
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

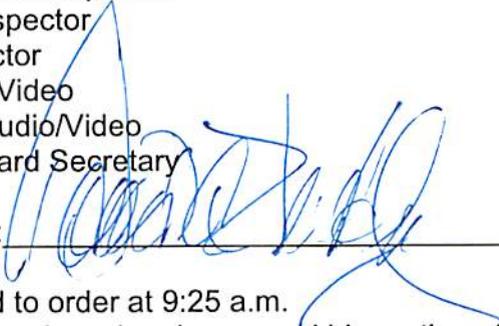
January 12, 2021 Minutes

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. John Stenson, Lead Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Mark A. Jones, Rental Inspector
Ms. Sara Kirk, Code Inspector
Mr. Kevin Yates, 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 9:25 a.m.

Mr. Vukelja advised he reviewed and approved his portion of the October 13, 2020 minutes and thanked Mr. Riggio for stepping in when he had to leave the meeting.

Mr. Vukelja asked if there were any announcements.

Ms. Barnes announced the following cases in Compliance.

CASE # 10 - SMG 09-20-140 - In Land I Trust 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 302.8), at 336 Hobart Ave. Violation(s) – Outside storage, overgrown grass, overgrown bushes and trees, damaged fence, damaged fascia, damaged soffit, peeling paint, broken windows. First Notified – 9/27/2019.

In compliance 1/11/2021

CASE # 22 - SMG 08-20-122 - ING Investor Group is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.1.1, 304.2, 304.6, 304.7, 304.8, 304.9, 304.10, 304.12, 304.13, 304.13.1, 304.15, 305.1, 305.1.1, 305.3, 305.6, 308.1), at 875 Dr. Mary M Bethune Blvd. Violation(s) – Dilapidated building.
First Notified – 8/6/2019.

In compliance 1/11/2021

CASE # 44 - SMG 01-21-15 - Buoyd 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 302.7, 304.2), at 347 Congress. Violation(s) – Outside storage, dirt, grime, peeling paint and damaged fence.
First Notified – 9/25/2020.

In compliance 1/11/2021

*Mr. Vukelja called the City Representatives testifying to stand and be sworn.
Mrs. Barnes swore in the City Representative.*

CONTINUED CASES:

Mr. Vukelja called case number 25

CASE # 25 - SMG 10-20-161 - Ormond Beach Ventures I, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.6, 302.7, 304.2, 304.4, 304.5, 304.6, 304.10, 304.12, 304.13, 304.14), at 222 N Oleander Ave. Violation(s) – Unsafe stairs and maintenance, protective treatment worn and faded, exterior surfaces with holes and cracks.
First Notified – 1/9/2020.

Respondent Attorney Mathew Lynn attorney advised a contract in place for a welder, materials purchased and demolition plans are prepared, Progress according to the client is on track as of February 3, 2021 the compliance date.

Inspector Fitzgerald advised he stated that he is fine, with the Compliance date February 3, 2021.

Mr. Vukelja said good luck and to call the inspector because it is not over until he sticks a notice of compliance in the file.

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. Ana Carnicer appeared via zoom and was sworn in And advised when they called, they were advised no permits needed so they started the demolition. And now are in the process of trying to get the correct permits as soon as they found out. And now the only thing left is the trespassing signs.

Inspector Fitzgerald advised complaint of unmaintained lot and when inspected they found debris and rubble from a demolition and it needed to have a permit pulled and to clean up the rubble.

Mr. Vukelja asked if *Mrs. Carnicer* understood and she advised yes that *Inspector Fitzgerald* did explain.

Inspector Fitzgerald advised that it could be completed by next cut off.

DISPOSITION: Found the respondent in non-compliance and order the respondent to come into compliance by February 3, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

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. Ana Carnicer appeared via zoom and was sworn in and agreed the violations occurred.

Investigator Fitzgerald advised the city was trying to return this property back to a vacant lot just like the previous case.

DISPOSITION: Found the respondent in non-compliance and order the respondent to come into compliance by February 3, 2021 or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day thereafter.

Mrs. Barnes advised she had a correction to make and Case number 23 she announced in compliance, was not in compliance that was SMG 10-20-171 at 507 5th Ave And would like to request we do case number 32 due to an officer being present to testify.

