
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

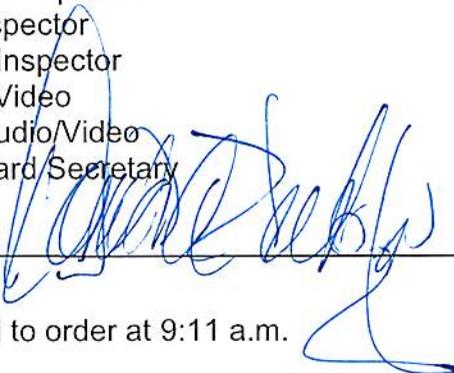
March 9, 2021 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Mr. Denzil Sykes, Neighborhood Services Manager
Mr. Mark A. Jones, Field Supervisor
Mr. John Stenson, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Mark Bostwick, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Ms. Sara Kirk, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by:  Special Magistrate

The meeting was called to order at 9:11 a.m.

Mr. Vukelja announced the approval of the February 9, 2021 minutes.

Mr. Vukelja called the city representative to step forward to be sworn in.

Mrs. Reno swore in the City Representative present.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following case withdrawn Mr. Vukelja (Granted)

CASE # 7 - SMG 03-21-62 - Catherine E Shelton 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 304.2, 304.3), at **1641 E Paradise Ln.** Violation(s) – **Parking in yard, peeling paint, address numbers.** First Notified – 7/22/2020.

Withdrawn 3-9-2021

Ms. Reno announced the following cases in compliance

CASE # 8 - SMG 03-21-64 - Gregory L & Katherine L Keller 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 304.7, 304.15), at **153 Harpers Ferry.** Violation(s) – **Unmaintained landscaping, outside storage, damaged roof (soffits), damaged garage door.** First Notified – 12/19/2020.

Compliance 3-8-2021

CASE # 15 - SMG 03-21-58 - Eugene Michaelsen is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **122 Cheshire Rd.** Violation(s) – **Site appearance overgrown landscaping.** First Notified – 6/6/2020.

Compliance 3-4-2021

CASE # 16 - SMG 03-21-59 - Christine Lemmond is cited for failure to correct violations of The Land Development Code, 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 302.8), at **119 Minerva Rd.** Violation(s) – **Trailer parking, outside storage, vehicle parking on lawn.** First Notified – 5/26/2020.

Compliance 3-4-2021

CASE # 24 - SMG 02-21-26 - Riverland Gas & Oil 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, 302.4), at **100 S Ridgewood Ave.** Violation(s) – **Failure to maintain exterior sanitation, weeds.** First Notified – 9/15/2020.

Compliance 3-3-2021

Mr. Vukelja called case number #36

CASE # 36 - SMG 03-21-69 - Florida Pacific Leasing Co LLC is cited for failure to correct violations of The Land Development Code, Sec. 6.1.B, Sec. 6.1.C, Sec. 5.4.C.4, at **316 Main St (Parcel# 5305-08-15-0022 & 5305-08-15-0010)**. Violation(s) – **Prohibited outside activities, specially permitted outside activities, temporary uses and structures**. First Notified – 3/3/2021.

Attorney Michael Moore requested a continuance for time to prepare and advised he had witnesses that would be able to offer relevant information, unable to get them to call him back.

Mr. Jackson advised guidance was given to not get the property into anything further and they have worked with the city in that regard and the city feels they are on track and has no problem with the continuance request.

DISPOSITION: Continuance is granted until The April 13, 2021 Special Magistrate meeting.

Mr. Vukelja called case number #20

CASE # 20 - SMG 03-21-68 - Anthony McLean is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 42-214; Art. 5; Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.1; Art. 8, Sec. 8.2.A; City Code Ch. 90 Sec. 90-297, at **528 Shady Pl**. Violation(s) – **No permit, noise disturbance, non-conforming use, failure to obtain Business Tax Receipt (BTR) & parking in the yard**. First Notified – 10/11/2020.

