
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

May 14, 2019 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney

Ms. Aimee Hampton, Senior Paralegal

Captain Scott Lee, Daytona Beach Police Department

Officer Steve Jessmer, Daytona Beach Police Department

Mr. Denzil Sykes, Neighborhood Services Manager

Mr. John Stenson, Lead Code Inspector

Mr. Steve Alderman, Code Inspector

Mr. Tom Clig, Code Inspector

Mr. Michael Fitzgerald, Code Inspector

Mr. Daniel Garcia, Code Inspector

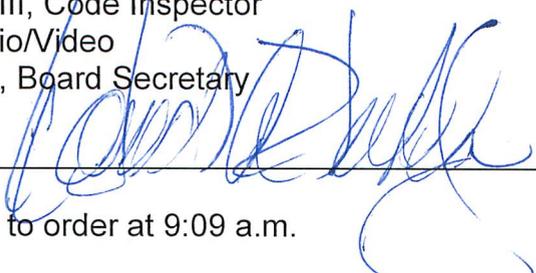
Mr. Mark A. Jones, Code Inspector

Mr. Jerome McCoy, Code Inspector

Mr. Clifford Recanzone III, Code Inspector

Mr. 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.

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

Mr. Vukelja approved and signed the minutes of the April 9, 2019 meeting.

Mr. Vukelja asked if there were any announcements.

Mr. Barnes announced the following cases are in compliance.

CASE # 6 - SMG 04-19-93 - William A. Brown is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **619 Glenview Blvd. 201**. Violation(s) – Construction without a permit. First Notified – 11/28/2018.

Compliance 5-14-2019

CASE # 7 - 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.

Compliance 5-14-2019

CASE # 24 - SMG 04-19-85 - Joseph F. & Debra A. Kedzuf is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2300 N. Atlantic #803**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 1/25/2019.

Compliance 4/28/2019

CASE # 28 - SMG 02-19-28 - James O. Jr. & Jacqueline P. Jackson 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, 302.8, 304.2, 304.7), at **811 Harrington St**. Violation(s) – Faded and peeling paint, rotten wood, junk vehicles, damaged roof and damaged fence. First Notified – 11/7/2018.

Compliance 5-13-2019

CASE # 34 - SMG 04-19-87 - Susan Hounsom Family Limited Partnership is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.13, 304.15, 305.1.1, 305.2, 305.3), at **617 Kingston Ave**. Violation(s) – Parking in the front yard. First Notified – 11/10/2018.

Compliance 4-29-2019

CASE # 43 - SMG 05-19-105 - S C Gay Properties 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 **N Ridgewood Ave. (Parcel # 5338-08-0000-30)**. Violation(s) – Boarded up window. First Notified – 2/19/2019.

Compliance 4-29-2019

Mr. Vukleja called the first case which was a lien review. Respondent was not present and he stated the case would be recalled if the respondent appears otherwise, reduction of the fine would be denied.

Mr. Anthony Jackson, Assistant City Attorney, stated he was expecting the respondent to be there and were recommending a reduction for property purchased from a foreclosure sale. He stated they would be willing to hear the case if the respondent shows up.

Mr. Vukelja called case #1.

CASE # 1 - 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) – Missing and peeling paint, mold and mildew, exterior walls, concrete spalling and 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, Esq. came forward and was sworn in. Ms. Wonsetler stated she had submitted the written progress report for the last meeting. She stated the April 30 meeting took place and the HOA members voted and passed the special assessment unanimously. She stated the ½ payment of money is due in 30 days. She stated the plan was to fix the roof, stucco, siding and then paint. She stated Inspector Fitzgerald has a list of repairs that have been made and asked her to look at one hot plug and the Property Manager has called an electrician to look into that. She stated they would be hiring a roofing contractor within the next 30 days and expects to have the new roof on in 5 months.

Mr. Jackson stated the inspector reports the project may take about 6-9 months and the inspector would like to see the first progress report in 90 days.

Mr. Vukelja stated that since all were satisfied with the effort, the progress report sounds reasonable.

DISPOSITION: Mr. Vukelja continued the case for a progress report at the August 13, 2019 meeting and the determination of a possible compliance date.

CASE # 2 - SMG 11-18-147 - 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 304.6, 304.8, 305.3, 504.1 and 604.3.1), at **507 Phoenix Ave.** Violation(s) – Maintenance Code - Non-working hot side of bathroom sink, damaged interior surfaces, exterior damage, electrical hazard or missing parts. First Notified – 7/23/2018.

Angela Hendry, Esq. came forward and was sworn in.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated the case had been going on for a while with a number of violations and the next two cases are at the same address but were noticed at different times. He stated the respondent needed to obtain architectural drawings which were delayed.

Mr. Vukelja asked if this was in reference to a balcony issue.

Mr. Jackson stated it was a structure that needed to be permitted and they needed to obtain architectural drawings. He stated the respondent had been in communication with the City and they had asked for more time and the inspector was willing to give them an additional month to get this accomplished.

Mr. Vukelja asked the respondent what was the problem with the property from an engineering standpoint.

Ms. Hendry stated that GEA did additional work to repair the balcony and they thought it wouldn't require a permit but it did and they now need architectural drawings. She stated the Architect said that she is sending the drawings this week. She stated she believed they could meet the June 5 cutoff if they received the drawings this week. She stated the work would require a couple of months.

Mr. Vukelja stated he assumed the drawings were essential in obtaining the permit and Ms. Hendry stated they were.

Mr. Vukelja asked if the delay in receiving the drawings applied to Case #2 and Case #3 and Mr. Jackson stated that it did.

Ms. Hendry stated that she is asking for Case #3 to be dismissed as they have obtained the permits.

Mr. Jackson stated that the permit was not completed until it was inspected and finalized.