CASE # 32 - SMG 01-21-03 - Masonova LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-29; Sec. 10-1; Sec. 10-3, at 1063 Mason Ave. Violation(s) – Correct Business Tax Receipt, Compliance with federal, state and local laws

for applicable to use, hours of sale and consumption of alcoholic beverages and allowing persons, except on duty employees to remain in establishment beyond midnight.
First Notified – 11/1/2020.

Respondent Andy Clark owner of Masonova Plaza & Luke McCoy Sr. & Luke McCoy Jr. sworn in.

Mr. Vukelja asked for a spokesman, asked Mr. McCoy Sr. Do you agree these violation occurred as noted in the notice of violation. Mr. McCoy Sr. stated NO.

Captain Lee described incidents that occurred. The case was open on Nov 4 2020 it is for unlicensed or unpermitted activity Sept 5, Nov 23, and Oct 31, 2020. Operating and Conducting business like a night club and it is not covered under the business tax receipt and cited for that violation of the LDC. On the days of 23rd and 31st in violation of the Hours of sale and consumption. Certified letter sent on November 4, 2020 and posted on November 20, 2020. Told by officer and ordered to be in compliance by 11/1/2020.

Mr. Jackson stated he will provide that section of the city code 10-3 hours of sale and consumption.

Captain Lee introduced that Sgt. Ehrenkaufner was here to testify and advised they have 2 police report and axon footage to provide if needed. Having flyers and drink sales, Collecting cover charges at the door.

Mr. Vukelja asked what the business at 1063 Mason is, the permitted use for the property?

Captain Lee explained the have access to do receptions and parties and in the business packet it is called a Hall for Hire they are allowed to cater an event. They do have an alcohol license attached to the catering license. Activities occurring past midnight.

Sgt. Ehrenkaufner, testified night club type of activity was occurring he noted the Flyers posted on social media and the flyers shared multiple times.

Captain Lee advised the previous violation was in August and found in their favor do to an issue with lack of due process with the wrong BTR.

Sgt. Ehrenkaufner witnessed the night club activity on September 5, 2020 due to crowds, describing people being search and paying as they went in, operating past 1am. Sgt Ehrenkaufner was there until the parking lot cleared past 2 am. Inside they had strobe lights. Things you would see in a night club.

Mr. Vukelja asked what observations were made that indicated that this respondent was affirmatively soliciting the public at large for this event.

Sgt Ehrenkaufner described the solicitation by flyers being heavily shared on social media. We are going to turn it up comments. Opposed to having and sending out a private invitations list to a party that you know who is coming?

Mr. Jackson clarified the Flyers and reports be able to present as evidentiary value this time since there has been due process this time. The desire of staff today is obtaining request for will-fine.

Mr. McCoy referred to the ruling back in September and stated it is like double jeopardy.

Mr. McCoy has an after hour permit.

Captain Lee advised the after hour permit had not been approved.

Mr. Vukelja asked how far in advance he submitted the afterhours permit.

Mr. McCoy said his receipt was September 4, 2020. When advised he did not have the correct extended permit and what he had was not sufficient he has not had any thing past midnight. He advised he paid for something twice.

Captain Lee closed with the problem keeps happening. Operating after midnight, Patrol had to be redirected and had to remain until 40 min after midnight.

Requested a will fine in case it does repeat.

Mr. Vukelja recognized everyone is on the same page as what constitutes a hall for hire and a night club. Maybe imperfect but Mr. McCoy undertook some effort to obtain the permits he needed and that Mr. McCoy has also on occasion used the property for nightclub activities.

Mr. Vukelja stated he believed the city failed to carry its burden to find him in non-compliance and he was not going finding the respondent in non-compliance. Mr. Vukelja stated "but let me hasten to add that that finding is without prejudice to any future violations and the next time confronted with these accusation and testimony that says or suggests night club activity verses hall for higher then he will take action. Giving the respondent the benefit of doubt.

Mr. Vukelja stated the next time we are here on this and he is satisfied there is any nightclub activities he will find him in non-compliance and will automatically put a will-fine in place. And what that will-fine means is we won't have to go through all the discussion just if it happened or it didn't and then up to a \$5000 occurrence fine.

DISPOSITION: Denied the request for determination on non-compliance.

Mr. Vukelja asked if Mr. Clark had anything to add.

Mr. Clark ask to clarify stated we are trying to do the right thing, he stated he didn't get a notice until December.

Mr. Vukelja explained a few events and told him to contact the city attorney for more information.

Mr. Vukelja called case #24

CASE # 24 - SMG 03-20-47 - Normandy Center LLC/MML Management 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.