No respondent

Inspector Kirk testified The Police Department received a complaint about a party and in the police report the violation included 50-75 vehicle parked on the grass of a residential home, D.J. booth, noise, sound system, stage, laser lighting interfering with air traffic, food trucks, private security. No Business license or temporary permit. No contact with property owner.

Mr. Jackson added the police report as evidence and introduced the officer. Asking for a one time fine in the amount of \$1000.00 Irreparable/Irreversible.

Sgt. Jessmer added the Police Department had to respond several times. Large Tent in the back yard, sound that could be heard for blocks. The initial contact was from the Air traffic control about the lasers interfering with flights and VCSO Air one called also. The first contact was with a female that said she would do something and she did not.

Mr. Vukelja asked about any previous history with the location or respondent
Capt. Lee advised only something unrelated.

DISPOSITION: Noting the absence of the respondent and Based on the inspectors Testimony and the Cities presentation Find the respondent in Non-compliance and now in compliance and find the damage done was irreparable/irreversible warranting the fine of \$1000.00.

Mr. Vukelja called case number #1

CASE # 1 - SMG 03-21-61 - Chelsea Nichelle Harris is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **1173 Essex Rd.** Violation(s) – **Dilapidated fence.** First Notified – 5/15/2020.

Inspector Butler testified and requested finding of non-compliance Compliance by next cut off.

Ms. Harris was sworn in and found in Non-Compliance and advised it would be done by next cut off April 7, 2021

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #2

CASE # 2 - SMG 03-21-53 - Orbit Real Estate Development 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, 302.7, 304.7, 308.1); City Code Ch. 90 Sec. 90-297, at **120 Madison Ave (116 Madison Ave Parcel# 5338-11-00-0070).** Violation(s) – **Outside storage, trash & debris, damaged fence and lattice, soffits, rubbish, garbage and failure to obtain Business Tax Receipt (BTR).** First Notified – 11/25/2020.

Abdl Kewan sworn in and found in non-compliance. Agreed he saw a few violations.

Inspector Garcia testified and requested compliance by next cut off.

Mr. Kewan testified he consulted with his attorney and that he has a signed Lease with his tenant and that he does not need an Occupational License.

Mr. Vukelja advised if the facts don't support the charges then he will be given an opportunity to be heard and given the chance to

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja returned to case number #20 as the Respondent arrived for the meeting.

CASE # 20 - SMG 03-21-68 - Anthony McLean is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 42-214; Art. 5; Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.1; Art. 8, Sec. 8.2.A; City Code Ch. 90 Sec. 90-297, at **528 Shady Pl.** Violation(s) – **No permit, noise disturbance, non-conforming use, failure to obtain Business Tax Receipt (BTR) & parking in the yard.** First Notified – 10/11/2020.

Anthony Mclean sworn in

Mr. Mclean advised it was not out of control and someone complained about the noise and the police came and they turned down the noise and there was no incident. Mr. Mclean advised this was his birthday party. No incidents and he does not understand.

Mr. Vukelja advised police contact with Ms. Rodchester and the police report suggests she was not cooperative.

Mr. Mclean was not there when Ms. Rodchester was rude to the officers.

Ms. Kirk referenced the police report that she did not have a permit and hired armed security and she was advised they were in several violation and the lasers were interfering with air traffic control and 30 vehicles parked in the city right away.

Captain Lee also stated the police had to respond multiple times to the property.

Mr. Vukelja advised the fine would remain.

Mr. Mclean asked for an address correction because he has not been receiving the notices and stated the 528 shady PI was the address to receive mail.

Mr. Vukelja called case number #3

CASE # 3 - SMG 03-21-60 - Jonathan Jae Turcol & Nancy Hunziker 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, at **220 Pierce Ave.** Violation(s) – **Illegally parked vehicles, outside storage.** First Notified – 12/4/2020.

Mr. Turcol sworn in

Inspector Garcia confirmed the vehicles in the back and on the side of the home could not park there.

Mr. Turcol stated he bought the property next door.

Mr. Vukelja asked if there was a garage to the property.

