

---

---

# City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

---

---

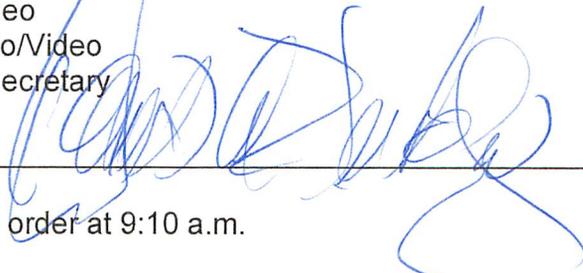
## July 14, 2020 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney  
Captain Scott Lee, Daytona Beach Police Department  
Officer Cortland Lampe, Daytona Beach Police Department  
Officer Steve Catalano, Daytona Beach Police Department  
Mr. Denzil Sykes, Neighborhood Services Manager  
Mr. John Stenson, Lead Code Inspector  
Mr. Michael Fitzgerald, Code Inspector  
Mr. Daniel Garcia, Code Inspector  
Mr. Mark A. Jones, Rental Inspector  
Ms. Sara Kirk, Code Inspector  
Mr. Jerome McCoy, Rental Inspector  
Mr. Cliff Recanzone, Rental Inspector  
Mr. Charles Smarr, Audio/Video  
Mr. Joe Graves, Audio/Video  
Mr. Xavier Campbell, Audio/Video  
Ms. June Barnes, Board Secretary

Approval of Minutes by:  \_\_\_\_\_ Special Magistrate

The meeting was called to order at 9:10 a.m.

Captain Scott Lee stated the procedures and protocol of the meeting as it relates to COVID-19.

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

Mr. Vukelja asked if there were any announcements.

Ms. Barnes announced the following cases.

**CASE # 13 - SMG 03-20-43 - GEM Enterprises Inc.** 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, 304.13.2), at **35-33 N Hollywood Ave.** Violation(s) – Faded and peeling paint, boarded up broken window and damaged siding. First Notified – 12/4/2019.

*Compliance 7-13-2020*

**CASE # 20 - SMG 03-20-56 - Cenzo R E Developments, LLC** 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; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 604.3.1.1), at **1019 Libby Ave.** Violation(s) – No permits for renovations, outside storage, damaged electrical fixtures. First Notified – 1/11/2020.

*Compliance 6-17-2020*

**CASE # 21 - SMG 03-20-54 - Reginald T Copeland** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **802 Derbyshire Rd.** Violation(s) – Unmaintained landscaping, outside storage, parking in the yard, address numbers. First Notified – 1/11/2020.

*Compliance 5-7-2020*

**CASE # 24 - SMG 03-20-60 - JNG Property Group LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **115 Baywood Dr.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/31/2019.

*Compliance 7-10-2020*

**CASE # 30 - SMG 04-20-92 - Carolene L Bartholomew** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 308.1), at **826 Lewis Dr.** Violation(s) – Protective treatment, roofs and drainage, rubbish and garbage accumulation. First Notified – 1/10/2020.

*Compliance 4-2-2020*

**CASE # 33 - SMG 04-20-94 - Tonya C & Ray Jackson** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.A; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 308.1), at **846 Lewis Dr.** Violation(s) – Surfacing, off-street parking, exterior walls, accumulation of rubbish and garbage. First Notified – 1/10/2020.

*Compliance 4-20-2020*

**CASE # 37 - SMG 07-20-79 - Halifax Realty Inc TR & 308 Michigan DB Land Trust** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 308.1), at **308 Michigan Ave.** Violation(s) – Outside storage, overgrown grass, weeds and branches, trash & debris, dirty exterior surface, rubbish and garbage. First Notified – 12/7/2019.

*Compliance 7-14-2020*

**CASE # 39 - SMG 06-20-119 - Bethune-Cookman College Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G, at **NE corner of Magnolia & Jesse (Parcel ID# 5339-76-01-0230).** Violation(s) – Damaged fence. First Notified – 4/24/2019.

*Compliance 7-9-2020*

**CASE # 49 - SMG 04-20-82 - JKM/ECM Properties, LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.8), at **951 Dr Mary M Bethune Blvd (244 N Caroline - Parcel # 5339-02-57-0019)**. Violation(s) – Lawn maintenance, overgrown grass and weeds, paint fading and peeling, damaged planter box. First Notified – 7/17/2019.

*Compliance 7-13-2020*

Mr. Vukelja called the first lien review.

**SMG 09-19-186 – 1121 Mason Ave. - Shafaat & Carol M. Ahmed** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.3, 304.13, 308.1, 604.3.2). Violation(s) – Outside storage, trash and debris, dead trees, overgrowth, lawn maintenance, broken window in door (boarded up), electrical wires exposed, missing address numbers. First Notified – 5/29/2019. **Order Imposing Fine/Lien of \$450.00 per day, effective October 3, 2019. Compliance February 5, 2020. Amount due is \$15,000.00 plus \$24.00 recording costs = \$15,024.00.**

Mr. Shafaat and Mrs. Carol M. Ahmed came forward and were sworn in.

Mr. Anthony Jackson, Assistant City Attorney, stated the case began in May of 2019 and was a bad situation for the neighborhood. He stated there were bad things happening at the property and a difficult situation for the property owner. He stated the owner was dealing with illness and was out of state for medical care and had no knowledge of what was occurring at the property. He stated the violations were ultimately taken care of and the Respondents had kept the Inspector informed. He stated the Inspector is asking to reduce the fine to \$1,500.