Jessica Gow Attorney with Cob Cole Law Firm.

Investigator Fitzgerald stated the property was still in non-compliance and requested a fine. In the middle of the case the property was sold.

Mr. Fitzgerald advised they needed to repair the whole building or demolish it.

Mrs. Gow advised they were brought in as environmental attorney to assess the property for contamination. And they entered into an agreement with FDEP to clean up the property completely to their standards. After assessment was completed Demolition can occur without release of contaminate. Samsula Demolition has been hired. Waiting for utility disconnect. They entered the permit for review.

Mr. Vukelja asked how much time we would need.

Mrs. Gow advised 60 days either substantial progress or completion would be achieved.

DISPOSITION: Amend our current order of non-compliance to allow the respondent until March 3, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mrs. Gow submitted copies of the agreement.

Mr. Vukelja called Case #1

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.

Warren and Ruth Trager sworn in

Manager Denzil Sykes testified that progress has been made and permits have been pulled, asbestos has been removed. Staff is requesting to amend to the next cut off.

Mr. Trager testified to the different difficulties they encountered and advised that it should be done within the next two months.

Mr. Vukelja asked if Mr. Sykes had any objections to 60days,

Sykes advised no objections, if they would give a progress report in 30 days.

DISPOSITION: Allow the respondent until March 3, 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 #2 changed to case #36

CASE # 36 - SMG 01-21-04 - Jones Hills Golf LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at 1000 Champions Dr. Violation(s) – Overgrown landscaping between property owner's property line and golf course. First Notified – 9/16/2020.

Michael Johnson (General manager) and Chad Boardsworth sworn in

Inspector Butler stated the property is in compliance and requested a will fine.

Mr. Vukelja explained what a will fine was

Mr. Johnson questioned what the maintenance requirements are and how tall the grass could be and what are the reasonable expectations.

Mr. Jackson stated the case arose from citizen complaints. The inspections have occurred and compliance was obtained, and advising the fine was not for today and it was a finding of non-compliance.

Gregory Cardino & Bob Crowly sworn in

Mr. Cardino advised all past companies maintained the properties, until the new owners. Mr. Cardino shared the concern of the grass growing to over a foot and not being maintained allowing for rats, snakes etc.

Mr. Johnson advised the golf course believes it is maintained and requests the height number so they can be in compliance.

Mr. Sykes asked that it be compared to the properties in the surrounding area not the playing area. And referred to the inspector doing an inspection to further the knowledge and expectations.

Mr. Vukelja asked if it was natural vegetation.

Bob Crowly testified that it is a playable part of the golf course. And to get an acceptable time frame to cut like the previous owners.

DISPOSITION: Finding the respondent was in Non-compliance subsequently in compliance. Deny the request for a will-fine. Leave it between the respondents and the inspector what the two would be able to argue at a later date what is a reasonable height for the grass on the perimeter.

Changing the Non-Compliance to Compliance. Mr. Vukelja stated he was not assigning any presidential value to any of this, if a new case arises, we will deal with the facts of the new case.

Mr. Vukelja called case #43

CASE # 43 - SMG 01-21-14 - Tarmac Florida 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 302.7, 304.2, 304.7), at 405 Madison Ave. Violation(s) – Outside storage, overgrown grass & palms, damaged fence, dirt, grime, damaged soffits. First Notified – 12/16/2019.

Hugh Perry Sworn in

Hugh Perry agreed he was in non-compliance and asked for more time. Bringing company from Tampa and working on a schedule.

Inspector Garcia agreed to more time.

DISPOSITION: Order the respondent to come into compliance by March 3, 2021 or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called case #23

CASE # 23 - SMG 10-20-171 - New Life Bible Church TRC 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 304.1.1, 304.2, 304.6, 304.13, 304.13.1, 304.13.2), at 507 5th Ave.

Violation(s) – Damaged window frames unable to open, broken windows and glass in a water resistant, boarded up windows from the interior, damaged cracking exterior surfaces with structural deficiencies, damaged east side gate, faded and peeling paint and cracks. First Notified – 4/6/2020.

Mrs. Barnes advised we have an attorney present.
Attorney Bruce Hochstetler

Mr. Dennis Huth sworn in

Inspector Fitzgerald requested to Amend to next cut off to work on the issue with the windows, no permit was found and they are boarded.