Mr. Vukelja stated he thinks the property is unique.

Captain Lee referred to the historical properties and the parking path or parking area and try to keep them contained to those areas.

Mr. Turcol spoke of cleaning the property up he has the material but does not have the money for the permit and traveling back and forth up north and he is doing what he can.

Captain Lee during the time given him to come into compliance maybe staff could meet with him to identify and maybe get some resources to assist him.

Mr. Vukelja asked if he was doing the work himself.

Mr. Turcol stated once he gets the permit he could have the siding done in a week.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day and further ordering both parties to get together and figure this out because it appears from the evidence there are extenuating circumstances with regard to the property that makes compliance difficult or impossible. And if

the parties are unable to find a solution it will come back and Mr. Vukelja will dictate what the solution will be and both parties will be taking a chance on what side he will fall.

Mr. Vukelja called case number #4

CASE # 4 - SMG 03-21-41 - Harold Hayward & South Florida Consulting Investments 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 505.1), at **531 Bellevue Ave.** Violation(s) – **Outside storage, lack of water service.** First Notified – 5/11/2020.

Mr. Stenson was sworn in

Mr. Martinez president of South Florida Consulting Investments sworn agreed the violations occurred

Mr. Stenson stated the property should be able to be in compliance by April 7, 2021.

Mr. Vukelja found the respondent in non-compliance.

Mr. Martinez agreed

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #5

CASE # 5 - SMG 03-21-43 - Lash Larue LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304., 304.15), at **924 Vernon St.** Violation(s) – **Site appearance standards, structural appearance standards, vacant structure and land, overhang extensions, exterior doors.** First Notified – 9/1/2020.

Mr. Randy Gray, Eric Lewis Vanessa Lewis sworn in.

Mr. Gray agreed to the violations

Mr. Vukelja Found the respondent in non-compliance

Inspector Stenson stated they should be able to be in compliance by the April compliance.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #6

CASE # 6 - SMG 03-21-49 - Linda F Carpenter 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 **316 Michigan Ave.** Violation(s) – **Peeling paint on exterior surfaces.** First Notified – 12/30/2020.

Linda F Carpenter sworn in

Mrs. Carpenter agreed to the violations

Mr. Vukelja Found the respondent in non-compliance
Inspector Stenson stated they should be able to be in compliance by the April compliance

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja advised Mrs. Carpenter to speak with Mr. Stenson for any questions.

Mr. Vukelja called case number #9

CASE # 9 - SMG 03-21-46 - Living Realty and Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.9, 302.3), at **2735 N Atlantic Ave.** Violation(s) – **Dilapidated dumpster enclosure, unmaintained landscaping, trash and debris, graffiti, unmaintained sidewalks, dilapidated sign, eliminate hazardous conditions on site to include exposed rebar.** First Notified – 7/22/2020.

No Respondent

Inspector Yates testified and requested non-compliance and compliance next cut off.

Mr. Vukelja asked about any contact with parties in this case and recalled previous contact and promises of correcting the violations on the property.

Mr. Jackson verified the case was previously assigned to Inspector Clig.

Inspector Clig advised there was a running fine in place possibly imposed approximately 5 years ago. And the respondents advised they had plans to put a Dialysis business in its place.

Inspector Yates confirmed the commercial Appearance Standard were important and part of this complaint.

Mr. Jackson confirmed the green cards have been signed for and was advised by the inspector there was a 25,000 fine in place and was possibly a different owner at the time.

Mr. Vukelja asked how much could they be fined and Mr. Jackson stated it would be based on the assessed value of the property on the Volusia county property appraiser site.

Mr. Vukelja wants the status of the \$25,000 fine that is being discussed.

Expects a good faith effort to bring the property into compliance and to satisfy with any commercial appearance standards and the respondent to be on notice.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #10

CASE # 10 - SMG 03-21-65 - Joseph S Principe is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **354 Pelican Ave. Violation(s) – No permit.** First Notified – 4/4/2020.