Mr. Vukelja ordered the following for both cases #2 and #3 on the agenda.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 3 - SMG 01-19-11 - GEA Seaside Investments, Inc. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **507 Phoenix Ave.** Violation(s) – Construction without permits. First Notified – 9/11/2018.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 4 - SMG 04-19-91 - GEA Seaside Investments, Inc. 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 604.3, 304.15, 605.4, 605.2, 504.1, 309.1, 304.16, 304.13.2, 305.2, 304.13, 304.6, 304.4, 304.13.1); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **311 N Hollywood Av.** Violation(s) – Broken windows, all window frames need paint, windows fastened shut, rotted window sills/frames, windows do not close, bathroom GFCI, doors need weather strip, water heating wiring, termite infestation, basement hatchway rotted, lower wall falling away from window, hole through concrete wall, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/19/2018.

Mr. Jackson stated this property needs a few things to reach compliance and the City is willing to amend to the next cutoff.

Ms. Hendry agreed.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 35 - SMG 05-19-101 - GEA Seaside Investments, Inc. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.2, 302.3, 304.6, 304.7, 302.1, 304.14, 304.2, 304.9), at **231 N. Hollywood Ave.** Violation(s) – Trash and debris, landscaping, exterior siding, window frames & doors, paint, roof, screens, parking and overhangs. First Notified – 1/22/2019.

Mr. Vukelja asked the respondent if she agreed that the violations existed as stated in the Notice of Violation.

Ms. Hendry stated yes.

Mr. Vukelja asked Mr. Jackson how much time could reasonably be expected for the respondent to come into compliance.

Mr. Jackson stated the inspector is asking for the next cutoff for the property to be brought into compliance.

Ms. Hendry stated they are asking for at least 2 months as the building may need a new roof and they would need to pull permits and find a contractor.

Mr. Jackson stated they had been working forward in good faith on everything else and the City would be glad to see them do everything to improve this property and is willing to allow them that additional time.

Mr. Vukelja asked the respondent if she knew the status of the roof.

Ms. Hendry stated she spoke to the owner and he believed it may have be replaced.

Mr. Vukejla asked the respondent if she was amiable to 60 days.

Ms. Hendry states yes.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until July 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 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, unsafe stairs, brick walls cracking, rubbish accumulation and electrical hazard. First Notified – 10/10/2018.

Ms. Pinal Tabakci Recel, owner, came forward and was sworn in.

Mr. Jackson stated the inspector is Steve Alderman. He stated the previous Order requested the imposition of a fine if the stairway was not secured within 10 days. He stated the inspector reports that was taken care of, to the City's satisfaction, and the remaining order was to determine a compliance date. He stated the inspector is requesting to bring the property into compliance by the next cutoff. He stated that has been some communication with the prospective buyer. They are having some issues on the completion of the purchase and the property is still in non-compliance.

Mr. Jackson stated the previous order also included that the exterior of the property be maintained within 10 days, a copy of the disclosure to the buyer be provided before closing, the stairway be secured and that it not be rented, utilized or occupied until compliance or be returned for a fine of up to \$1000 per day. He stated the stairway is secured but the order from the previous meeting regarding the disclosure was not addressed.

Mr. Vukelja asked if the property had been rented, used or occupied.

Mr. Alderman, Code Inspector, stated the stairway was secured very quickly, but he has not seen the disclosure to the new buyer. He stated he spoke to Bo Snowden in the Building Department and as of last week they had not gotten access to the roof.

Mr. Vukelja asked the respondent what she was doing with the property.

Ms. Recel stated she was still planning on selling the property.

Mr. Vukelja stated the respondent had everyone in the building to figure out what was going on and they needed to speak with Mr. Alderman and let him know what is going on. He stated the order clearly states that the buyer be notified of these proceedings.

Ms. Recel stated the buyer was notified.

Mr. Vukelja asked the respondent when she was scheduled to close.

Ms. Recel stated she is waiting for the information from TD bank for the payoff. She stated she hoped to close within a couple of weeks.

Mr. Vukelja asked the inspector what information he would like to obtain regarding the buyer.

Mr. Alderman stated he would like to have the roof access evaluated by the Building Department. He stated he was not supposed to access the roof himself. He stated he had accessed the roof long ago and it was deteriorated and sagging and had a lot of issues.

Mr. Vukelja asked how long the inspector needed to get the roof inspection done.

Captain Scott Lee, City of Daytona Beach Police Department, stated the previous order stated within 10 days the Building Inspector be provided access and he has no information that the respondent contacted the Building Department to schedule this inspection.

Ms. Recel stated she had contact with Mr. Alderman only.

Captain Lee stated that he would like the respondent to contact the Building Department within 3 days and get an inspection date set up and have the inspection done by the next cutoff.

Ms. Recel stated she would call them today.

Captain Lee stated he would have Mr. Alderman take her downstairs and show her where to go.

Mr. Vukelja asked about the remainder of the issues.

Captain Lee stated they would like to have a copy of the disclosure to the buyer.

Mr. Vukelja asked how quickly before we can get the new owner into the hearing.

Mr. Jackson stated the new owner would be stepping into the shoes of an ongoing case and there should be no delay. He stated the new owner would be an additional respondent.

Mr. Vukelja asked if the City has the disclosure.

Mr. Jackson stated the document produced by the respondent only deals with the issues of title.

Mr. Vukelja asked if the 504 entity on the document is the buyer.

Ms. Recel stated she did not think so – no.

Mr. Vukelja asked who the buyer was.

Ms. Recel stated the buyer already has been in contact with Jim Morris, Deputy City Manager.

Mr. Vukelja stated Code Enforcement needed to have contact information for the buyer in order to give him notice of meetings.

Mr. Jackson stated Code Enforcement Staff indicates they have no knowledge of who the buyer is.

Ms. Recel stated the buyer is from Canada.

DISPOSITION: Mr. Vukelja ordered that the respondent, within the next 3 days, to contact the Building Department to coordinate a roof inspection and coordinate that roof inspection to occur before June 5, 2019. It is further ordered that the respondent provide the City Attorney, the Building Department and the Police Department all of the contact information for the buyer within 3 days. Failing either of those things, respondent will be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter. It was further ordered the determination of a compliance date and the imposition of a fine is continued to the June 11, 2019 meeting and at that time the new buyer should be present.

CASE # 8 - 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.

Respondent was not present.

Mr. Jackson stated the inspector is Danny Garcia and he is just waiting for the permit to be finalized. He stated the inspector is requesting to amend to the next cutoff.

DISPOSITION: Based on the stipulation of the City, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 9 - SMG 04-19-96 - Christina T. Chau is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.1.A; Art. 3 Sec. 3.4.S.1, at **155 Michigan Ave.** Violation(s) – Failure to obtain permits for renovation. First Notified – 11/23/2018.

Mr. Kenly McGee, General Contractor, came forward and was sworn in.

Mr. Vukelja stated the case is here for the determination of a compliance date.

Mr. Jackson stated the inspector is Danny Garcia and he is asking that the property be brought into compliance by the next cutoff. He stated the respondent needs permits for the renovation.

Mr. McGee stated he was to receive the survey on May 30th and then it would be reviewed by Redevelopment. At that time they would submit Architectural drawing, engineering and landscaping to the Building Department and apply for the permits. He stated it was a 3-unit apartment house that was already established and has new owners. He stated the new owners started construction without permits and Mr. Garcia issued a Stop Work Order. When he went to apply for the permits, they told him he needed to go to Redevelopment for approval.

Mr. Jackson stated it is in a redevelopment area and will need their approval and the inspector is willing to amend until the July meeting.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until July 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 # 10 - 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.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and Inspector McCoy reports the property remains in non-compliance. He stated the inspector reports that there were 2 units on the property and one of them failed inspection and the second failed due to no access and the City is asking for a fine of \$100 to a maximum of \$15,000 be imposed.

Mr. McCoy stated they applied for the Rental License (RTL) and he did the inspection and found violations. He stated he was not able to access the second unit. He stated there would be no license issued until both units passed inspection.

Mr. Vukelja asked the inspector why he did not inspect both units while he was out there.

Mr. McCoy stated the owner did not have a key to the property in the rear.

DISPOSITION: Based on the presentation of the City Attorney and the Inspector and noting the absence of the respondent, Mr. Vukelja imposed a fine in the amount of \$100 per day, commencing May 9, 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.

CASE # 11 - 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.

Respondent was not present.

Mr. Jackson stated the case is before you for the imposition of a fine and the inspector is Jerome McCoy. He stated the inspector reports the property failed inspection on April 12, 2019 and there is a lot of work to be done. He stated they allowed them at least 30 days to get the work done and is asking to amend to the next cutoff. He stated the inspector is waiting for a call back to schedule an inspection.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 29 - 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) – 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 License (BTR), failure to obtain Rental License (RTL). First Notified – 9/17/2018.

Ms. Jo-Ann Teel came forward and was sworn in.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated that Inspector Mike Fitzgerald reports a rental inspection is scheduled for this week and he would like to amend to the next cutoff for compliance.

Mr. Vukelja asked the respondent if she was alright with amending to the next cutoff.

Ms. Teel stated they are not on the same page. She stated she received written confirmation that the only violation left is to obtain the rental license for compliance. She stated from 1996 until September 29th 2019 she had a rental license (RTL) and she went to that department and they weren't aware that about 4 years ago her type of apartment (4-unit) needed a different type of license. She stated they if they did not know, then she did not know. She stated she asked them to prorate what she had paid and they refused to do that. She stated she had to get a new license and her apartment is fully leased. She stated she needed to coordinate with her tenants because she is not allowed to go in according to the lease. She stated she scheduled an inspection with Rental Inspector Mark Jones on May 29, 2019.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 12 - 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) – Landscape, weeds, unsafe structure, no permit. First Notified – 12/27/2018.

Respondent was not present.

Mr. Jackson stated the inspector is Jerome McCoy and he reports that the rebar has been capped and a barrier was erected per last month's order. He stated the case was continued for a progress report.

Mr. McCoy stated the property had been secured to City standards and he would like a progress report but had minimal contact with the respondent. He stated he is asking for the next cutoff for respondent to apply for the permits or demo the concrete slab.

Mr. Vukelja asked if this is the case where a slab was poured.

Mr. McCoy stated it was but he did not know what happened with it. He stated he did not know if it was a money issue or they decided not to build but everything stopped.

Mr. Vukelja asked if this was a residential neighborhood and Mr. McCoy stated that it was.

Mr. Vukelja asked if a barrier had been placed around the property.

Mr. McCoy stated they had placed a fence up the day after the last hearing.

Mr. Vukelja asked what if the respondent chose to do nothing with the property could the slab set there indefinitely.

Mr. McCoy stated a compliance date has been set and he must either demolish it or build on it.

Mr. Vukelja stated that he needs permits to either building or demolish and Mr. McCoy agreed.

Mr. Jackson stated the property was supposed to be in compliance by the May cutoff and so the inspector is asking to amend to the next cutoff for compliance.

Mr. Vukelja stated compliance means he either needs to build or demolish and either way he needs to secure permits.

Mr. Jackson stated that is correct and if he does decide to build they probably need to address giving the respondent more time.

DISPOSITION: Based on the City Attorney's presentation, the testimony of the inspector and noting the absence of the petitioner, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 13 - 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.

Mr. Earl McCrary came forward and was sworn in.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated that Inspector McCoy reports there was a rental inspection on April 20th and the property did not pass. He stated the inspector has allowed 30 days for the respondent to come into compliance and has a few remaining issues to remedied and is asking to amend to the next cutoff.

Mr. McCrary stated the inspector did come out and they have made the necessary corrections and repairs and that someone from his office should be calling to set up an inspection. He stated they should be able to comply with the deadline of 30 days.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 14 - SMG 04-19-89 - 319 San Juan LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **120 Marion St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/6/2019.

Mr. Herbert Kawesch, ¼ owner, came forward and was sworn in.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated Inspector McCoy reports there has been little change and he has had the opportunity to go out and inspect but prior to that had no contact with the respondent and the property has multiple units. He stated the inspector is asking for a fine in the amount of \$100 to a maximum of \$15,000 be imposed.

Mr. Vukelja asked what still needed to be done.

Mr. McCoy stated the exterior has rotten wood and materials, there are termites and windows with no screens. He stated the work is done on one apartment.

Mr. Kawesch stated that he thought he had bought a 6-plex and that the rental license was active and would transfer because it was under 10 units. He took possession of the property and then the Business Tax Office told him it was only licensed as a 4-plex. He stated he had a tenant in an apartment that was an illegal apartment which was supposed to be a garage. He stated he evicted the tenant and turned it back into storage. He stated the apartment would be tented for termite treatment by Globe exterminator on Thursday and then he would begin the rest of the repairs. He stated he still has a problem that one apartment has 2 different occupants, which are a single man and a single woman with only one stove and he doesn't know what the remedy will be yet.

Mr. Vukelja asked how long it would be.

Mr. Kawesch stated the structural work will be done within 60 days but he did not know regarding the tenant.

Mr. McCoy stated if the respondent can bring the property into compliance within 60 days, he would be good with that.

Mr. Vukelja asked the respondent what he expected to accomplish within the next 30 days.

Mr. Kawesch stated his contractor would be finishing his wife's bathroom first and then replacing the wood would be his next project.

Mr. Vukelja asked if the respondent would need a General Contractor.

Mr. McCoy stated for some of the structural work he would need if he turns the unit with the man and woman into 2 apartments.

Mr. Vukelja asked the respondent how many living units he intended to have in the building.

Mr. Kawesch stated structurally there is an upstairs apartment, on single family home and a second building with an apartment upstairs and storage downstairs. He stated the 4th apartment is a single apartment but it has a door adjoining the two apartments but the 2 people that live there do not use the door so there would not be structural changes to the building.

Mr. Vukelja cautioned the respondent to be aware of the need for a General Contractor.

Captain Lee told the respondent to speak to Permits & Licensing regarding the permits he needs to complete the work.

DISPOSITION: Mr. Vukelja continued the imposition of a fine until the June 11, 2019 hearing.

CASE # 25 - SMG 04-19-97 - Herbert S. B. and Lorin Kawesch is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **536 Ruth**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/13/2019.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated Inspector Jones reports the respondent would be applying for the rental permit.

Mr. Mark Jones, Code Inspector, confirmed that he spoke to the owner and they have an inspection scheduled within the next 2 weeks and is asking to amend to the next cutoff.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 15 - 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.

Ms. Margaret Eberwein came forward and was sworn in.

Mr. Vukelja stated the case is here for a progress report.

Mr. Jackson tendered Lead Inspector, John Stenson, for details of the case.

Mr. Stenson stated the only outstanding issue with the property is the roof and respondent has hired an attorney to clear up the deed and he is asking for progress a report at the next hearing.

Mr. Eberwein agreed.

DISPOSITION: Based on the testimony of the inspector, Mr. Vukelja continued disposition of the matter to the June 5, 2019 meeting for a progress report.

CASE # 16 - 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. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated the inspector is Mark Jones and he reports that a remodel permit was issued on April 12 and the contractor is running behind, and since the property is unoccupied, they would like to give the respondent until the next cutoff to bring the property into compliance.

Ms. Krug stated they were almost done and showed pictures of the progress to Mr. Vukelja on her phone. She stated the contractor said it would be 2 more days to finish the painting.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 17 - SMG 12-18-162 - Krisztian Gutti 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 305.1, 304.14, 304.13, 304.6, 304.2; City Code Ch. 26 Sec. 26-294, at **615 Tanglewood St.** Violation(s) – **Work without permit, interior finishes, exterior finishes, screens, windows, exterior walls, paint and failure to obtain Rental License (RTL).** First Notified – 8/27/2018.

Ms. Elsebetz Kroll, mother of the respondent, and Charles Burgan, General Contractor, came forward and was sworn in.

Mr. Jackson stated that Inspector Jones reports a permit was issued on March 5 but failed inspection on May 1 due to additional work. He stated the inspector agrees to allow the respondents sixty days for finish the work.

Mr. Burgen stated they ran into zoning issues and has spoken with the Building Inspector, Bo Snowden. He stated they need an HVAC contractor, a plumbing contractor and electrical contractor to do written reports on the work that was done. He stated he would have his engineer come in and he would serve as the General Contract on the work. He stated after the written report is done, they will have an inspection and hopefully they will be in compliance. He stated he was told no permits had been pulled but the owner gave him a plumbing permit from 2019 today where the plumbing was inspected and signed off on. He stated the electrical had been signed off and he believes the respondent just needs a final inspection. He requested to amend to the July cutoff for compliance.

Mr. Jackson stated they would agree to the July cutoff.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until July 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 # 18 - 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.

Mr. Vukelja stated the case is here for the imposition of a fine.

Dr. Walter Fordham came forward and was sworn in.

Mr. Jackson stated Mr. Jones inspected the property yesterday and it failed inspection. He stated the case began in December of 2018 and are asking for a fine in the amount of \$100 per day to a maximum of \$15,000 be imposed.

Mr. Jones stated when he arrived on the site there was a car set up on blocks. He stated it has been there since February and showed the Special Magistrate a picture of the car from yesterday. Mr. Jones showed the Special Magistrate a picture of the building with the wood rot and stated that it had merely been painted over. He stated when he brought it to Dr. Fordham's attention, he did not want to continue with the inspection so he does not know if the other items from the last inspection were corrected and listed those violations. He requested a fine be imposed in the amount of \$100 per day to a maximum of \$15,000.

Dr. Fordham stated the pictures that were being shown were from the first of April and that he had spent more than \$4,000 to fix the property since then. He stated the inspector arrived yesterday for the inspection and began taking pictures of the building but he is not showing the current pictures. He stated all of the buildings had been remodeled. He stated on the first inspection, the inspector was looking under vanities and at smoke detectors and checking the windows and they had to remodel the entire house. He stated the inspector added information to the sheet on the second visit. He stated he had talented people from the university come out and inspect and they were in total compliance with quality living in the house. He stated the vehicle on blocks at the property has a broken axle and he has ordered the part last week. He stated they have made arrangement for it to be placed on the vehicle in 3 weeks. He stated it was for a renter and he has a current tag to put on the vehicle. He stated he was upset that the inspector took pictures and did not have an interest in going inside the house. He stated he requested another inspector be assigned the case who will give them credit for the quality of the work that has been done.

Mr. Vukelja asked the respondent if it was his contention that he was in compliance and the respondent stated yes.

Mr. Jackson stated the inspector was doing his job by taking pictures of the outside of the property and that he was not allowed to go inside by the respondent.

DISPOSITION: Mr. Vukelja amended the current order of Non-compliance to allow the respondent until June 5, 2019 to bring the property into compliance or a fine in the amount of \$100 per day, commencing May 9, 2019, and continuing to accrue each day thereafter, will automatically be imposed until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$15,000.

CASE # 19 - SMG 04-19-76 - Bat Development, LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **640 Tanglewood Court**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/4/2019.

Respondent was not present.

Mr. Jackson stated Mr. Jones inspected the property on April 18 and it did not pass and he is asking to amend to the next cutoff for compliance.

DISPOSITION: Based on the stipulation of the City and noting the absence of the respondent, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 20 - SMG 04-19-80 - Leslie J. Tiffany is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **344 Pierce Avenue**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/25/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports an inspection was held on May 1 but it did not pass. He stated Inspector Jones is asking to amend to the next cutoff to get the remaining items corrected.

DISPOSITION: Based on the stipulation of the City and noting the absence of the respondent, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 21 - SMG 04-19-81 - Harold W Hunter, Jr & Lisa Hunter Davis is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **803 Madison**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12/18/2018.

Ms. Lisa Davis came forward and was sworn in.

Mr. Jackson stated that Inspector Jones, after his conversation with the owner today, was satisfied that they are making progress, the property is vacant, and is asking to amend to the next cutoff for compliance.

Mr. Vukelja asked the respondent if she could have the work done by June 5 and she stated yes.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 22 - SMG 04-19-83 - Valerie D. and Thomas C. Hamm is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **45 N Hollywood**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 11/12/2018.

Respondent was not present.

Mr. Jackson stated Inspector Jones has spoken to the respondent in March with no further contact and the property remains in Non-compliance and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Jones stated the owner is having financial problems and that 2 of the 3 units are rented but she hasn't scheduled an inspection.

DISPOSITION: A fine in the amount of \$100 per day, commencing May 9, 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 # 23 - SMG 04-19-84 - Suzanne N. Slaughter, Trustee of the Suzanne N. Slaughter Revocable Trust No. 1 is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **425 University**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/15/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property failed inspection on April 25th and is asking to amend to the next cutoff for compliance.

DISPOSITION: Based on the stipulation of the City and noting the absence of the respondent, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 26 - 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 License (BTR). First Notified – 3/7/2018.

Respondent was not present.

Mr. Jackson stated the inspector, Mike Fitzgerald, reports the property remains in non-compliance and is asking for a fine in the amount of \$200 per day to a maximum of \$15,000.

Mr. Michael Fitzgerald, Code Inspector, stated the respondent applied for a permit on March 13 and on March 21 the corrections to be done were given back to him. He stated yesterday there were no corrections done and the permit was on hold. He stated the respondent had dropped the ball on the permit and that it was in a redevelopment area and they don't like his changes. He stated he has had no contact with the respondent since the last meeting. He stated the respondent needs to have the front porch rebuilt. He stated he hasn't spoken to the respondent since the last time they were at the hearing. He stated he is asking for \$100 per day to a maximum of \$15,000.

Mr. Vukelja asked if the basis of the fine was not having a permit or not being in compliance.

Mr. Fitzgerald stated for performing work without a permit. He stated there was door on the second floor that goes nowhere and was supposed to come out on a balcony. He stated he did not know what had been done on the inside.

DISPOSITION: A fine in the amount of \$100 per day, commencing May 9, 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 # 27 - 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 & soffit damage and missing siding. First Notified – 12/12/2018.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports no change and the property remains in non-compliance. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$10,000 be imposed.

Mr. Fitzgerald stated he is doing nothing.

DISPOSITION: Based on the presentation of the City, the testimony of the Inspector and noting the absence of the respondent, a fine in the amount of \$100 per day, commencing May 9, 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 # 30 - 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 Inspector Fitzgerald reports that the permit was approved and he is waiting for it to final so is asking to amend to the next cutoff.

DISPOSITION: Based on the City's presentation and noting the absence of the respondent, Mr. Vukelja amended the current order of non-compliance to allow the respondent until June 5, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter.

CASE # 31 - SMG 04-19-88 - Lovely Group Investments, Inc. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.1, 504.1, 604.3); Art. 8 Sec. 8.2.A; City Code Ch. 90 Sec. 90-297, at **600 W. Intl Speedway Blvd.** Violation(s) – Non-conforming use (gaming), exterior structure - glazing, failure to

maintain plumbing, electrical system hazards and failure to obtain Business Tax Receipt (BTR). First Notified – 2/26/2019.

Mr. Sagid Manaf came forward and was sworn in.

Mr. Vukelja stated the case is here for the imposition of a fine.

Mr. Jackson stated the inspector is Tom Clig and he reports the property remains in non-compliance and the only thing that has been taken care of on a list of violations is that he paid for his Business Tax Receipt (BTR). He stated the inspector is asking for a fine in the amount of \$200 per day to a maximum of \$25,000.