Mr. Vukelja ask if the respondent could be completed by February 3, 2021.

Attorney Hochstetler discussed the stained glass windows that were never opened and stated the windows were damaged by a Hurricane (broken glass) in 2017. The Church did not have much money so the windows remained (boarded up).

Mr. Hochstetler questioned if the church is in compliance or not in compliance.

Captain Lee stated the old case was closed due to a process issue and there is a second case that has been started and working through this process. Stated progress has been made, and discussed getting inside to verify the windows are okay and do not have an ingress egress issue and could sign off on everything.

Mr. Hochstetler stated to Mr. Vukelja if he needs to see the inside we have pictures.

Mr. Vukelja stated he did not need to see but he (the inspector) needs to see the inside.

Mr. Hochstetler asked Mr. Fitzgerald did you indicated to my client when you got the architectural letter that everything was fine with the building, that there was no other improvements to be made.

Mr. Fitzgerald replied yes at the time that is what I believed.

Mr. Hochstetler stated Ok no further questions.

Mr. Jackson asked Inspector Fitzgerald if he has ever been inside. Do you know whether the windows would be a ingress or egress issue,

Inspector Fitzgerald stated no he had never been inside and would not know without being allowed inside to see the layout.

Mr. Vukelja commented that this is a place of worship and should be invited this poor guy.

Captain Lee and Mr. Jackson discussed the need for a permit through the correct process and have the inspection to make sure it was done correctly to close/seal the windows.

Mr. Jackson stated life safety still important to make sure there is proper ingress and egress and this inspector has not seen anything.

Captain Lee stated the city does recognize that some communication between the inspector and this respondent that was confusing in nature and as this case and this property has been evaluated and concerns surrounding the windows they have been communication this back with them and are asking for time not asking for a fine.

Mr. Fitzgerald stated he is looking for an inspection of the inside to determine if the windows are and egress issue because he could not find a permit.

DISPOSITION: Continue the determination of this matter to the February 9, 2021 meeting and in the interim the city will be given the opportunity to conduct the inspection of the interior of the Church as it stands now to ascertain the windows, if they satisfy whatever comes into play.

Mr. Vukelja called case #9

CASE # 9 - SMG 10-20-147 - Community Church of God In Christ of Daytona Beach FL, 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, 304.2, 304.7, 308.1), at 400 Henry Butts Dr. Violation(s) – Damaged roof, dirty exterior surface, trash and debris. First Notified – 11/14/2019.

Tabitha Kinchen sworn in Secretary for the Church

Inspector Garcia stated the case is in non-compliance asking for a fine for \$50 a day to a maximum of \$25,000.00, no corrections done. And also now parking cars on the property.

Mrs. Kinchen stated they did do the painting and stated they are working on getting the roof funding through a grant for small churches in Volusia County.

Mr. Vukelja asked if she had any ideal when they would be able to get the roof fixed and Mrs. Kinchen stated no that she was still trying to get the grant money. Inspector Garcia confirmed the only thing left was the roof and the dirty exterior surface. Mrs. Kinchen stated they did have it painted but stated they didn't pressure wash it.

DISPOSITION: Fine the respondent in the sum of \$50.00 per day commencing January 2021 and the fine will accrue each day thereafter until the property is in compliance or the amount of the fine reaches \$25,000.00 (**Amended the Maximum amount of the order to \$20,000.00**)

Mr. Vukelja called case #12

CASE # 12 - SMG 11-20-180 - Segrave 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 302.7, 304.2, 304.7, 308.1), at 240 N Segrave St. Violation(s) – Dead landscape, damaged gutters, soffits and fence, peeling paint, debris, dirt and grime. Remove barbwire. First Notified – 10/2/2019.

Robert Hughes sworn in stated he is the owner

Inspector Garcia testified and requested a fine in the amount of \$100 day maximum of \$20,000. Little progress and last contact was at the last hearing Mr. Hughes stated more progress had been made then Inspector Garcia stated and made statements referencing getting bids on future work with three other companies.

DISPOSITION: Continue the imposition of a fine to the February 9, 2021 meeting and looking for a progress report for updates on the roofers start date for the determination of a compliance date.

Mr. Jackson referred to case number #9 SMG 10-20-147 400 Henry Butts Dr. and corrected the maximum amount under policy.

Mr. Vukelja Amended the Fine for day to a Maximum amount of the order to \$20,000.00.