Joseph S Principe and Cris Sassman

Mr. Vukelja asked if he agreed to the violations

Mr. Principe stated he was confused and willing to do what he can to be in compliance. Cris is a friend and willing to help.

Inspector Yates requesting compliance by next cut off.

Mr. Vukelja asked how long should it take from applying for the permit to issuing the permit.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #11

CASE # 11 - SMG 03-21-50 - 516 Phoenix LLC is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, at **516 Phoenix Ave. Violation(s) – Failure to obtain Business Tax Receipt (BTR).** First Notified – 2/3/2020.

Inspector Bostwick testified advised contact was made and requested non-compliance and compliance by next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector. Found the respondent in non-compliance and order the respondent to come into compliance by April 7, 2021 or be returned to the special magistrate for consideration of the imposition of a \$250.00 Fine/Administrative fee for the Business Tax Receipt that the respondent has failed to obtain to date.

Mr. Vukelja called case number #12

CASE # 12 - SMG 03-21-51 - Qatami Abdulwahab F N AL & Faisal Al Qatami Steel Bldg 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 301.3), at **636 Cherry St. Violation(s) – Site appearance - overgrown landscaping.** First Notified – 8/20/2020.

No Respondent

Inspector Bostwick testified requests compliance by next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector. Found the respondent in non-compliance and order the respondent to come into

compliance by April 7, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called case number #13

CASE # 13 - SMG 03-21-52 - Robert John Porter is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **105 Beachcomber St. Violation(s) – Parking (utility trailer in driveway)**. First Notified – 6/13/2020.

No Respondent

Inspector Bostwick testified and advised the respondent did contact him this morning and advised his neighbor moved the vehicle to the back of his property, however Inspector Bostwick was unable to verify because of the hearing and requests compliance by next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector. Found the respondent in non-compliance and order the respondent to come into compliance by April 7, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called case number #14

CASE # 14 - SMG 03-21-57 - Leon & Evelyn Del Sol, Edith D Lamb 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), at **1225 Thompson Pl. Violation(s) – Site appearance, overgrown landscaping and exterior surface of home**. First Notified – 6/5/2020.

No Respondent

Inspector Bostwick testified and advised owner is in a nursing home and he spoke with the son in-law Mr. Miller and he has started to clean up the property and is requesting non-compliance and compliance by next cut off.

Inspector Bostwick advised he was updated by Mr. Miller that the owner Leon was in the nursing home, Edith was recovering from surgery.

DISPOSITION: Noting the absence of the respondents and based on the testimony of the inspector and the photographic evidence presented at this proceeding. Found the respondent in non-compliance and order the respondent to come into compliance by April 7, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called case number #17

CASE # 17- SMG 02-21-30 - Marsiglia Nicolavia is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 301.3), at **Cedar St (Parcel # 5339-83-02-0010. Violation(s) – Overgrown lot. First Notified – 9/22/2020.**

No respondent

Inspector Sara Kirk testified no contact with the owner, requesting non-compliance and compliance by next cut off.

Mr. Vukelja asked if there was any contact with owner. Inspector Kirk advised not at all and they are located in Italy and the property was mailed twice and posted, mail was sent certified once.

Mr. Vukelja asked Mr. Jackson if there was anything the city could do that they haven't already done to ensure proper notice was given to make sure the respondent didn't return asking for relief for a Fine or Lien that was imposed do to not understanding or not knowing the owner needed to something.

Mr. Jackson advised that the city extended the case back in January to make sure enough time was given for notice.

DISPOSITION: Noting the absence of the respondents and based on the testimony of the inspector and the photographic evidence presented at this proceeding. Found the respondent in non-compliance and order the respondent to come into compliance by April 7, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called case number #18

CASE # 18 - SMG 03-21-42 - 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. Violation(s) – Expired permit for fence along A1A. First Notified – 8/21/2019**

Mr. Brown sworn in

Mr Vukelja asked if he agreed the violations occurred as stated on the notice of violation.

Mr. Brown stated not sure

Inspector Kirk advised the permit expired. In addition, Mr. Brown did return the fence to what it was before, and was told what was aloud.