Mr. Manaf stated that he has taken care of everything except for a toilet that doesn't work which he has taped shut but they did not remove it. He stated there is another toilet that is working.

Mr. Clig stated he went out with Inspector Stenson on the 19th of March and April 15th and there were violations of the electrical system where there are loose wires. He stated there are issues with plumbing and glazing on the windows on the outside.

Mr. Manaf stated the glazing on the windows is still there but everything else has been done.

Mr. Vukelja asked about the non-comforming use – gaming.

Mr. Clig stated that was in compliance at the last meeting and by March 19, the machines were gone.

Mr. Vukelja asked the respondent how long it would take him to get everything done.

Mr. Manaf stated within 2 days for the glazing and the toilet will be removed.

DISPOSITION: Mr. Vukelja amended the current order of Non-compliance to allow the respondent until June 5, 2019 to bring the property into compliance or a fine in the amount of \$200 per day, commencing May 9, 2019, and continuing to accrue each day thereafter, will automatically be imposed until the property is brought into compliance or the amount of the fine reaches a maximum amount of \$25,000.

CASE # 32 - SMG 04-19-78 - Paul Jones, Jr. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.5, 304.6, 304.7, 304.13.2, 304.14, 304.15 & 305.1.1), at **701 Kingston Avenue**. Violation(s) – Failure to maintain exterior structural members, foundation walls, exterior walls, roofs and drainage, inoperable windows, insect screens, exterior doors, interior structure - unsafe conditions. First Notified – 11/20/2018.

Respondent was not present.

Mr. Jackson stated Inspector Clig reports the property was damaged by fire and he has had no contact with the respondent and is requesting a fine of \$200 per day to a maximum of \$15,000.

Mr. Clig stated he has not talked to the respondent and the building was condemned 5 or 6 months ago.

DISPOSITION: A fine in the amount of \$200 per day, commencing May 9, 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 by Mr. Vukelja.

CASE # 33 - SMG 04-19-79 - Evelyn Rodriguez is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.13, 304.15, 305.1.1, 305.2, 305.3), at **1111 Hampton Road**. Violation(s) – Failure to maintain exterior structural members, windows, door frames, doors, interior structure, unsafe conditions, interior structural members, interior surfaces. First Notified – 10/15/2018.

Ms. Evelyn Rodriguez came forward and was sworn in.

Mr. Vukelja stated the action to be taken is the imposition of a fine or the establishment of a compliance date.

Mr. Jackson stated Inspector Clig reports the property is fire damaged but it is being maintained to city standards so they are not requesting a fine. He stated the order was for the imposition of a fine if the property was not brought up to standards within 10 days. He stated the second part of the order was for the determination of a compliance date and the inspector is requesting compliance by the next cutoff.

Mr. Vukelja asked the extension of the fire damage.

Mr. Clig stated the damage was extensive, both interior and exterior.

Mr. Vukelja asked if the property owner had the option of repairing it or if it is a demolition.

Mr. Clig stated the front of the building has cave in and the property should be demoed. He stated the respondent either needs to get a permit or demolish it and is asking to amend to the next cutoff.

Ms. Rodriguez stated her intention is to demolish the property and she has gotten estimates. She stated the lowest estimate was \$8,000 and she would do that but had to wait a couple of months until she can pay for it. She stated she lives next door and keeps the grass cut. She stated she is requesting to amend to the August meeting.

Mr. Jackson stated the City is ok with amending to August as long as the outside and yard remain maintained and secured.

DISPOSITION: Mr. Vukelja amended the current order of non-compliance to allow the respondent until August 1, 2019 to come into compliance or be returned to the Special Magistrate for consideration of a fine up to \$1000 per day thereafter. He further ordered the exterior property must be maintained and building secured to city standards.

NEW CASES:

CASE # 36 - SMG 05-19-102 - Nancy Braun is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3.108.1.5; Art. 6.19.A.3; Art 6 Sec. 6.19.A.4; Art 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.5, 302.7, 304.2, 505.3, 304.13.2, 501.2, 304.13, 304.6, 304.9, 302.1, 304.13.1, 304.14, 304.10, 505.1), at **214 S. Oleander**. Violation(s) – Permits needed, foundation repair, carport anchor pole, rotted sill plate, no water, electrical panel, broken window, windows not working, trash and debris, rotted window frames, paint structure, rotted siding, overhangs dropping, property maintenance, screens, glazing, porch. First Notified – 1/16/2019.

Respondent was not present.

Mr. Jackson stated the Inspector is Steve Alderman and he reports the property remains in non-compliance and is asking for next cutoff to bring the property into compliance.

DISPOSITION: Noting the absence of the respondent and the presentation by the City, 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.

CASE # 37 - SMG 05-19-103 - Alain Baruchel is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Ref. FBC Supp. IPMC (304.9, 304.6, 304.2, 302.8, 302.4), at **415 Braddock Ave**. Violation(s) – Overgrown hedge, junk vehicle, rotted overhangs, protective treatment, broken window. First Notified – 12/17/2018.

Mr. Alain Baruchel came forward and was sworn in.

Mr. Vukelja asked the respondent if he agreed the violations existed on the property at the time of the Notice.

Mr. Baruchel stated that he was recently aware of it. He stated he left the property on the 15th of August. He stated he returned on May 8th and the property was burglarized multiple times and 2 windows were broken. He stated he was contacted by the Police Department. He stated when he learned that the Police Department had found people living in the house who claimed they were working for him, he called Inspector Alderman. He stated the 2 sides are vertically boarded with plywood by a professional handyman. He stated he had been living there since August of 2012 and had completely gutted the house. He stated the cable was the responsibility of Florida Power and Light and he doesn't know why there is wood rot since it was supposed to have been sealed. He stated he is having trouble getting someone to go up 3 floors but was working on finding someone. He stated he cut the shrubs himself and they are in compliance. He stated he has someone who does the lawn regularly.