Mr. Vukelja called case #18

CASE # 18 - SMG 11-20-198 - 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. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.5, 302.8, 304.2, 304.13, 304.14, 305.1, 305.3, 305.4, 308.1, 504.1, 602.3, 604.3, 704.2), at 323 Maple St. Violation(s) – Obtain permit for the unpermitted second bathroom. Repair or replace the defective, unsanitary plumbing in the original bathroom. Contact a licensed contractor to repair or replace all hazardous electrical outlets and wiring. All outlets must have covers. Install smoke detectors in all required locations. Remove rodent infestation and maintain in a sanitary condition. All bare exterior surfaces must have protective treatment applied and all rotted wood must be replaced. Repair or replace cracked and hazardous concrete at the front walkway.

Repair or replace dilapidated and cracked side landing. All windows must have fitted insect screens and locks. Repair or replace all broken windows. All interior surfaces must be sanitary and repaired. Cut and maintain overgrown lawn. Remove all outside storage and trash & debris from exterior of home. All doors and windows must be weather-tight. All vehicles must be operable and properly tagged. All vehicles must be parked on an approved surface. A standard heat supply must be provided. First Notified – 10/7/2020.

Cole Quino sworn in

Inspector Kirk testified

Mr. Quino stated they made repairs and requested an inspection. When Inspector Kirk did the inspection with James, she advised everything was good, and he would request another inspection and be present for that one

Inspector Kirk advised she did not advise anyone the property was in compliance.

The property was quit claim deeded from Target house property solution to Cole Quino who is the Owner and resident and stated the property is not an income property and is now owner occupied.

DISPOSITION: Amend to include Mr. Quino as the owner and continue the determination of the imposition of a fine to the February 9, 2021 meeting.

Mr. Vukelja stated this is to allow the respondent to finish what is necessary and get another inspection.

Mr. Vukelja called case #20

CASE # 20 - 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. McNorton sworn in is the owner of C-29, LLC

Inspector Fitzgerald advised progress is being made and requests to amend to next cut off.

Mr. McNorton advised they would be able to be in compliance hopefully by next week.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until February 3, 2021 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Case number #22 called in compliance earlier

NEW CASES:

Mr. Vukelja called case #33

CASE # 33 - SMG 01-21-16 - Ing Investor Group INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G; Art. 6 Sec. 6 19.A.3 (Ref. FBC Supp. IPMC 304.7, 304.13.1), at 459 Pine St. Violation(s) – Dilapidated roof, blocked and damaged windows, outside storage of trash and debris. First Notified – 2/17/2020.

Irvin White sworn in and confirmed he was the owner and agreed the violations occurred and found in non-compliance.

Inspector Yates advised compliance by next cut off.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by February 3, 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 #34

CASE # 34 - 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. Duszny sworn in stated he is the manager and agreed to the violations.

Mr. Vukelja read the violation and Mr. Duszny agreed and was found in non-compliance. Inspector Yates advised advised compliance next cut off.

Mr. Duszny stated he believed they were in compliance per Inspector Alderman.

Mr. Duszny confirmed he did get a message from Inspector Yates.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by February 3, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Break 12:15 pm

Return 12:29 pm

Mr. Vukelja called case #39

CASE # 39 - 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.

Kinsey Whaley sworn in and agreed to some of the violations.

Inspector Stenson advised Mr. Whaley would need until the March cut off, stated he is having issues with finding a way around the big tree on his property for parking.

Mr. Whaley advised he finally got help with finding out he could use millings for the parking surface.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until March 3, 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 #41

CASE # 41 - SMG 01-21-06 - Sairam 300 LLC is cited for failure to correct violations of The Land Development Code, Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at 300 N Ridgewood Ave. Violation(s) – Sanitation, trash & debris, Non-conforming use for illegal gaming. First Notified – 8/21/2020.

Owner sworn in (unk)

Inspector Garcia testified and asked for a will fine for future violations. Mr. Vukelja advised the owner what a will fine status is and the owner acknowledged he understood.

DISPOSITION: Mr. Vukelja advised that based on the testimony of the Inspector found the Respondent was in Non-Compliance and now in compliance. Will further order that for every future violation the respondent be returned to the special magistrate for consideration of a fine for up to \$5000 dollars per occurrence.