Mr. Fitzgerald stated they had no service and when they found out, it was fixed immediately. He stated handymen took their money and didn't finish the work and they have kept up the property since Compliance.

Mr. Ahmed stated that three hurricanes, multiple hospitalizations and illnesses kept them from keeping up with it. He stated the office used to take care of a lot of people.

Ms. Ahmed stated the Post Office did not forward the notices to Colorado.

**DISPOSITION:** Mr. Vukelja reduced the amount of the fine to \$1,500 payable within 30 days of the hearing or fine reverts back to the original amount.

**SMG 01-20-12 – 223-225 Strawberry Ln - John G. Taylor** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.7, 304.15, 504.3). Violation(s) – Outside storage, unmaintained landscaping, junk vehicles, damaged roof, damaged garage door, damaged front door, lack of water service. First Notified – 9/20/2019. **Order Imposing Fine/Lien of \$75.00 per day, effective February 11, 2020. Compliance = February 20, 2020. Amount due is \$675.00 plus \$24.00 recording costs = \$699.00.**

Mr. John Taylor came forward and was sworn in.

Mr. Jackson stated the Respondent received notice that he was being fined \$75 per day and came into Compliance 9 days later. He stated the Inspector asked for the fine in order to get the Respondent's attention when there was not a lot left to be done. He stated the City is asking to reduce the lien to \$200.

Mr. Vukelja asked why there was a police incident report.

Captain Scott Lee stated the Respondent called the police in relation to a stolen license plate sticker.

Mr. Taylor stated someone stole the stickers off his trailers and then stole the trailers. He stated he removed the materials the next day. He stated he did all of the work on the front and sides of the property and when it was re-inspected, the inspector told him he needed to cut the trees and repair the soffit and fascia in the back. He stated he did all the work on the back of the house and then the inspector put the property into Compliance. He stated he didn't do it before because it wasn't visible from the street. He stated it is not rental property. He stated he was working out of town and drug dealers were parking in his driveway.

Mr. Jackson stated the overgrowth is what kept the case alive.

**DISPOSITION:** Mr. Vukelja ordered that the fine be waived.

**SMG 05-19-113 – 550 N Ridgewood Ave - 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). 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. **Order Imposing Fine/Lien of \$250.00 per day, effective February 11, 2020. Property is not in Compliance. Amount due is \$20,000.00 plus \$24.00 recording costs = \$20,024.00.**

**SMG 05-19-113 – 550 N Ridgewood Ave - 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). 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. **Order Imposing Fine/Lien of \$250.00 per day, effective February 11, 2020. Property is not in Compliance. Amount due is \$20,000.00 plus \$24.00 recording costs = \$20,024.00.**

*REQUEST:* Respondent is asking for a partial release of the property located at 575 Sandy Pines Drive, Orange City, FL which is being encumbered by this lien.

Mr. Derek Hovey came forward and was sworn in.

Mr. Jackson stated the Respondent is requesting relief on another property and the City is recommending no reduction.

Mr. Hovey stated he purchased the property and the previous owner did the bad stuff. He stated he planned to renovate and obtained a contractor. He stated he filed the trespass paperwork but City zoning stated the use was no longer permitted. He stated he learned of the code violations on May 28 and the City wanted it demolished. He stated he tried to meet with the building department but they did not respond. He stated he had no understanding of what needed to be done so he decided to sell the property.

Mr. Daniel Garcia, Code Inspector stated he spoke to the Respondent several times. He stated there are police issues at the property and he had told them what needed to be done.

Captain Scott Lee, Daytona Beach Police Department, stated this property is the root cause of major issues. He stated the Police Department has executed four search warrants on the property and the Respondents claim that he does not know what needs to be done for Compliance is an unsubstantiated claim. He stated permit requirements have nothing to do with Code Enforcement and that the Respondent's lack of response and meeting the requirements resulted in the lien being placed on the property.

Mr. Hovey stated he sent emails for 4 months to zoning for approval.

Mr. Vukelja asked who are the new owners.

Mr. Garcia stated the new owner is Chris Ali. He stated he explained the work that needs to be done to the new owners and that they were in limbo after the Building Inspector, John Cecil, issued a Stop Work Order. He stated Mr. Hovey replaced the roof without a permit.

Mr. Vukelja stated since the Respondent no longer owns the property, he cannot bring it into Compliance. He stated the Respondent needs to do a lien review request on this property.

Captain Lee stated the property is not in Compliance.

Mr. Jackson stated the legislature recognized ways to enforce code violations. He stated people can sell the property but liens were created so they would encumber those Respondents that don't bring the property into Compliance by encumbering them. He stated the Respondent sold the property only days after the fine/lien was imposed. He stated this was a mechanism for them to avoid the fine. He stated the Respondent was given notice of code action. He stated investors didn't pan out and sell off is not the solution. He stated the lien needs to be resolved. He stated he is now asking for partials for all of his other properties that are now encumbered by the lien.

Mr. Hovey asked the Magistrate if he would reduce the lien.

Mr. Vukelja stated he would need to go through the lien review process and denied the request for Board Action.

**DISPOSITION:** Mr. Vukelja denied the Request for Board Action and ordered the Respondent to apply for a lien review to be heard at the next meeting.

Mr. Vukelja called the first case.

**CASE # 1 - SMG 03-20-41 - Warren & Ruth Trager** 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 **331 Dr Mary M Bethune Blvd.** Violation(s) – Failure to maintain roof in good repair. First Notified – 4/11/2018.

Mr. Vukelja asked the Respondents if they agreed the violations existed at the time Notice was given.

Mr. Trager asked what violations. He stated they have an exploratory permit.

Mr. and Mrs. Trager were sworn in.

Mr. Jackson stated the Respondents have been given adequate notice and there was no finding at the last meeting. He stated the Inspector received certified notification and that one notice had not been received by the Respondents for this meeting. He stated since they were present, they knew the meeting would be held.

Mr. Vukelja stated this is regarding the violations on the roof.

Mr. Trager stated he had about half of the work left to do.

Mr. Jackson stated the City is asking for the next cutoff of August 5<sup>th</sup> for Compliance. He stated the Respondent is not going to put a roof on and there are other things to do.

Mrs. Trager stated they had not been able to do anything due to COVID.

Mr. Vukelja asked the Respondent how COVID had impacted them.

Mrs. Trager stated the roofers that are working had slowed down.

Mr. Vukelja asked what a reasonable amount of time to come into Compliance would be.

Captain Lee stated separate letter relay concerns. He stated as long as there is communication from the Respondents they were notified.

Mr. Jackson stated he is requesting the next cutoff and asking for action.

Mr. Vukelja asked the Respondents if they can be done by the next cutoff.

Mr. Trager stated with the virus, he can't say. He stated he needs to clear things out of the structure and he doesn't know what to do.

Mr. Vukelja again asked the Respondents when they can be done.

There was no response.

**DISPOSITION:** Mr. Vukelja found the Respondents in Non-Compliance and ordered the Respondent to come into Compliance by October 7, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 2 - 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 spalding 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, Attorney, came forward.

She stated the structural work was complete and pour the concrete was almost completed. She stated they have the fencing, staining the dock, signs and windows left to be addressed.

Mr. Jackson stated the case been a process of progress reports which has worked.

Ms. Wonsetler stated they do have some plumbing issues but she expects the property to be in Compliance within 90 days.

Mr. Jackson stated they would like to see a progress report in 60 days.

**DISPOSITION:** Mr. Vukelja ordered the Respondent to return to the September 8, 2020 meeting for a progress report and the determination of a Compliance date.

**CASE # 31 - SMG 04-20-101 - Florida Pacific Leasing Co LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.1.B; Art. 6 Sec 6.1.C; Art. 5 Sec. 5.4.c.4, at **316 Main St.** Violation(s) – No permit for outside activities. First Notified – 3/14/2020.

Mr. Michael Moore, Esq. came forward. Phaedra, Manager of the property, came forward and was sworn in.

Mr. Vukelja asked the Respondent if he agreed the violation existed as stated in the Notice.

Mr. Moore stated no. He stated there were issues with the letter from Inspector Recanzone. He provided a copy of the letter to the Special Magistrate.

Mr. Jackson stated the City is looking at the violation as irreparable/irreversible and is seeking a fine up to \$15,000 per occurrence.

Mr. Moore stated that is excessive and the Respondent has been in Compliance.

Captain Lee gave a power point presentation on the timeline. He stated on March 13, the Mayor declared a state of emergency and revoked City permits for Bike Week. He stated the contacted the owners on Friday night to let them know it was occurring effective 8 a.m. the next morning. He stated that included all outdoor permits and they must cease. There was a portion of AXON camera video shown of his interaction with the Manager. He stated the event was monitored and the next morning most businesses on Main Street and Beach Street complied and others were advised during the day and ceased activity. He stated clearly Main Street Station had no

intent to stop activities and continued. He stated he next went to the property at 5:41 p.m. with Inspector Recanzone and served a Notice of Violation. He stated they gave the Respondent one hour to comply. He stated the Notice included the declaration of the City Manager and Mayor. He stated service of the Notice and Declaration was also on video. He stated Inspector Recanzone monitored the activities for the rest of the evening. He stated they the Notice was violated at 18:29, 18:44, 20:25, 21:51, 23:11, 23:53, 01:07, 1:23 ending at 1:59 a.m. He stated Steve Catalano monitored the activities on Sunday and the Respondents were in violation at 12:30, 13:30, 14:30, 15:30 and finally in Compliance at 17:30 p.m. He stated there were 6 occurrences on Saturday and 4 on Sunday bringing the total to 10 occurrences and he is requesting a fine of \$2,000 per occurrence for a total of \$20,000.

Mr. Vukelja repeated to the Captain that his understanding is the Respondents were given an hour and they did not come into Compliance in that time period.

Captain Lee stated they did not come into Compliance.

Mr. Moore stated the City has no evidence and that Captain Lee never explained what outside activities.

Captain Lee stated he was referring to the Bike Week plan and included the temporary stage. Captain Lee further described activities that were included in the permit.

Mr. Moore stated that they Respondents were issued a Stop Work Order but did not identify why.

Mr. Vukelja stated there was a State of Emergency declared and the Respondents had not ceased activity by 5:45 on Saturday afternoon. He asked what the reasonableness of the property owner's response.