Mr. Vukelja asked the respondent if they were in agreement that work needs to be done on the house and Mr. Baruchel stated yes.

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

Mr. Jackson stated that the inspector believes that the next cutoff would be a reasonable amount of time for the property to be brought into compliance.

Mr. Baruchel stated he did not have a list of the violations.

Mr. Vukelja stated the inspector would bring him up to speed.

Mr. Baruchel stated painters have not been reliable and he would like a second cutoff. He stated when he found someone to get up there it would take about a week. He stated he wanted to expand the driveway horizontally and has pavers and would like to leave them until he gets that done.

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.

CASE # 38 - SMG 05-19-108 - Stonegate Properties, LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **166 Kingston Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/28/2019.

Respondent was not present.

Mr. Jackson stated the inspector is Mark Jones and he reports that the property is in non-compliance and is asking for next cutoff to bring the property into compliance. He stated the inspector reports he spoke to the respondent and is requesting to amend to the July cutoff for compliance.

DISPOSITION: Noting the absence of the respondent and the presentation by the City, Mr. Vukelja found the respondent in non-compliance and allowed the respondent until July 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 # 39 - SMG 05-19-99 - Laundsy Williams & Betty Jean Hines is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.9), at **1026 Continental Dr.** Violation(s) – Graffiti. First Notified – 9/27/2018.

Respondent was not present.

Mr. Jackson stated that Inspector Clig, he reports he has had no contact with the respondent and is requesting next cutoff to come into compliance.

DISPOSITION: Noting the absence of the respondent and the presentation by the City, 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.

CASE # 40 - SMG 05-19-107 - Zip Home Deals LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.2, 304.14, 504.3, 602.3, 604.3); City Code Ch. 26 Sec. 26-294, at **706 Orange Ave.** Violation(s) – Heating facilities, windows will not stay open, missing screens, GFI circuit in the kitchen is not

resetting, damaged plumbing, failure to obtain Rental License (RTL). First Notified – 12/3/2018.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and is asking for the next cutoff for the property to be brought into compliance.

DISPOSITION: Noting the absence of the respondent and the presentation by the City, 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.

CASE # 41 - SMG 05-19-104 - ACL Realty LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **319 San Juan Ave.** Violation(s) – Work performed without a permit. First Notified – 1/24/2019.

Mr. Arles Liram, owner, came forward and was sworn in.

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

Mr. Liram stated after the fact.

Mr. Vukelja asked the inspector how much time it will take to bring the property into compliance.

Mr. Jackson stated Inspector Garcia reports that it should be in compliance by next cutoff.

Mr. Liram stated he did not believe he can be in compliance by June 5. He stated he bought the property in November of 2018 and was told to get a contractor to remodel the property. He stated he started work and received a call from the City to say his deck was installed without a permit 3 owners ago and that it was his problem now and that it would be condemned. He stated he did some research to see if he needed to demolish, donate or fix the property. He stated they told him he could do nothing until he resolved the deck issue. He stated he would like to get the permits and contractor and fix the deck.

Mr. Jackson stated the inspector reports there have been multiple owners of the property but that the respondent needs to get permits and bring the property into compliance.

Mr. Garcia stated he spoke to the new owner and his associates about what needs to be done and they knew about the condition of the property and that the rear deck was deteriorated. He stated the respondents told him they planned to demolish the property but that did not happen. He stated he is asking to the next cutoff to bring the property into compliance.

Mr. Vukelja asked what, if any, obstacles were there to this man getting a permit.

Mr. Garcia stated there should be no obstacles. He stated he needs to go to Permits and Licensing and get the permit. He stated they built a brand new deck on the front porch and added some stairs without permits. He stated the respondent purchased the property with that violation.

Captain Scott Lee stated the respondent needs to speak to the building department about the process to obtain the permit he needs.

Mr. Vukelja asked if the respondent can have the permits and be done by June 5.

Mr. Garcia stated it could take less than 30 days.

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.

CASE # 42 - SMG 05-19-113 - Gold Label Holdings, LLC is cited for failure to correct violations of The Land Development Code, Art 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 704.1, 704.2, 302.7, 302.8, 304.2, 304.6, 304.7, 304.13, 304.14, 304.15, 305.3, 305.6, 603.1, 605.1 and 607.1), at **550 N Ridgewood Ave.** Violation(s) – Damaged interior and exterior surfaces, windows, doors, missing screens, roof, soffit and fascia, exposed wires, damaged fence, no smoke detectors, missing knobs for stove and exhaust vent covers. First Notified – 4/2/2019.

Mr. George Howard, General Contractor, came forward and was sworn in.

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

Mr. Vukelja asked the City Attorney how long it should take the respondent to come into compliance.

Mr. Jackson stated the inspector is Danny Garcia and he reports it should take until the next cutoff for the property to be brought into compliance.

Mr. Howard stated the owner just purchased the building and he is dealing with the Zoning Department. He stated he has a demolition permit but they have asked him to strip the building down so they can determine if it can be renovated. He stated they would be doing that in the next week. He stated if the Building Department determines they can rehabilitate the building, there will be a lot of addition issues to deal with such as surveys, additional permitting. He stated a decision has not been made as to the usage of the building yet.

Mr. Garcia stated the violations are the result of a police complaint for a long time but is now boarded to city standards. He stated the boards had been removed and the property was partially demoed. He stated he would like to see permits in hand by the next cutoff.

Mr. Howard stated the owner inherited these problems and they are still in the process of determining if the building has to be demolished. He stated they issued a demolition permit to determine if the structure could be rehabilitated.

Mr. Vukelja asked if the property owner will know by June 5 what he intends to do with the property and if he has the resources to go forward with whatever is required to be done.

Mr. Howard stated yes.

Mr. Vukelja asked the respondent if he was willing to secure the building and maintain it to city standards.

Mr. Howard stated yes. He stated the issue is that there is no parking and that is why they have to determine what the building will be. He stated they are not allowed to bring in a dumpster so they have haul the stuff away in trucks but they are keeping the building secured.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and continued the determination of a compliance date to the June 11, 2019 meeting. It is further ordered that the exterior must be maintained and the property secured to City Standards. Failing that, the case will be returned for consideration of a fine up to \$1,000 per day.

Mr. Vukelja asked if the property has the necessary trespass order from the Police Department and Mr. Jackson stated they did.

Mr. Greg Sheridan, next door neighbor, came forward and was sworn in. He stated the police boarded it up and since that happened, it's been quiet over there. He stated they spent a year calling the police and there were a lot of drugs and prostitution and his concern is that they will open it up and it will all start again. He stated a block over is North Street which is where the homeless shelter is.

Mr. Vukelja stated this property would not be left open and if Mr. Sheridan sees anything happen, he needs to report it to the police. He stated his understanding is if no one is working on the property, it will be secured so that no one can get in.

Mr. Howard agreed. He stated they were the ones that reported there was someone in there and 3 days later there was an arrest. He stated they are going to work with the Police Department.

CASE # 44 - SMG 05-19-106 - JKM/ECM Properties, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. Chapter 78 Sec. 78-7(a) of the Code or Ordinances), at **951 Dr. Mary M. Bethune Blvd.** Violation(s) – Outside storage, lack of building permit, landscaping and refuse from construction work. First Notified – 8/14/2018 & 2/26/2019.

Mr. Earl McCrary came forward and was previously sworn in.

Mr. Vukelja asked the respondent if he agreed the violations occurred as stated in the Notice of Violation and Mr. McCrary stated yes. He asked the City Attorney how much time can reasonably be expected for the respondent to come into compliance.

Mr. Jackson stated Lead Inspector Stenson is requesting to amend to the next cutoff.

Mr. McCrary stated he did not think he could have the work done by June 5. He stated he hired a contractor and he ran away with the money so he got a second contractor which told him he needed mechanical done for the window and walls. He stated he has a company to do that but it took 2 months for engineering on a simple job he did before.

Mr. Jackson stated the case has been going on since August of 2018 and wants to make sure the project is on track.

Mr. McCrary stated he will work with the City but it is not as bad as it looks. He stated they boarded the property and it is secure.

Mr. Vukelja asked how long he thought it would take and stated it looks like there is an extensive amount of work to be done.

Mr. Jackson agreed.

DISPOSITION: Mr. Vukelja found the respondent in non-compliance and continued the determination of a compliance date to the June 11, 2019 meeting. It is further ordered that the exterior must be maintained and the property secured to City Standards. Failing that, the case will be returned for consideration of a fine up to \$1,000 per day.

CASE # 45 - SMG 05-19-112 - Richard D Hancock is cited for failure to correct violations of The Land Development Code, Art. 11 Sec. 11.5; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.13, 304.14, 305.3, 305.6, 308.1, 404.4.2, 404.6, 603.1, 604.3, 605.1, 704.2), at **125 Pierce Ave.** Violation(s) – Dorm Living, smoke alarms, sanitation, window, skylight and door frames, insect screens, interior surfaces, interior doors, rubbish and garbage, occupancy limitations - access from bedrooms, occupancy limitations - efficiency unit, mechanical appliances, electrical system hazards, electrical system - installation. First Notified – 4/29/2019.

Mr. Richard Hancock came forward and was sworn in.

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

Mr. Vukelja asked the City Attorney how much time should reasonably be required to bring the property into compliance.

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

Mr. Hancock stated he had done most of the corrections but was just out of money. He stated he is on Social Security and would be purchasing additional things the first of the month.

Captain Scott Lee stated the biggest concern with the property is the dorm living.

Mr. Hancock stated he was down to 3 people and that the police were welcome to come by and check.

Captain Lee stated if he has 3 people, he needs to apply for a Rental License (RTL).

Mr. Hancock stated his power was off and he has asked for help from some family members and was going to Human Services tomorrow. He stated he has also spoken to some people at the churches. He stated he had been in the house for 32 years and was doing all he can to come into compliance.

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.

LR-1 SMG 05-16-24 - 1600 Stocking Street - Johnie L. Bennett (requester is Bark Real Estate, LLC) is cited for failure to correct violations of The Land Development Code, Art. 8 Sec. 8.2.A; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 604.3, 504.3, 304.6). Violation(s) – Non-conforming use as a rooming house; outside storage; electrical system hazard (lack of service); plumbing system hazard (lack of service); exterior surfaces. First Notified – 2/25/2016 & 3/5/2016. **Order Imposing Fine-Lien of \$100.00 per day effective July 13, 2016. Compliance = April 29, 2019. Amount due is \$15,000.00 plus \$24 recording costs = \$15,024.00.**

Mr. Kenneth Marciano, owner, came forward and was sworn in.

Mr. Vukelja asked what the relationship was to Johnie L. Bennett.

Mr. Marciano stated he had purchased the property at a trustee's foreclosure sale and he believed that was the previous owner.

Mr. Vukelja asked if the property was in compliance and Mr. Jackson stated that it was.

Mr. Marciano stated when he purchased the property there was a squatter there and it had no power. He stated he renovated the property and he met with Inspector Stenson who walked the property and put it in compliance. He stated they don't tell you at trustee's sale that it has code violations and liens and is asking for a reduction.

Mr. Jackson stated the city's position is as soon as it was obtained there was communication with Bark Real Estate and the property is in compliance. He stated they realized it wasn't the fault of this owner and are asking to reduce to \$2,000.

Mr. Marciano stated that was fine.

DISPOSITION: Mr. Vukelja reduced the amount of the lien to \$2,500 subject to being paid in 30 days or the fine reverts back to the original amount.

6. **Miscellaneous Business**

7. **Adjournment**