LR-1

SMG 12-17-96 - 309 N. Atlantic Avenue - Jong Soo Yoon & Lee OK is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7); Art. 6 Sec. 6.19.B. Violation(s) – Metal roofing sections missing and existing metal rusting. First Notified – 7/25/2017. **Order Imposing Fine-Lien imposed September 6, 2018 of \$200 per day to a maximum \$20,000.00. Compliance = June 25, 2019. \$20,000.00 plus \$24 recording fees = \$20,024.00.**

Mr. Yoon sworn in
Mr. Yoon roofing delayed due to hurricane and insurance and weather issues and contracted Wayne's roofing and got permit in May start work on October and completed the work. Inspector Stenson testified the case was started 2017 and 17 inspections have occurred and between September 12, 2018 and June 25 2019 is the time the property accrued the lien.

DISPOSITION: Mr. Vukelja waived the Fine and lien in its entirety.

Mr. Vukelja called case #2

CASE # 2 - SMG 11-20-189 - H & H Hospitality Consulting Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at 632 S Segrave (Parcel ID 5339-52-00-0070). Violation(s) – Overgrown lot. First Notified – 7/30/2020.

No Respondent

Inspector Clig requested fine \$100 day to max of 15,000 property is an extreme eyesore and property has been condemned.

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 January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case #3

CASE # 3 - SMG 11-20-191 - TRSTE LLC as Trustee of the 330 Loomis Land Trust 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), at 330 Loomis Ave. Violation(s) – Lot, grass overgrown, trash. First Notified – 8/10/2020.

No Respondent

Inspector Clig requested fine \$100 day to max of 15,000 property is an extreme eyesore and property has been condemned.

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 January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case #4

CASE # 4 - SMG 11-20-187 - Paul A Merk is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.8.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.7, 304.13, 304.13.2, 304.15), at 617 Riverview Blvd. Violation(s) – Dilapidated garage roof, dilapidated fence, broken windows, trash and debris, damaged front steps, missing soffit vents, dilapidated porch roofs, damaged door assemblies. First Notified – 6/13/2019.

No Respondent

Inspector Yates requested fine \$200 day to max of 15,000 property is an extreme eyesore and property has been condemned.

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 January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case #5

CASE # 5 - SMG 11-20-181 - Eastcoast Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.7, 304.15, 305.1.1, 604.3), at 406 S Atlantic Ave. Violation(s) – Roof, doors, electrical hazards, outside storage, dilapidated building. First Notified – 8/13/2020.
No Respondent

Inspector Jones requested compliance next cut off

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until February 3, 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 #6

CASE # 6 - SMG 11-20-196 - Ingrid Beltran is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.7, 304.15, 305.1.1, 604.3), at 311-309 Wisteria Rd. Violation(s) – Outside storage and landscaping. First Notified – 4/13/2020.
No Respondent

Inspector Jones requested compliance next cut off

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by February 3, 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 #7

CASE # 7 - SMG 11-20-178 - 10 Alison Lane 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, 302.4, 304.2, 304.13, 305.13, 308.1), at 10 Alison Ln (property is at 650 N Beach St). Violation(s) – Broken windows, unpainted exterior surface, damaged interior surface, damaged fence, overgrown grass, rubbish and garbage and trash and debris. First Notified – 12/11/2019.
No Respondent

Inspector Garcia requested fine \$100 day to max of 20,000 property

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 January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

Mr. Vukelja Called case #8

CASE # 8 - SMG 11-20-195 - 240 Ridgewood Realty LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.7, 304.12), at 240 N Ridgewood Ave. Violation(s) – Damaged fence, dirt, peeling paint and unpainted exterior surface, damaged roof and handrails. First Notified – 1/10/2020.

No Respondent

Inspector Garcia requested fine \$100 day to max of 20,000 property

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 January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance

Mr. Vukelja Called case #11

CASE # 11 - SMG 11-20-179 - Jay Pritam 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, 302.8, 304.1, 304.2, 304.15, 308.1, 605.1), at 303 N Ridgewood Ave. Violation(s) – Dilapidated fence, outside storage, junk vehicle, exterior surface, damaged exterior doors, trash and debris, rubbish and garbage and exposed electrical. First Notified – 11/22/2019

No Respondent

Inspector Garcia requested non-compliance/compliance

Case in compliance no action necessary.

Mr. Vukelja Called case #13

CASE # 13 - 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 Unlicensed car/storage business, parking on grass, boarded and blocked windows, rust. First Notified – 8/28/2019.