Captain Lee stated they had been given from 8 a.m. to 5:45 p.m. to respond. He stated all of the other businesses were in Compliance and that this is the only business on Main Street that did not comply.

Phaedra stated they had a band on stage at 8 p.m. and between 1-3 p.m. Sunday they were in Non-Compliance. She stated she did not know what outside activities were in violation.

Mr. Jackson stated the City is seeking a fine and the violation is egregious. He stated they were the only business that said they weren't going to do it.

Mr. Moore stated there were a couple of hours on Saturday and a couple on Sunday and the activities were brought inside.

Mr. Vukelja stated he is sympathetic to the difficulties but the Respondent's only reaction should have been everyone outside go home.

**DISPOSITION:** Mr. Vukelja found the Respondent, subsequent to May 15, in Non-Compliance and now in Compliance and that the actions are irreparable and irreversible and imposed a fine of \$5,000.

**CASE # 9 - SMG 03-20-55 - Plaza Spa Ocean Waters LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 301.3, 302.2, 302.3), at **N Atlantic Ave (Parcel # 5305-01-39-0051)**. Violation(s) – Commercial property maintenance, vacant land, grading and paving, driveway and parking. First Notified – 8/19/2019.

Mr. Kent Tucker and Mr. David Wohl came forward and were sworn in.

Mr. Tucker stated they intended to fence the lot but during the COVID shutdown were told they need to pave the driveway. He stated he has someone who wants to purchase the property and was told they could not sell until resolution of the code case.

Mr. Jackson stated the case began in August of 2019 when the Respondent was first noticed. He stated they can demo the property to dirt.

Mr. Tucker stated the buyer is asking for 180 days for Compliance but he would like to get it resolved in 60 days.

Mr. Vukelja asked the Respondent if they have a buyer and when they will close.

Mr. Tucker stated it has been a priority and only found the buyer in the last two weeks. He stated the fence was going to cost \$6,000 but now the City wants them to pave and it will cost \$30,000 to pave.

Mr. Jackson stated the Respondent is looking for the least expensive remedy and would like to see them obtain a demo permit by the next cutoff.

***ACTION TO BE TAKEN:*** Con't for a progress report and the determination of a Compliance date.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

Mr. Vukelja stated the Respondent should produce a copy of the contract by the next cutoff. He stated they should also be prepared to tell the City what the contractor and buyer intend to do going forward.

**CASE # 14 - SMG 03-20-70 - K & A Property Solutions LLC** 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 302.4, 302.7, 304.2, 304.15, 308.1), at **216 S Grandview Ave**. Violation(s) – Change in the floorplan without permits, weeds, accessory structures protective treatment, doors, rubbish & garbage. First Notified – 10/3/2019.

Hugo Chevillo, manager, came forward and was sworn in.

Mr. Jackson stated the property remains in Non-Compliance and is a neighborhood nightmare. He stated the case started in October of 2019 and at first, they were going to ask for a fine in the amount of \$250 to a maximum of \$15,000, but the owners have started moving forward.

Mr. Recanzone stated the Respondent just obtained an engineer last week. He stated the tenant in the bottom apartment moved. He stated the property had been dug up under the building. He stated he had no contact with the Respondent before the first hearing and that work has been done within the last month.

Captain Lee stated a lack of funds resulted in drug overdoses at the property. He stated the Police arrested tenants, there was a News-Journal article on the property and the owner had been sent a letter explaining police activity on the property.

Mr. Chevillo stated he was made aware of the problems in March. He stated he rented to an ex-detective and evicted the downstairs tenant. He stated they had painted and hired an architectural engineer.

Mr. Vukelja asked when the last inspection was held.

Mr. Recanzone stated he inspected the property yesterday afternoon and everything is in Compliance except for the engineering.

Mr. Chevillo stated a permit had been pulled on the bottom build and is asking for more time.

**DISPOSITION:** Mr. Vukelja amended the current order of Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 16 - SMG 03-20-59 - Benjamin T Martin** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **425 Lockhart St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/18/2019.

Mr. Benjamin Martin and Ms. Debbie Powers came forward and were sworn in.

Mr. Vukelja asked the Respondent if the violations existed on the property at the time Notice was given.

Mr. Martin stated yes.

Mr. Jackson stated the inspector is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondents in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 23 - SMG 02-20-18 - Harmony I LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1310 Milton.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/21/2019.

Mr. Lawrence Cobb came forward and was sworn in. He stated the property had been sold.

Mr. Jones stated the property sold on March 7 and there has been no application for rental license. He stated he would like to add the current owner which is Austin International LLC to the case. He stated he told them the property cannot be occupied because the new owner does not have a rental license. He stated the new owner agreed. He stated he is asking to amend to the next cutoff for Compliance.

**DISPOSITION:** Mr. Vukelja amended the current order of Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine. It was further ordered that new owner Austin International LLC be added to the case and Notice given.

**CASE # 29 - SMG 06-20-120 - 900 North Atlantic Ave LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.C, at **918 N Atlantic Ave.** Violation(s) – Parking - no right-of-way encroachment. First Notified – 3/25/2020.

Mr. Ambrose Bell, Manager, came forward and was sworn in.

Mr. Vukelja asked the Respondent if he agrees the violation existed at the time Notice was given.

Mr. Bell stated yes.

Mr. Jackson stated the property is in Compliance and the City is asking for a finding of Non-Compliance/Compliance.

Mr. Bell stated when they cannot find a place to park, motorcycles park on the sidewalk as do the Go X scooters. He stated the cops were called and they were moved. He stated it is a random occurrence.

**DISPOSITION:** Mr. Vukelja found that the Respondent was previously in Non-Compliance and now in Compliance and for any future violations may be returned to the Special Magistrate for consideration of the imposition of a fine of up to \$5,000 per occurrence.

**CASE # 41 - SMG 06-20-114 - FCV Investments LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 304.13); City Code Ch. 90 Sec. 90-297, at **123 Jean St.** Violation(s) – Unlicensed car/storage business, parking on grass, boarded and blocked windows, rust. First Notified – 8/28/2019.

Mr. Christopher Morrell came forward and was sworn in. He stated the tenant does not pay and that he takes care of the property.

Mr. Vukelja asked the Respondent if he agrees the violations existed at the time Notice was given.

Mr. Morrell stated it is not a business and that he is just passionate about European cars. He stated it is zoned for auto but he is not a business.

Ms. Kirk stated the pictures being shown are current pictures and the Respondent has about 15 to 20 vehicles, mostly unlicensed. She stated the main issues are on the building and she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. Morrell stated the boards have been removed from the windows and he will paint. He stated he had 4 vehicles removed.

Mr. Kirk stated the Respondent cannot get a Business Tax License because the property has no plumbing.

Mr. Morrell stated it is an historical building.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

Mr. Vukelja called a recess at 12:59 p.m.

The meeting resumed at 1:02 p.m.

**CASE # 43 - SMG 06-20-136 - Land Trust Service Corporation Trust No 648SSB** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.6.15, at **648 S Seneca Blvd.** Violation(s) – Removal of 3 large live oak trees - IRREPARABLE HARM. First Notified – 4/30/2020.

Mr. Beshane Liu came forward and was sworn in.

Mr. Jackson stated the Respondent had been cited for removal of 3 large trees and requires a Certified Arborist for diseased trees or approval by the City Commission.

Mr. Liu produced the business card of the Arborist stating he is licensed and stated the trees were diseased and the letter from the arborist.

Mr. Jackson stated he may remove the trees by a certified arborist and he is not sure of this person's certification. He stated it may be a procedural problem. He stated the city is asking for a fine of \$5,000 per tree.

Mr. Vukelja stated the document says the trees had problems and is a certified arborist.

Ms. Kirk stated the violations came as a citizen complaint and there was fresh mulch in the area. She stated he has the pictures that show the trees were removed from a previous case.

Mr. Vukelja asked how residents know they can't remove trees.

Ms. Kirk stated the tree service should know.

Mr. Liu stated there was a large cavity under the tree. He stated the arborist told him it was a danger and a hurricane could cause the tree to fall on the roof.

Mr. Jackson asked to continue the case to the next meeting.

**DISPOSITION:** Mr. Vukelja continued the case to the August 11, 2020 meeting.

**CASE # 48 - SMG 04-20-81 - C-29, LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6, 304.7, 304.8, 308.1), at **551 Dr Mary M Bethune Blvd.** Violation(s) – Vacant building, outside storage, trash and debris, faded and peeling paint, rotten wood, damaged fencing, damaged roof, sign depicting a closed business, working without permits. First Notified – 7/17/2019.

Mr. Omacci McNorton, owner, came forward and was sworn in.

Mr. Vukelja asked the Respondent if he agrees the violations existed at the time Notice was given.

Mr. McNorton stated yes.

Mr. Fitzgerald stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. McNorton stated he needs time to find a local contractor and corroborate with an engineer. He stated the fence is up and he has done no painting because the masonry needs to be repaired on the outside of the building. He stated it was a social club and had had its ups and downs.

Mr. Vukelja asked how recent the pictures were.

Mr. Fitzgerald stated yesterday.

Mr. McNorton stated he would get a permit to fix the top of the roof.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 50 - SMG 06-20-104 - Vandall of Daytona Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 301.3, 302.1, 302.2, 302.3, 302.4, 304.1, 304.2, 304.4, 304.6, 304.10, 304.19, 604.3); Ch. 90 Sec. 90-297, at **614 E Intl Speedway Blvd.** Violation(s) – Maintenance/Commercial: Fencing and missing east gate, weeds, lot maintenance, paint fading, stair structure/support above east window and south wall deterioration, exposed electrical box, rotted overhangs, damaged parking lot surface, install trash containment area. First Notified – 2/5/2020.

Mr. Randal Phillips, President, came forward and was sworn in.

Mr. Vukelja asked the Respondent if he agrees the violations existed at the time Notice was given.

Mr. Phillips agreed.

Mr. Fitzgerald stated he is in communication with the Respondent and is asking for next cutoff to come into Compliance.

Mr. Phillips stated he had COVID and has a painter to pressure wash. He stated he has had homeless issues.

Mr. Vukelja asked the Respondent when he can be in Compliance.

Mr. Phillips stated he has to find someone to get the gas tanks off from across the street.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 51 - SMG 06-20-105 - Vandall of Daytona Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 302.1, 304.1, 304.2, 304.4, 304.6, 304.8, 304.13, 304.13.1, 304.19, 308.1), at **612 E Intl Speedway Blvd.** Violation(s) – Remove, replace or repair the plastic picket fence, pressure wash and paint where needed. First Notified – 2/5/2020.

Mr. Phillips stated this is the second story of the Building.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 55 - SMG 06-20-100 - New Mt Zion Missnry Baptist Ch** 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 **515 Dr. Mary M Bethune Blvd.** Violation(s) – Failure to maintain/paint frame, steeple. First Notified – 9/19/2019.

Mr. Joe Ingram Jr. came forward and were sworn in.

Mr. Vukelja asked the Respondent if he agrees the violations existed at the time Notice was given.

Mr. Ingram stated yes.

Mr. Clig stated the Respondent needs about 60 days.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 3 - SMG 03-20-45 - Harvey Estates 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, 304.6), at **707 Harvey Ave.** Violation(s) – Damaged cracks in stucco, paint fading and peeling, damaged or rotten wood. First Notified – 10/2/2019.

Respondent was not present.

Mr. Jackson stated the Inspector is asking for an Amended Order of Non-Compliance. He stated there is ongoing work and the Respondent has been in communication.

**DISPOSITION:** Based on the City's presentation, Mr. Vukelja amended the current Order of Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 4 - SMG 06-19-136 - Joseph Dirsa** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.13, 304.12, 304.10, 304.8, 304.7, 304.6, 304.4 and 304.2), at **1209 S Peninsula Dr.** Violation(s) – Garage paint, trash and debris, window frames, rotted wood on porch, ADA access and upper deck, rotted railings, roof damage, support columns rotted and main structure paint. First Notified – 2/12/2019.

Respondent was not present.

Mr. Jackson stated the property was in foreclosure and bankruptcy. He stated the bankruptcy has been discharged. He stated the City is asking for a fine in the amount of \$200 per day to a maximum of \$25,000 but would like to hold filing of the lien pending results of the foreclosure.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$200 per day, effective March 5, 2020, until the fine reaches a maximum of \$25,000.00 or the property comes into Compliance.

**CASE # 5 - SMG 01-20-08 - Lena Wright et al, Tina Johnson, Keidra Ponder & Willie A Johnson Estate** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 304.13.1), at **308 N Keech St.** Violation(s) – Outside storage, trash and debris, faded and peeling paint, exterior wall damage, broken windows, fascia board rotten wood peeling paint, lawn maintenance, damaged fencing, damaged roof. First Notified – 7/10/2019.

Respondent was not present.

Mr. Michael Fitzgerald, Code Inspector, stated he is asking for a fine in the amount of \$100 per day to a maximum of \$10,000. He stated the Respondents were doing work at the beginning but he has seen no addition work being done.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$100 per day, effective April 9, 2020, until the fine reaches a maximum of \$10,000.00 or the property comes into Compliance.

**CASE # 6 - SMG 12-19-293 - Lovely Group Investments Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.6, 302.7, 302.8, 304.1, 304.1.1, 304.2, 304.6, 304.8, 304.9, 304.13,

304.13.1, 104.13.2, 304.15, 305.1.1, 305.3, 306.1, 306.1.1, 308.1, 308.3.1, 503.1, 506.3, 604.3, 604.3.1, 60, at **600 W Intl Speedway Blvd**. Violation(s) – Commercial code violations damaged windows and doors, damaged driveways and parking - asphalt and concrete, outside storage, trash and debris, damaged landscaping, overgrown grass and weeds, paint fading and peeling including interior and exterior building and accessory structures, junk vehicles, exterior structure damage around the air conditioning in back, electrical hazards interior and exterior, bathroom door and missing lock, grease traps containment, grease build up all over the exterior of container. First Notified – 9/25/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$200 per day to a maximum of \$15,000.

Mr. Jackson asked the Inspector if he had any contact with the Respondent.

Mr. Fitzgerald stated not really and work had slowed.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$200 per day, effective May 7, 2020, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

**CASE # 7 - SMG 02-20-30 - Mary Alice Lake** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.7, 308.1), at **1304 Moore St**. Violation(s) – Outside storage, trash and debris, dilapidated roof, leaking, blue tarp, trailers parked in the front yard, exterior property in a non-sanitary condition, junk vehicles. First Notified – 7/15/2019.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$25 per day to a maximum of \$10,000.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$25 per day, effective April 9, 2020, until the fine reaches a maximum of \$10,000.00 or the property comes into Compliance.

**CASE # 8 - SMG 03-20-47 - Normandy Center LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art 6 Sec. 6.19.A.4; Art 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.A; Art. 9 Sec. 9.1.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.2, 302.3, 302.4, 302.7, 302.8, 304.1, 304.2, 304.4, 304.7, 304.8, 304.13, 304.13.1, 304.13.2 ), at **934 W Int. Speedway Blvd**. Violation(s) – Commercial maintenance code violations - damaged monument sign, dilapidated structure in rear of building, paint fading and peeling, damaged exterior walls and roof - including rotten wood, damaged window, damaged doors, damaged asphalt and concrete, commercial property and lot maintenance - appearance, overgrown grass and weeds. First Notified – 9/12/2019.

Respondent was not present.

Mr. Fitzgerald stated there is a new owner and he is requesting to add the new owner to the case. He stated the new owner is MML Consulting Management LLC. He stated he is asking to amend the current order of Non-Compliance to the September meeting. He stated he received

an email from the Contractor, Zahn Engineering, stating the property would be demolished within 3 months.

**DISPOSITION:** Mr. Vukelja continued the case to the August 11<sup>th</sup> meeting for a progress report and the determination of a Compliance date. It is further ordered that the new owner MML Consulting Management LLC be added to the case.

**CASE # 10 - SMG 03-20-50 - Willie Mae Lloyd** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 301.3, 302.1, 302.3, 302.4, 304.2), at **420 George W Engram Blvd**. Violation(s) – Commercial building maintenance - outside storage, trash and debris, fading and peeling paint, dirt and grime, and yard maintenance. First Notified – 5/16/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$200 per day to a maximum of \$20,000.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$200 per day, effective May 7, 2020, until the fine reaches a maximum of \$20,000.00 or the property comes into Compliance.

**CASE # 11 - SMG 03-20-62 - BMS Holdings LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 301.3, 302.1, 302.3, 302.4, 304.1.1, 304.2, 304.6, 304.7, 304.13.1, 304.13.2, 304.15, 308.1), at **821 George W Engram Blvd**. Violation(s) – Abandoned, unsecured building (open to transients), attractive nuisance, damaged roof, damaged windows, outside storage and trash, no yard maintenance, overgrown grass and noxious weeds, overgrowth onto City sidewalk, paint fading and peeling (including all exterior surfaces) and damaged plumbing. First Notified – 9/17/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$250 per day to a maximum of \$15,000. He stated the owner needs to put in windows.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$250 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

**CASE # 12 - SMG 03-20-63 - BMS Holdings 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 301.3, 302.1, 302.3, 304.2, 304.7), at **821 George W Engram Blvd (356 Garden St)**. Violation(s) – Abandoned building, damaged roof, overgrown vegetation, grass and noxious weeds growing over into the City's right-of-way, outside storage, trash and debris. First Notified – 9/17/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$250 per day to a maximum of \$15,000. He stated this is the second building on the property and the Respondent did mow the grass.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$250 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

**CASE # 15 - SMG 03-20-46 - 712 Grove Property LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **1170 S Palmetto Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/6/2019.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance. He stated he has a rental inspection scheduled for tomorrow.

**DISPOSITION:** Based on the testimony of the inspector, Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 17 - SMG 03-20-48 - Jacqueline Diana Bath Trust** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **328 Michigan Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/12/2019.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance and has had zero contact with the Respondent.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 18 - SMG 03-20-58 - Nathaen Blankenship** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **748 Owasso St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/7/2020.

Respondent was not present.

Mr. McCoy stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000. He stated he has had little contact with the Respondent.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$100 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

**CASE # 19 - SMG 02-20-37 - Quick Cash Offer LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **538 Loomis Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12/10/2019.

Respondent was not present.

Mr. McCoy stated he is asking for a finding of Non-Compliance. He stated he has an inspection scheduled for tomorrow and believes the property can be in Compliance by the next cutoff.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine.

**CASE # 22 - SMG 02-20-39 - TRSTE LLC TR 410 PLEASANT ST DTD 02-21-2019** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **410 Pleasant St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/1/2019.

Respondent was not present.

Mr. Jones stated the Respondent has had no rental inspections yet and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$100 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

**CASE # 25 - SMG 03-20-57 - MKVY Enterprises LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **609 Holmes.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/18/2019.

Respondent was not present.

Mr. Jones stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000. He stated the property is occupied.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$100 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000 or the property comes into Compliance.

**CASE # 26 - SMG 02-20-24 - TIDI Inc** is cited for failure to correct violations of Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **415 N Halifax #102.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/18/2019.

Respondent was not present.

Mr. Jones stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000. He stated he spoke to the owner yesterday and has scheduled July 10<sup>th</sup> for inspection. He stated the property is not ready.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$100 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000 or the property comes into Compliance.

**CASE # 27 - SMG 03-20-66 - Mark A Wood & Meghan D Danner** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC

Supp. IPMC 308.1), at **829 Valencia Ave.** Violation(s) – Rubbish and outside storage. First Notified – 12/9/2019.

Respondent was not present.

Mr. Clig stated he has had no contact with the Respondent since January and is asking for a fine in the amount of \$200 to a maximum of \$15,000.

**DISPOSITION:** Mr. Vukelja imposed a fine in the amount of \$200 per day, effective April 9, 2020, until the fine reaches a maximum of \$15,000 or the property comes into Compliance.

**CASE # 28 - SMG 04-20-103 - Realty Income Properties 29 LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1, 302.2.1), at **1134 Mason Ave.** Violation(s) – Garbage & trash, garbage storage facility. First Notified – 2/19/2020.

Respondent was not present.

Mr. Stenson stated he is asking for a finding of Non-Compliance/Compliance. He stated the property is currently in Compliance.

**DISPOSITION:** Mr. Vukelja found that the property was previously in Non-Compliance and subsequently in Compliance and for any future violations may be returned to the Special Magistrate for consideration of the imposition of a fine of up to \$5,000 per occurrence.

**CASE # 32 - SMG 04-20-88 - Paul J Moniz** is cited for failure to correct violations of The Land Development Code, Sec 4.3.19.b (ii), at **Harvey Ave (Parcel ID # 5304-01-16-0010).** Violation(s) – Paid parking for the event (parking on a vacant lot). First Notified – 10/21/2019.

Respondent was not present.

Mr. Recanzone stated the Respondent was in Non-Compliance last year without a permit and is now in Compliance.

**DISPOSITION:** Based on the testimony of the Inspector, Mr. Vukelja found that the Respondent was previously in Non-Compliance and is now in Compliance and for any future violations may be returned to the Special Magistrate for consideration of the imposition of a fine of up to \$5,000 per occurrence.

**CASE # 34 - SMG 07-20-77 - 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 304.2, 304.7, 304.13), at **530 N Beach St.** Violation(s) – Roof leak, improper gutters, broken windows, exterior walls. First Notified – 7/26/2019.

Respondent was not present.

Mr. Garcia stated the property is in Non-Compliance and he has had contact with the Respondent.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 35 - SMG 05-20-102 - Daytona Beach SMI LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 308.1), at **630 Ballough Rd.** Violation(s) – Overgrowth, trash & debris, peeling paint. First Notified – 1/24/2020.

Respondent was not present.

Mr. Garcia stated the Respondent is making progress and he is asking for a finding of Non-Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 36 - SMG 06-20-112 - Daytona Express Convenience Store, Inc.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 308.1), at **848 N Beach St.** Violation(s) – Trash & debris, overgrown grass and weeds. First Notified – 1/6/2020.

Respondent was not present.

Mr. Garcia stated the property is in Non-Compliance and he has had no contact with the Respondent. He stated nothing had been done.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 38 - SMG 04-20-76 - Central Florida Community Development Corp Inc.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **School St (Parcel ID # 5339-83-02-0030).** Violation(s) – No permit for fence. First Notified – 8/10/2019.

Respondent was not present.

Ms. Kirk stated the property remains in Non-Compliance and is asking for next cutoff. She stated he has had no contact with the Respondent.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 40 - SMG 04-20-75 - Cash Flow Links Florida 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, 304.3, 304.13), at **712 Marion St.** Violation(s) – Broken windows, no address numbers, damaged fence. First Notified – 11/8/2019.

Respondent was not present.

Ms. Kirk stated she initially had contact with the Respondent and they had attempted to board windows. She stated she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 42 - SMG 06-20-123 - Joyce Dixon TR** is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **308-310 Marion St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 2/14/2020.

Ms. Joyce Dixon came forward and was sworn in.

Mr. Vukelja asked the Respondent if she agrees the violations exist on the property as stated in the Notice.

Ms. Dixon stated she does not agree and she paid for the Business Tax Receipt today. She stated they told her she needed a state license and it had gone back and forth with the Permits department. She gave a copy of the acquired Business Tax License to the Magistrate.

**DISPOSITION:** Mr. Vukelja found the Respondent in Compliance, effective July 14, 2020.

**CASE # 44 - SMG 04-20-74 - Sea & Sun Properties LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7), at **1065 N Atlantic Ave.** Violation(s) – Damaged roof (soffit & fascia), damaged retaining wall, rust on exterior surfaces. First Notified – 6/10/2019.

Respondent was not present.

Ms. Kirk stated she has had minimal contact with the Respondent and contact only recently. She stated they had started working on it and she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 45 - SMG 06-20-113 - Target House Property Solutions 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, at **323 Maple St.** Violation(s) – Expired permit for front door and support beam repair. First Notified – 7/3/2019.

Respondent was not present.

Ms. Kirk stated there is new information. She stated Permits & Licensing extending the expiration date of the permit to October and they are in Compliance as of July 13.

**DISPOSITION:** Mr. Vukelja found the Respondent in Compliance effective July 13, 2020.

**CASE # 46 - SMG 06-20-121 - Togado LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.6, 304.14, 305.3, 305.6, 504.1, 602.2, 603.1, 604.2, 605.4, 704.2), at **552 Live Oak Ave.** Violation(s) – Lack of heat, no insect screens, damaged interior & exterior surfaces, missing smoke detectors, defective plumbing, inoperable electrical outlets and inoperable vehicles. First Notified – 2/28/2020.

Respondent was not present.

Ms. Kirk stated the violations started from a tenant compliant. She stated the property is in Non-Compliance and is asking for next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 47 - SMG 04-20-80 - Burger King Corporation** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6, Sec. 6.19.B; Art. 6 Sec. 6.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4), at **112 N Ridgewood Ave.** Violation(s) – Commercial property maintenance, not conforming to the site plan, dead trees, bushes, plants and noxious weeds (including around sign monuments), overgrown retention pond. First Notified – 5/14/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 52 - SMG 04-20-85 - Barbara A Morgan** 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 **209 Freemont Ave.** Violation(s) – Mildew on home. First Notified – 10/25/2018.

Respondent was not present.

Mr. Clig stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 53 - SMG 04-20-83 - Bulldog LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **608 Butler Blvd.** Violation(s) – Parking on the grass. First Notified – 12/12/2019.

Respondent was not present.

Mr. Clig stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Based on the absence of the Respondent, Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

**CASE # 54 - SMG 04-20-84 - Kenneth A Bueno** 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 **205 Fremont Ave.** Violation(s) – Mildew on home and fence. First Notified – 10/25/2018.

Respondent was not present.

Mr. Clig stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

**DISPOSITION:** Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of the imposition of a fine of up to \$1,000 per day.

Mr. Vukelja asked if there was any Miscellaneous Business and there was none.

The meeting was adjourned at 2:03 p.m.