Mr. Brown referenced to the panhandling and the problems with the homeless. Advised he doubled up on the pickets to prevent the issues he was having.

Mr. Vukelja advised Mr. Brown to speak with Inspector Kirk and figure out what he needs to do to come into compliance and if they cannot, it will come back in front of him.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #19

CASE # 19 - SMG 03-21-54 - Albert III, Sharon D & Ethelreda T Burton is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 42-214; Art. 5 Sec. 90-297; Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.1; Art.8, sec. 8.2.A (Ref. FBC Supp. IPMC 302.8), at **339 S Martin Luther King Blvd.** Violation(s) – **Expired permit for new roof, inoperable vehicle parked in grass, broken windows, peeling paint, rotted wood, damaged soffit & fascia.** First Notified – 12/16/2020.

No respondent

Inspector Kirk junk vehicle has been removed and that allowed other violations to be seen and the owners son has been in contact.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #21

CASE # 21 - SMG 03-21-44 - Thakorjirupa LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S, at **1100 S Ridgewood Ave.** Violation(s) – **No permit for window-office addition.** First Notified – 10/8/2020.

Mr. Patel sworn in and the Owner of Thakorjirupa

Inspector Clig requested compliance by next cut off

Mr. Patel advised he could be in compliance by April 7, 2021.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #22

CASE # 22 - SMG 03-21-45 - Frederick J Hoffmann Trustee of the Ridgewood Trust is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 305.3), at **1011 S Ridgewood Ave.** Violation(s) – **Failure to maintain parking lot, interior and exterior surfaces.** First Notified – 12/3/2020.

No Respondent

Inspector Clig spoke to Mr. Hoffmann requested compliance next cut off

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #23

CASE # 23 - SMG 03-21-47 - Suburban Square 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), at **120 S Ridgewood Ave.** Violation(s) – **Trash & debris.** First Notified – 1/23/2021.

No Respondent

Inspector Clig spoke to staff and manager. They stated they were very busy, requesting compliance next cut off.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #25

CASE # 25 - SMG 02-21-31 - 736 S Beach Street 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, 304.4, 304.13), at **736 S Beach St.** Violation(s) – **Failure to maintain exterior structure, protective treatment, structure members, windows, skylight, door frames.** First Notified – 12/31/2019.

No Respondent

Inspector Clig stated no contact with the realtor he was here last hearing and for a progress report and compliance date

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 7, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja called case number #26

CASE # 26 - SMG 01-21-09 - Mark Patton Brown 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 304.2, 304.4, 304.6, 308.2, 604.3), at **350 S Palmetto Ave.** Violation(s) – **Failure to maintain**

exterior structure, failure to maintain windows, porch, siding. Failure to maintain protective treatment, exterior walls, trash and rubbish, electrical system hazards. Failure to maintain structure appearance standards. First Notified – 2/13/2020.

No respondent

Inspector Clig stop work order on porch. Requesting a \$100 day fine to a maximum of 15,000.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective March 4, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case number #27

CASE # 27 - SMG 02-21-25 - Brandon Wilson 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 301.3), at Birch St (Parcel # 5237-25-02-0050). Violation(s) – **Overgrown landscaping**. First Notified – 11/11/2020.

No respondent

Inspector Butler no contact with the owner and no progress requesting \$500 day to a maximum of \$20,000.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective March 4, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

Mr. Vukelja called case number # 28

CASE # 28 - SMG 01-21-18 - LHD Grainger LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 301.2, 302.3, 302.7, 304.2, 304.7, 304.14, 308.1), at 612 N Halifax Ave. Violation(s) – **Peeling and faded paint, rotten wood, dilapidated shed, dirt, grime, dilapidated roof, hole in exterior walls, missing and broken screens, broken windows**. First Notified – 11/6/2019.

Mr. Dooznie sworn in

Inspector Yates since the last hearing no communication with the owner until today requesting \$150 day to a maximum of 20,000

Mr. Jackson asked what the relationship was with LHD Grainger LLC.

Mr. Dooznie stated he is one of the Managers.

Mr. Vukelja asked what the problem was

Mr. Dooznie advised him and Mr. Yates have not been able to come to a decision.

Mr. Dooznie listed all the repairs and advised they are working on the gutters/spouts and roof repairs.

Inspector Yates confirmed what was completed and what needed to be done.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #29

CASE # 29 - SMG 01-21-19 - Kinsey Whaley is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; 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 302.8, 304.13, 305.3, 309.1), at **430 Marion St Apt 1 (432 Marion St)**. Violation(s) – **No permit (electrical repair after fire), outside storage, parking on unimproved surface, junk vehicle, broken window, interior surfaces, infestation**. First Notified – 10/6/2020.

Mr. Whaley sworn in

Inspector Stenson no status change and advised the owner stated he was having difficulty finding material.

Mr. Vukelja asked what has been corrected.

Mr. Stenson advised the junk vehicle and unimproved surface. And requested a fine.

Conversation regarding what he is allowed to do according to code about the parking.

Mr. Whaley advised he is now able to get the required millings and asked for more time.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #30

CASE # 30 - SMG 01-21-22 - DB 101 Corp is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **S Ocean Ave (Parcel ID 5304-01-03-0010)**. Violation(s) – **No demolition permit, excluding the sea walls**. First Notified – 11/11/2020.

Mrs. Carnicer sworn in via zoom

Inspector Fitzgerald permit was failed, requested compliance next cut off.

Captain Lee advised the remaining pieces of concrete or as much as can be safely removed will be removed and still working on how much of the remaining wall would need to stay there as support for the utilities in the roadway.

Mr. Vukelja asked if they could be into compliance by April 7, 2021

Mrs. Carnicer advised yes.

DISPOSITION: Will amend the current amended order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #31

CASE # 31 - SMG 01-21-23 - DB 153 Corp is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **141 S Ocean Ave (Parcel ID 5309-02-02-0010)**. Violation(s) – **No demolition permit, excluding the sea walls**. First Notified – 11/11/2020.

Mrs. Carnicer was sworn in via zoom on the previous case

Inspector Fitzgerald requested compliance next cut off.

DISPOSITION: Will amend the current amended order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #32

CASE # 32 - SMG 02-21-36 - Colonial Impact Fund II LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2), at **340 Kingston Ave**. Violation(s) – **No permit for additions, damaged fence, peeling paint, unpainted surfaces, trash, debris, rubbish, garbage, outside storage, overgrown grass onto sidewalk**. First Notified – 5/7/2020.

Mrs. Edwards sworn in advised she pays the mortgage with them.

Inspector Garcia described what permits needed to be pulled for the work being done and the tenant cannot pull the permits the owner needs to. Requesting a fine of \$100 day to a maximum of \$15,000.

Mrs. Edwards asking for help and making phone calls but no one will call back. Advised her husband was in the Army and the property is tax exempt and this is the first home her husband paid mortgage on.

Captain Lee asked for more time to see if they could get some help.

Mr. Edwards stated she talked to a Sharon yesterday who was trying to reach the investors but had not heard back from them yet.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #33

CASE # 33 - SMG 02-21-39 - Carolina D Wagner is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **311 Taylor Ave (Parcel # 5338-38-00-0580)**. Violation(s) – **No permits for adding onto the unit**. First Notified – 12/16/2019.

Carolina Wagner & Stanley Paul Holy sworn in

Inspector Garcia testified all that is needed for the final inspection is for the permit to be finalized

Ms. Wagner stated that since the parcels are combined she is having trouble getting an inspection.

Conversation between everyone referring to have the building inspector needs to sign the 311 permit.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until April 7, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Mr. Vukelja called case number #34

CASE # 34 - SMG 02-21-27 - Reusa Real Estate LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 301.3), at **543 Live Oak Ave**. Violation(s) – **Overgrown vacant lot**. First Notified – 9/17/2020.

No respondent

Inspector Kirk no progress no contact requesting a fine of \$100.00 per day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective March 4, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case number #35

CASE # 35 - SMG 02-21-28 - Cash Flow Links Florida LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.2, 304.6, 304.7, 304.13), at **515 Bellevue Ave**. Violation(s) – **Unsecured vacant property, overgrown lawn, dilapidated roof, dirt & grime, peeling paint/rust, loose siding, broken windows, no permit for new window**. First Notified – 11/12/2020.

No respondent

Inspector Kirk property still in non-compliance requesting \$200 day fine to a maximum of \$15,000.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$200.00 per day, effective March 4, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

LR-1

SMG 11-20-186 - 572 Magnolia (155 S Martin Luther King Blvd). N & N Consulting Marketing and Development Corp Inc. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at Violation(s) – **No permit for renovation.** First Notified – 2/14/2020. **Order Imposing Fine-Lien imposed January 7, 2021 of \$100 per day to a maximum \$20,000.00. Compliance = February 15, 2021. Amount due = \$3,900.00**

Mr. Ivey sworn in and stated he is the owner of N & N Consulting
Requested the reduction/released for hardship.
Mr. Vukelja questioned the refinance hardship and discussion on the progress.

DISPOSITION: Fine was reduced to 10% of \$3,900.00 to the \$390.00.

LR-2

SMG 08-20-125 - 345 Garden St - ACL Realty 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, 304.1.1, 304.2, 304.4, 304.6, 304.13.1, 304.13.2, 304.15), Violation(s) – **No permit for renovations, abandoned vacant building, damaged exterior surfaces, paint fading and peeling, damaged windows and doors.** First Notified – 10/22/2019. **Order Imposing Fine-Lien imposed January 7, 2021 of \$100 per day to a maximum \$15,000.00. Compliance = January 25, 2021. Amount due is \$1,800.00 plus \$24.00 recording costs = \$1,820.00**

Amanda Lira sworn in and stated she is an employee of ACL Realty
Mrs. Lira stated the Demo took place Jan 4th the structure was removed.
Mr. Fitzgerald testified the permit was done on line and he was unable to see it, and that they were in compliance requested to waive the lien.

DISPOSITION: Order the lien waived and Fine Canceled.

LR-3

SMG 04-20-80 - 112 N Ridgewood Ave - 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). 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. Order Imposing Fine-Lien imposed August 26, 2020 of \$350 per day to a maximum \$25,000.00. Compliance = September 14, 2020. Amount due is \$6,650.00 plus \$24.00 recording costs, plus \$178.53 interest = **\$6,852.53**

Mrs. Hintz sworn in Director of operations

Requested to backdate the compliance date from the September 14, 2020 due to the inspector not being able to do the inspection on the September 10, 2020.

DISPOSITION: Order the reduction of \$1400.00.

Captain Lee confirmed that would be leaving a balance of \$5452.53

DISPOSITION:

1. **Miscellaneous Business**

SMG 10-20-166 - 223 N Peninsula Dr. - G & Y Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4, 304.1, 304.2, 304.3, 304.10, 304.11, 304.12, 304.13, 304.13.1, 304.13.2, 304.15, 307.1). Violation(s) – **Abandoned building**. First Notified – 4/6/2020. Order Imposing Fine-Lien imposed January 7, 2021 of \$300 per day to a maximum \$15,000.00. Amount due is \$15,000.00 plus \$24.00 recording costs = **\$15,024.00**

Mr. Joe Hopkins sworn in

Mr. Vukelja stated the city acknowledges the Fine needs to be vacated and also suggests the property is still in non-compliance and could be brought into compliance by May 11, 2021.

Mr. Hopkins spoke of reducing the density to three units, come into compliance with the site plans within 60 days and requested a May progress report

DISPOSITION: Based on the testimony of the city it is ordered the fine be vacated and lien cancelled in addition to a progress report on May 11, 2021 and at that time determine a compliance date.

The meeting was adjourned at 12:04 PM