No Respondent

Inspector Kirk requested fine \$200 day to max of 20,000 property

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 January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance

Mr. Vukelja Called case #14

CASE # 14 - SMG 11-20-182 - Heron Development Group LTD 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 301.2, 301.3, 302.7, 304.2, 304.7, 308.1, 604.3), at 241 S Martin Luther King Blvd. Violation(s) – Dilapidated roof and exterior wall, peeling paint, trash and debris, hazardous electrical systems and unsanitary and blighted property. First Notified – 6/20/2020.
No Respondent

Inspector Kirk requested fine \$500 day to max of 20,000 property contact Mr. Godfrey.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$500.00 per day, effective January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance

Mr. Vukelja Called case #15

CASE # 15 - SMG 11-20-183 - Heron Development Group LTD is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.10, 308.1, 604.3), at 223 S Martin Luther King Blvd. Violation(s) – Dilapidated roof, deck and exterior wall, hazardous electrical systems, trash and debris and a blighted vacant property. First Notified – 6/17/2020.
No Respondent

Inspector Kirk requested fine \$500 day to max 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 \$500.00 per day, effective January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

Mr. Vukelja Called case #16

CASE # 16 - SMG 11-20-186 - 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 572 Magnolia (155 S Martin Luther King Blvd). Violation(s) – No permit for renovation. First Notified – 2/14/2020.

No Respondent

Inspector Kirk no permit requested fine \$100 day to max 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 \$100.00 per day, effective January 7, 2021 until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance

Mr. Vukelja Called case #17

CASE # 17 - SMG 11-20-185 - Nivrah Consulting and Investment Group LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at 520 S Martin Luther King Blvd. Violation(s) – Outside storage and overgrown lot. First Notified – 7/28/2020.

No Respondent

Inspector Kirk requested fine \$100 day to max 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 January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

Mr. Vukelja Called case #48

CASE # 48 - SMG 01-21-13 - Benzy Car Wash LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 127 S Nova Rd. Violation(s) – Expired permit for tree removal. First Notified – 10/17/2019.

Ms. Benzy sworn in, agreed to violations, and found in non-compliance.

Inspector Kirk advised compliance next cut off.

Ms. Bezy advised she would replace the tree.

Inspector Kirk stated contact with permit department to renew the permit and follow those recommendations to get in compliance.

DISPOSITION: Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by February 3, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

June stated Case #50 was available.

CASE # 50 - SMG 10-20-172 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.1.1), at S Grandview Ave (Parcel ID# 5304-01-11-0120).
Violation(s) – Damaged accessory structure retaining wall with peeling or flaking of the paint. Leaning, cracking and bulging of wall or segments with encroachment by leaning over sidewalk. Unless proper actions are taken, a damaged wall can collapse possibly causing more damage or injury. Vacant lot maintenance. First Notified – 4/28/2020.

Mr. Vukelja called case number #50

Inspector Fitzgerald advised the city is requesting a fine. \$100 to \$15,000 maximum.

Discussion on the status of the case and wall, and the order from Mr. Riggio dating compliance date by January 6, 2021.

Ms. Jimenez asked Mr. Fitzgerald his years of service with the city and then when notice was first provided for this matter

Mr. Jackson advised the matter was already ruled on and purpose for today is the determination of whether not it was proper to issue a fine.

Ms. Jimenez and Mr. Fitzgerald discussed previous discussions on the ease or difficulty in handling the issue with wall and comparisons to a similar case to discuss a time frame which took 3-4 months from start to finish.

Ms. Jimenez read the notice of description and asked if there has been any damage or injury thus far regarding this property, Mr. Fitzgerald responded No that is why I used the word possible, Ms. Jimenez stated actually you stated possibly causing more damage or injury indicating that there was prior, Mr. Fitzgerald stated to the wall and to the sidewalk. Mrs. Jimenez stated sorry she was speaking and did not hear your response.

Mr. Jackson asked for relevance to compliance whether it has fallen

Mrs. Jimenez stated she was interrupted and asked if she could repeat her question

Mr. Vukelja inquired to any mitigating circumstances

Mrs. Jimenez referred to communications regarding the ability to potentially resolving the issue of the wall.

Mr. Vukelja asked what the client has done in the way of trying to rectify the wall.

Mrs. Jimenez discussions of ways to repair the wall, but because of the extensive process, the holidays and covid, financial issues to the business and the Moratorium there has been a financial burden. It was stated the client did not have the means do to the circumstances and is requesting more time.

Mr. