame of June.

Mr. Vukelja asked what the purpose of the progress report was.

Mr. Jackson stated just a follow-up after the permits are issued just to make sure everything is on track and things are getting done. He stated they didn't believe it should take until June but there is a gap as to when they'll issued permits and they would like to monitor the progress.

DISPOSITION: Mr. Vukelja ordered a progress report at the April, 9 meeting and amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned for consideration of a fine of up to \$1000 per day thereafter.

CASE # 3 - SMG 05-18-52 - Margaret Ellen Eberwein is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.4, 302.8, 304.7); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.8.G, at **348 Jackson Ave**. Violation(s) – Damaged roof, outside storage, boarded windows, inoperable vehicle and scooters, overgrown shrubs and dilapidated fence. First Notified – 2/13/2018.

Respondent was not present.

Mr. Jackson stated this is the case where the respondent is getting assistance for the roof repair and utilizing VIND and the inspector is John Stenson. He stated at the last meeting VIND had requested some monetary funding, which she provided, and there is no project timeline specified yet. He stated the inspector is recommending a progress report in May and every other month until compliance.

Mr. Stenson stated VIND is an organization that assists disaster victims. He stated the other issues have been corrected but they're trying to get the ownership of the property squared away since the owner is deceased and Ms. Eberwein is the assumed owner's significant other.

Mr. Vukelja asked if anyone had been in touch with Ms. Eberwein to find out the status of the deed to the property and Mr. Stenson stated no.

DISPOSITION: Mr. Vukelja ordered a progress report at the May 14, 2019 meeting. He stated he was not going to schedule progress reports indefinitely and expected there to be some activity.

CASE # 4 - SMG 12-18-157 - Joseph T Collier Jr & Thelma & Charles J & Bettye C

Thomas is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1151 Edith Dr.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 8/11/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports the status prior to this cutoff was that there were tenant problems and the respondent was seeking to have them evicted. He stated the tenants were evicted last week and the inspector is requesting that this be amended to the next cutoff for the property to come in a compliance.

Mark Jones, Code Enforcement Officer, stated the respondents had been in communication continuously. He stated the tenant was evicted and they are in the process of cleaning up and have excessive amount of outside storage. He stated they provided documentation they were going to be selling the property.

DISPOSITION: Mr. Vukelja amended the current Amended Order of Non-compliance to allow the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 5 - SMG 01-19-14 - Inose LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **536 Washington St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 11/17/2018.

Ms. Juying Krug came forward and was sworn in.

Mr. Jackson stated the inspector is Mark Jones and he reports the respondent was notified back in November, the property remains in non-compliance and his first thought was to ask for a fine in the amount of \$100 to a maximum of \$15,000 but the respondent reports she is having a hard time finding an architect.

Mr. Jones stated it is a single have family home that was turned into a duplex without permits. He stated the respondent did some new work - air-conditioning and windows - and he inspected the property, which is vacant, and now the City is requiring her to get an architect before she demolishes walls. He stated it is probable that the city is requiring this because she needed to do some demo on the interior and he did not know what it was like in there before it was converted into a duplex. He stated it would be good if they extended it a month so that he could find out what the permit department is actually requiring.

Ms. Krug stated she applied for a Rental License in October, 2018 and she evicted the tenants when she found out it was only zoned for single houses. She stated it took her a while to get the tenants out and at the end of January she signed a contract with the contractor and then Mr. Jones told her she needed more work and told her she needed architectural drawings

because she didn't have a plan of what it looked like before. She stated the architect was working on it now and she had already paid him.

Mr. Vukelja asked the respondent who told her she needed to have architectural drawings and she responded the Permitting Department. She stated someone in the Permitting Department sent an email to her contractor and he emailed her. She stated they were removing the wall between the two units and she wanted the additional kitchen to become a utility room.

Mr. Vukelja asked if she was restoring the property back to the condition or if she was remodeling.

Ms. Krug stated she was remodeling because there were two kitchens and one had to be removed.

Mr. Vukelja asked the respondent when she expected to deliver the drawings and Ms. Krug stated one to two weeks.

Mr. Jackson stated the City's position is that it remain unoccupied until compliance and Ms. Krug agreed.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until May 8, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter. He further ordered that the property is not to be rented, utilized or otherwise occupied and the exterior maintained to City standards until it is brought into compliance.

CASE # 6 - SMG 01-19-02 - New Leaf Real Estate, LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **319 Taylor Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 8/8/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports the property remains in non-compliance. He stated the respondent was first notified in August 2018 where the respondent had added a second unit without approval. He stated a second inspection was done on February 18 which failed. He stated the inspector received an email from the owner on March 10 stating he would not be able to attend today because of other business obligations. He stated they are still trying to combine the property with another property. He stated there are 4 units and they are all occupied and staff is requesting a fine in the amount of \$250 per day to a maximum of \$15,000.

Mr. Jones stated he had no contact with the respondent except for the email stating he was working on getting the things corrected. He stated besides there being a Rental License for the 3 units, he has 1 unit he's turning into a duplex and there were quite a few safety issues such as smoke detectors, windows that would not open, areas where he had electrical problems, and hot water heaters and that was in the three units he got into. He stated he was

unable to get into the fourth unit as the person showing him the property did not have a key. He stated all the units are occupied. He stated there were three houses on the property and each one had an individual Rental License but the problem with 319 Taylor is they modified it to add an apartment in the back. He stated there is also an apartment in the attic. He stated it was now tri-level with small rooms and none of it was permitted. He stated this was a serious issue as far as life safety concerns.

Mr. Vukelja asked, since August 2018, if all we had received was the one email.

Mr. Jones stated the property owner was at hearing a few months ago and he talked about how he was combining the property with another corner property because he wanted to have more units, but the violation originated with unit 418 and the only communication he has had was with the Property Manager when they did the Rental Inspection on unit 418. He stated she told him she had just taken over the property as Property Manager.

Mr. Vukelja clarified that was the unit that Mr. Jones had not inspected yet and Mr. Jones stated correct.

DISPOSITION: A fine in the amount of \$250 per day, commencing March 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000 was imposed.

CASE # 7 - SMG 02-19-25 - 504 Main St LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 301.1, 304.1.1, 304.6, 304.7, 304.9, 304.10, 304.12, 304.13.1, 306.1.1, 308.1, 604.3), at **504 Main St. Violation(s)** – Structural Appearance Standards - dangerous stairs, roof leaks, unsafe masonry, exterior walls, roof and drainage, dangerous fire escape, broken windows, brick walls cracking, rubbish accumulation and electrical hazard. First Notified – 10/10/2018.

Respondent was not present.

Mr. Jackson stated the case is before you for a determination of a compliance date. He stated there was also a 10-day order to secure the stairs and the inspector reports that the stairs have been secured and they are requesting compliance by the next cutoff. He stated the inspector was expecting someone to be here but there was no one here. He stated the City's recommendation is to be brought into compliance by next cutoff. He stated the inspector was Steve Alderman and he indicates that there is a witness who would like to be heard regarding this property.

Steve Alderman, Code Inspector, stated the property has not been used and the stairs were secured. He stated they were here for a compliance date and he is asking for 30 days for the owner to obtain a permit. He stated the work will need engineering and will probably take another 30 days to get a contractor started. He stated he does not think they are even close and that's why he's going straight to asking for a fine.

Ms. Inessa Hansen, Journey Holdings, LLC, came forward and was sworn in. She presented the Magistrate with pictures of the inside of the property and stated there was extensive damage, mold and structural issues. She stated it was causing extensive structural problems with her property next door. She stated their buildings are connected and they share a wall. She stated she spoke to the realtor who thought she could just clean up the downstairs and make it look good and open up for business. She stated it was dangerous with all the black mold and needed to be gutted.

Mr. Vukelja asked the inspector if he believe that the violations rise to life safety issues.

Mr. Alderman stated the stairwell access has been secured and as far as the overall structure, it is getting to be a hazard because the roof is so bad and the building is separating outward due to lack of support. He stated if they don't do something soon, it can be a problem.

Mr. Vukelja stated he believed the structure was a problem now. Mr. Vukelja asked if fining them was the only thing that he could do.

Mr. Jackson stated the actions that can be taken would require the Chief Building Official to determine the imminence of life safety however, they can be ordered to take some immediate action.

The Board Secretary pointed out there is no compliance date set yet.

Mr. Jackson stated that is correct the only deadline we had was securing of the stairs. He stated they would request some action to be taken by the owner to obtain the permits or at least apply for the permits to get started on the necessary work within the next 10 business days and if they failed to do that, then is requesting a fine be imposed for not being responsive to taking any action of correcting these problems.

Mr. Vukelja stated the citizen has rights and asked the city what could reasonably be expected from the property owner, and specifically related to the life safety and health issues, between now and April 3, 2019.

Mr. Alderman stated at the very least a building permit needs to be applied for, with a certified contractor and a certified engineer, that will evaluate the process because of the effect on neighboring property. He stated this property owner has obtained bids and the one that he saw was around \$300,000 for just the exterior. He stated he would recommend 10 days to get a permit and the next cutoff to get engineering services in place.

Mr. Vukelja asked what specifically the permit was for.

Mr. Alderman stated the permit was for the roof. He stated the structural integrity of the lateral cracking of the block and the bricks in the foundation is bad. He stated the roof is so bad it has been draining down into the floor and smells of black mold.

DISPOSITION: Mr. Vukelja amended the current order of Non-compliance and ordered the respondent to obtain all permits that are needed and do all the work to come into compliance by April 3, 2019 and failing to do so respondent must return to the April 9, 2019 meeting for consideration of fine of up to \$1000 per day thereafter. He stated respondent must appear at the April 9, 2019 meeting to establish a compliance date for all the remaining items to be repaired. It was further ordered that the property shall not be rented, used or occupied and the exterior maintained until compliance is achieved.

CASE # 10 - SMG 02-19-35 - Worker Investments LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **749 S Ridgewood Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR); failure to obtain Rental License (RTL). First Notified – 11/15/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Jerome McCoy and he reports this property remains in non-compliance and is asking for a fine of \$100 per day to a maximum of \$15,000.

Jerome McCoy, Code Inspector, stated it was a rental property and he received the complaint for no Business Tax Receipt and no Rental License on November 13. He stated the Notice of Violation was sent out and returned and he posted the property on December 14. He stated a CEB II was generated and he has had no contact with the respondent until Friday. He stated he told the owner that he needed to apply for a Rental License and he checked with the City and did not see where a Rental License had been applied for. He stated his compliance deadline was March 6 and now he's asking for a fine of \$100 per day.

Mr. Vukelja asked if there were repairs that need to be made before he gets the Rental License.

Mr. McCoy stated he never applied for the license and he never heard anything from him.

DISPOSITION: A fine in the amount of \$100 per day, commencing March 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000 was imposed.

CASE # 13 - SMG 02-19-33 - Jo-Ann M. Teel is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A.; Art. 6 Sec. 2.H.7.a (Ref. FBC Supp. IPMC 302.5, 304.13, 304.15, 305.1.1, 305.3, 305.6, 309.1, 504.3, 602.3, 603.1, 605.2, 605.4); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **633 Florence St.** Violation(s) – Maintenance Code - Rodents, damaged windows and doors, damaged and unsafe interior surfaces, bug infestation, plumbing hazards, no heating supply, broken mechanical appliances, broken receptacles, damaged electrical wiring, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/17/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports the property remains in non-compliance, the respondent has had a death in the family which is why she isn't here, and is requesting to the next cutoff to come into compliance.

Mr. Michael Fitzgerald, Code Inspector, stated they have done a lot of work already she needs to hire a contractor for the electrical part of it.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

Mr. Vukelja called for a short break at 10:15 a.m.

The meeting resumed at 10:25 a.m.

CASE # 14 - SMG 02-19-34 - Maria T. Smith is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A.; Art. 6 Sec. 2.H.7.a (Ref. FBC Supp. IPMC 302.1. 304.2, 304.13.1, 304.13.2), at **211 N Halifax Ave**. Violation(s) – Maintenance Code - fading & peeling paint, damaged windows, outside storage, trash and debris. First Notified – 7/27/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports the property remains in non-compliance. He stated the case started in July, 2018 and the respondent has been working at a very, very slow pace. He stated he had been working on painting the house for the last three months and the inspector feels the effort has been insufficient and is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

Mr. Fitzgerald stated the respondent is about 98% done. He stated the high stuff is still missing paint, like the fascia.

DISPOSITION: Mr. Vukelja amended the current Order of Non-Compliance and ordered the respondent to come into compliance by April 3, 2019 or a fine in the amount of \$100 per day would automatically be imposed and continue to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$10,000.

CASE # 16 - SMG 09-18-113 - Promo 05 LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; City Code Ch. 90 Sec. 90-297, at **& 227-225 N Oleander Ave**. Violation(s) – Adding a third apartment in the basement of the front building - no permit for electrical, plumbing, new porch, new stairs and demo, failure to obtain Business Tax Receipt (BTR). First Notified – 3/7/2018.

Mr. Juan Patrizio came forward and was sworn in.

Mr. Vukelja stated his notes indicate the case is back for progress report and to determine a compliant date.

Mr. Patrizio stated he applied for the permits and has gotten the blueprints. He stated he hired a contractor and now he is waiting for the City to issue the permits.

Mr. Vukelja asked, once the permits were issued, how long it would take him to get the job done.

Mr. Patrizio stated the General Contractor told him he needed 60 days.

Mr. Vukelja asked what he was doing besides the stairs.

Mr. Patrizio stated the balcony.

Mr. Fitzgerald stated that seems reasonable and that he spoke to the contractor and Permits & Licensing received it Monday. He stated once he gets the permit, he will have the job done in 60 days.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until May 8, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 19 - SMG 03-19-55 - Barbara Stokes is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **522 Wallace St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/8/2019.

Barbara Stokes came forward and was sworn in.

Mr. Vukelja asked the respondent if she agrees the violations existed or occurred at the time of the Notice of Violation and she stated yes.

Mr. Vukelja asked how long it would take the respondent to come into compliance.

Mr. Jackson stated the inspector is Jerome McCoy and he reports that the respondent applied for her license on Monday and is asking for the next cutoff to come into compliance.

Mr. Vukelja told the respondent the City believes she can be in compliance by April 3, 2019 and respondent stated okay.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 20 - SMG 03-19-68 - Nancy Braun is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **214 S Oleander Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/15/2019.

Ms. Nancy Braun came forward and was sworn in.

Mr. Vukelja asked the respondent if she agrees the violations existed or occurred at the time of the Notice of Violation and she stated yes.

Ms. Braun stated before they would give her a license, she had an inspection and she has a water line with a leak which runs under the property and the crawl place and she has had 5 plumbers out there but they haven't been able to fix it yet. She stated she has another one who supposed to get it done today. She stated as soon as this is done, she can get the inspection and Rental License.

Mr. Jackson stated the inspector is Jerome McCoy and he reports that he believes the property can be brought in compliance by the next cutoff.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 26 - SMG 03-19-69 - James Cortazar is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7), at **1041 Berkshire Rd.** Violation(s) – Peeling paint, fascia and soffit damage and missing siding. First Notified – 12/12/2018.

Ms. Rosie Williams, cousin and Property Manager, came forward and was sworn in. She stated it was a misunderstanding because the letters were going to 1134 Berkshire and he lives in New York.

Mr. Vukelja asked the respondent if she agrees the violations existed or occurred at the time of the Notice of Violation and she stated yes.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports that the property should be in compliance by next cutoff.

Ms. Williams asked she could be given until May.

Mr. Jackson stated today was his first contact with this individual and he was pretty firm that it should be done with the next cutoff.

Mr. Vukelja asked Ms. Williams if she was going assume the responsibility of getting the work done and she stated yes.

Mr. Jackson stated it is tenant occupied so the City will work with 60 days.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until May 8, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 28 - SMG 03-19-52 - Rebuild the Block, LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3, at **735 Mercedes Dr.** Violation(s) – Property renovations without permits. First Notified – 1/14/2019.

Mr. Johann Lyn Cook came forward and was sworn in.

Mr. Vukelja asked the respondent if he agrees the violations existed or occurred at the time of the Notice of Violation.

Mr. Lyn Cook stated he is confused about it. He stated he had a crew come out and work at the property and there was all kinds of hazardous material on-site. He stated while they were out cleaning up the property, they started the truck, the inspector came and he thought they were working on the property. He stated at the time he was out of the country. He stated he sent someone out to do an estimate and they came back and told him there was a note and that's when he called Code Enforcement and they told him he was doing all kinds of work. He stated his partner may have changed a window or two.

Mike Fitzgerald stated Lead Inspector John Stenson was there when they were doing the work and he took over the case from him.

John Stenson, Lead Code Inspector, stated it was a full-blown construction site and they were working on the roof, they were replacing windows, there were trailers out front and debris in the backyard - including interior demolition debris.

Mr. Vukelja asked the inspector how long it would take to come in the compliance and Mr. Jackson stated it probably would take until the May cutoff for the property to be in compliance.

Mr. Vukelja asked the respondent what kind of plans he had for the property.

Mr. Lyn Cook stated they were trying to bring the property back and they are not doing anything to the roof and the only thing they touched was the fascia. He stated they told him he needed to pull a permit and he was not going to pull a permit for something that he is not doing. He stated his contractor was here yesterday and pulled the permit that was required to satisfy this case.

Mr. Vukelja asked the respondent what kind of work he plans to do on the property so he can gauge how long he needs to come into compliance.

Mr. Lyn Cook stated that it should take no more than three months.

Mr. Vukelja asked if the property was occupied and the respondent stated no.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until June 5, 2019 to come into compliance or be returned to the Special

Magistrate for consideration of a fine up to \$1,000 per day thereafter. It was further ordered that the property not be rented, utilized or occupied until compliance is achieved.

CASE # 31 - SMG 03-19-65 - Minh Duc Nguyen is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.7); Art. 6 Sec. 6.2.H.7.a.i; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **220 Reva St.** Violation(s) – Off street parking, junk vehicles, damaged roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/24/2018.

Mr. Damen R. Stickford came forward and was sworn in. He stated the respondent was in Canada and had an operation for a heart attack. He stated his doctors were not allowing him to travel.

Mr. Vukelja asked the respondent if he agreed that the violations occurred as stated in the Notice of Violation and Mr. Stickford stated yes.

Mr. Vukelja asked Mr. Jackson how long it would take for the respondent to come into compliance.

Mr. Jackson stated the violation was a damaged roof and inspector Stenson believes they will need to the May cutoff to come into compliance so he is recommending May.

Mr. Stickford stated the property was sold last month and has already been recorded. He stated the new owners have already started putting on a new roof. He stated he had one unit completely done. He stated he was going to email the document but the owner wanted to make sure that someone came to the hearing to speak on his behalf.

Mr. Jackson stated in light of this information the inspector would like to withdraw the case and start working with the new owner.

Mr. Vukelja stated the city is withdrawing this case.

CASE # 35 - SMG 03-19-53 - Lillie M Barron Bell is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1432 Illinois St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12/1/2018.

Dr. Walter M. Fordham and Roy Bell, husband of the owner and partners, came forward and were sworn in. Dr. Fordham stated that Mrs. Bell is deceased for a couple of years and Ms. Bell's husband and he formed a business LLC. He stated the deed has not been converted yet but they are supervisors of the property.

Mr. Vukelja asked the respondents if they knew who holds the title to the property right now.

Mr. Fordham stated the name on the deed was Roy Bell.

Mr. Jackson stated the inspector is Mark Jones and he reports that he has had contact with the respondent and he is satisfied they are moving toward compliance and is asking for the next cutoff to come into compliance.

Mr. Vukelja asked if the City wanted to move forward with replacing the respondent with Mr. Bell.

Mr. Jackson stated not at this time. He stated the City would investigate and if necessary make that adjustment in a future date.

Mr. Vukelja asked how long it would take the respondents to come into compliance.

Mr. Jackson stated the inspector is asking for next cutoff.

Mr. Vukelja told the respondent the city believes that he can be in compliance by April 3, 2019 and Mr. Fordham stated he could comply.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 38 - SMG 03-19-51 - Beach Development Group LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **530 N Beach St.** Violation(s) – Damaged gutters. First Notified – 10/24/2018.

Mr. Tim Williams came forward and was sworn in.

Mr. Vukelja asked the respondent if he agreed that the violations occurred as stated in the Notice of Violation and he stated yes.

Mr. Jackson stated the complaint comes from water that flows onto a neighbor's property. He stated the inspector is Danny Garcia and he is asking for the next cutoff to come into compliance.

Mr. Vukelja stated the City believes the respondent can be in compliance by April 3.

Mr. Williams stated yes. He hopes to have the bid signed and work in progress but then.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 40 - SMG 03-19-50 - Blue Mountain Management LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **740 N. Ridgewood Rd.** Violation(s) – Repair roof. First Notified – 5/3/2018.

Mr. Paul Glowberg, owner, came forward and was sworn in.

Mr. Vukelja asked the respondent if he agreed that the violations occurred as stated in the Notice of Violation and he stated yes.

Mr. Glowberg stated it took him over a year to get plans and permits reviewed and approved and that the hurricanes had damaged the property. He stated he ordered the windows in anticipation of the site plan being approved and as soon as that was done would be putting the glass in the windows. He stated they took the parking lot out and were replacing the sewage lines on the whole property. He stated when they took the sidewalk out, the glass was damaged and they had to reinstall the glass front. He stated right now they're under construction for everything and they are working on the siding today. He stated they had to cover up a plumbing manhole and everything was inspected for that last week. He stated the roof is completely solid and needs no repairs - that it was just the siding.

Mr. Jackson stated the inspector is Danny Garcia and he reports that he believes they can, if they continued the pace they are working at now, can be in compliance by the next cutoff.

Mr. Glowberg believes that he could be done by the next cutoff of April 3.

Mr. Vukelja asked the respondent what his plans were for the property.

Mr. Glowberg stated they were turning it into a restaurant, a breakfast and lunch café.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 49 - SMG 03-19-48 - Greyhound Lines Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3), at **138 S. Ridgewood Ave.** Violation(s) – Potholes in driveways and parking lots. First Notified – 10/1/2018.

Ms. Virginia Purdy, Area Manager for FL, GA and SC, came forward and was sworn in.

Mr. Vukelja asked the respondent if she agreed that the violations existed at the time of the Notice of Violation and she agreed.

Mr. Jackson stated the inspector is Danny Garcia and he reports that they have been working on it and they still have a few potholes left but he believes they can have it in compliance by the next cutoff.

Ms. Purdy stated they had hired a contractor to fix the property and she was under the impression that it had been completed.

Mr. Garcia stated some of the photos were taken yesterday and there were still potholes on the property that needed to be fixed.

Ms. Purdy stated she would have it taken care of.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 52 - SMG 03-19-43 - TLC Properties Inc 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. 5 Sec. 5.3.A, at **N. Ridgewood Ave. (Parcel # 5338-08-00-0080)**. Violation(s) – Parking on a vacant lot. First Notified – 10/12/2018.

Mr. Peter Costanza, VP, General Manager, and Tom Hall, tenant, came forward and were sworn in.

Mr. Vukelja asked the respondent if he agreed that the violations existed at the time of the Notice of Violation and Mr. Costanza agreed.

Mr. Jackson stated the inspector is Danny Garcia and he reports that the vehicles on the property need to be moved and they believe it can be done by next cutoff. He stated some of them are without tags but they cannot be parked there and they need to be moved.

Mr. Costanza stated he is the owner of the property but his corporation sent the tenant a termination letter to be out by March 7 but the tenant wanted to speak here today. He stated the boats and trailers on the property do not belong to them, they belong to the tenant.

Mr. Hall stated he is a truck driver, his family has property here and he rented the property with a verbal option to purchase. He stated when he first rented the property it was a dump yard and that they spent two weeks and about \$5,000 cleaning up property. He stated he took 20 loads the debris out and put a fence along the back. He stated he needed a place to park his truck. He stated originally there were four trailers on the lot. He stated he removed everything he could remove. He stated he hauled this boat from upstate New York, but he lives in his truck. He stated when he first started renting the property he went to Permits & Licensing and they told them that it was known for heavy equipment use and that you could sell tractor-trailers so why can't he park one.

Danny Garcia stated he spoke to Mr. Hall and went and spoke to Permits & Licensing and Zoning who explained to him they were not allowed any boats, trailers, unlicensed vehicles and nothing on the grass. He stated they mentioned he could have it paved but that he couldn't get a license for this particular spot. He stated the trailers need to be moved, boat needs to be moved, trailer has no tags, tires are considered outside storage, there's another small boat on the property and there is another vehicle that has no tag that they cannot have on a vacant lot. He stated corner counts as two fronts and you can't have any boats on a corner lot. He stated you can't have vehicles that are not tagged.

Mr. Vukleja asked for clarification that the respondent is not allowed to park on an unimproved surface, there can't be any boats or commercial vehicles on a corner lot with two fronts at all, and vehicles have to be tagged and registered.

Mr. Garcia stated that is correct.

There was discussion regarding a meeting at Permits & Licensing. Mr. Hall stated they told him he couldn't operate a business there. He stated he has been there two years and had no problems and he needs a place to keep his stuff. He stated he has done everything the City asked him to do. He stated half of the lot is paved.

Mr. Costanza stated there were several properties were incorrectly zoned and that the City was going to rezone as BA and gave the Special Magistrate a letter he received.

Mr. Vukelja read from the letter that "the proposed amendment will change the land use from office transition to retail which does permit the current zoning of BA".

Mr. Jackson stated the question is – is the City entitled to require that if someone had a parking lot and they had a paved surface if they want to develop it and have improvements that they go through a zoning process and to do that in the permitting process that's pretty much what it is. He stated that they have a vehicle on a property that they are parking on and if it doesn't have proper registration and tags by definition of our Code they are junk vehicles. He stated it's an undeveloped lot the fact that he did it for a long period of time there is no parking on an unimproved surface.

Mr. Vukelja asked if the lot were paved there wouldn't be an issue.

Mr. Jackson stated he did not know if that was the answer.

Code Enforcement Manager, Denzil Sykes, stated this is a vacant lot and there is no structure on it and you just can't park under any zoning on a vacant lot and it needs to have an improved surface as well as some kind of structure. He stated the respondent claims some of the vehicles and trailers are not his but everything is responsibility of the owner.

Mr. Vukelja stated the use that's taking place is prohibited.

Mr. Hall stated he had no problems with Mr. Costanza and did not want to cause him any problems. He stated he needed a long time to get his stuff off. He stated he needs to find a new place to rent.

Mr. Vukelja asked the respondent how long it would take them to come into compliance.

Mr. Hall stated he would need 60 days.

Mr. Jackson stated based on the representation the City is okay with giving them 60 days - even though they believe it could be done quicker.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and ordered the respondent until May 8, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

The future Eagle Scouts who were observing the proceedings in the Chamber left the room.

CASE # 17 - SMG 02-19-29 - Thomas L Towner, Sr. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2.3; Art 3. Sec. 3.4.S.3; Art. Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **819 Harrington St.** Violation(s) – Outside storage, trash and debris, faded and peeling paint, ongoing roof work and building construction with no permits. First Notified – 12/3/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports the case started in December, 2016 and he feels that the respondent hasn't made a real faith effort to come into compliance and is asking for a fine in the amount of \$250 per day to a maximum of \$10,000.

Mr. Fitzgerald stated that it was a bad looking house and he spoke to the owner one time and he had hired a contractor but the minute he put a stop work order on the property for no permit, he said the contractor left with his money and the house has been sitting like that.

Mr. Vukelja asked what the construction work was for, that it just looked like cleanup.

Mr. Fitzgerald stated the roof, half of it is missing, and the plywood to complete it is still sitting around.

Mr. Vukelja asked what the last correspondence or communication he had with respondent and Mr. Fitzgerald stated last month.

Mr. Vukelja asked it was owner occupied and Mr. Fitzgerald stated the owner said he lives there.

Mr. Vukelja asked if the owner had the means to correct the violations.

Mr. Fitzgerald stated the respondent said the contractor took his money. He stated he has tried to get him to come to the hearing.

DISPOSITION: A fine in the amount of \$100 per day, commencing March 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$10,000 was imposed.

CASE # 18 - SMG 02-19-27 - William B. Parnell 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, 304.3), at **218 Kingston Ave.** Violation(s) – Maintenance Code - broken fencing, outside storage, missing address. First Notified – 11/14/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald, the property remains in noncompliance, and he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Vukelja asked if the inspector knew why the respondent was not here and if he had done anything to bring it into compliance.

Mr. Fitzgerald stated he thinks the respondent has passed away. He stated he received phone calls from people who stated that they are family of his, and they have done some work, but it was really shoddy. He stated he is trying to get back in touch with them but their phone does not accept calls. He stated this house was lagging behind every other one on the street.

DISPOSITION: A fine in the amount of \$100 per day, commencing March 7, 2019, and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000 was imposed.

CASE # 21 - SMG 03-19-56 - Tommie Law is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 301.3, 302.4), at **432 Alamanda St.** Violation(s) – Maintenance Code - Landscape, weeds, unsafe structure and no permit. First Notified – 12/27/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Jerome McCoy and he reports that the property remains in non-compliance, he has had no contact with the respondent, and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 22 - SMG 03-19-72 - Earl C. McCrary is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **316 Garden St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/28/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Jerome McCoy and he reports that the property remains in non-compliance, he has only had contact with the tenant, and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 23 - SMG 03-19-67 - Caroline Daytona Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2), at **129 Harney St.** Violation(s) – Paint fading and peeling, broken chain link fence. First Notified – 11/12/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports that the property remains in non-compliance and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 24 - SMG 03-19-66 - Gary F. Zebrowski is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.6, 304.13, 304.15), at **620 Cannon St.** Violation(s) – Abandoned building, unsecured, vacant, roof, exterior surfaces, overgrowth, storage, windows, doors and junk vehicles. First Notified – 1/9/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports that the property remains in non-compliance and is asking for the next cutoff to come into compliance. He stated the City is also asking that the Special Magistrate authorize that the building be secured.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter. It was further ordered that the building needs to be secured within 10 days, the exterior be maintained to city standards and authorized the City to take whatever action is necessary to secure the property.

CASE # 25 - SMG 03-19-61 - Help U Now Consulting, Corp. & Allen Hyppolite 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), at **446 N Keech St.** Violation(s) – Outside storage, trash and debris and broken chain link fence. First Notified – 12/3/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports that he has had no contact with the respondents, the property remains in non-compliance and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 27 - SMG 03-19-63 - Lawrence Henry Williams is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **617 Holmes**. Violation(s) – No permit for demolition. First Notified – 12/18/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports that he has had no communication with the respondent, the property remains in non-compliance, and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 29 - SMG 03-19-59 - Investor Trustee Services LLC as Trustee of The Volusia Club Land Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 308.1); Art. 6 Sec. 6.19.A.3; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **205 Shady Pl**. Violation(s) – Failure to maintain exterior windows, rubbish and trash, outside storage, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/24/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Tom Clig and he reports he has had no contact with the respondent, the property remains in non-compliance, and he is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 30 - SMG 03-19-60 - Investor Trustee Services LLC as Trustee of The Volusia Club Land Trust 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 **205 Shady Pl**. Violation(s) – No water. First Notified – 1/29/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Tom Clig and he reports that the property remains in non-compliance and the property has been occupied by a tenant. He stated the inspector is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 32 - SMG 03-19-54 - Elisabeth F. Aloisa is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **722 N Grandview Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/26/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports that this is a complaint driven case, the property remains in non-compliance, and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 34 - SMG 03-19-62 - J Weiss Family Limited Partnership is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **825 N Oleander Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/18/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports the property remains in non-compliance and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 37 - SMG 03-19-39 - 108 Palm Place 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), at **108 Palm Pl.** Violation(s) – Peeling paint. First Notified – 3/12/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Danny Garcia and he reports that this is a citizen's complaint, the property remains in non-compliance, he has had no contact with the owner, and is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 44 - SMG 03-19-44 - Daytona Apartments Casa LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **1139 S. Ridgewood Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 7/9/2018.

Respondent was not present. Ms. Barnes reminded the Special Magistrate that a letter had been received by the respondent stating he would not be able to attend the hearing.

Mr. Jackson stated the inspector is Danny Garcia and he reports that for the next 4 cases, the Business Tax Receipt is under review, the properties are in non-compliance, and the inspector is asking for the next cutoff to come into compliance.

Mr. Garcia stated he had been in contact with the owner and that he had applied for his Business Tax Receipts but that they were under review until the Rental Inspections can be conducted. He stated he is asking for the next cutoff to come into compliance.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 45 - SMG 03-19-45 - Daytona Apartments Casa LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **1136 Martha Dr.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 7/9/2018.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 46 - SMG 03-19-46 - Daytona Apartments Casa LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **1132 Martha Dr. (Parcel #5340-01-00-0150).** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 7/9/2018.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 47 - SMG 03-19-47 - Daytona Apartments Casa LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **1133 S. Ridgewood Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 7/9/2018.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 50 - SMG 03-19-64 - Nancy J. & Paul Clark are cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.1, 108.1.3, 108.1.5, 304.7, 304.13); Art. 6 Sec. 6.19.A.3, at **930 S. Beach St.** Violation(s) – Abandoned building, outside storage, unsafe structure, roof damage and broken windows. First Notified – 1/17/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Danny Garcia and he reports that the property remains in non-compliance, he has had no contact with the owner, and is asking for the next cutoff to come into compliance.

Mr. Garcia stated it is a police issue and transients were going in and out and the property and that it had been posted for demolition.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 51 - SMG 03-19-70 - Sterling Crystal Holdings 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, 304.3, 304.6, 304.10, 308.1), at **214 Weber St.** Violation(s) – Damaged exterior surface, no house numbers, damaged front porch, trash and debris. First Notified – 2/4/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Danny Garcia and he reports that the property remains in non-compliance, is asking for the next cutoff to come into compliance. He stated the property has also been posted for demolition.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and allowed the respondent until April 3, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja asked if there was any Miscellaneous Business to discuss.

Mr. Stenson introduced Sara Kirk, new Code Enforcement Officer.

The meeting was adjourned at 11:45 a.m.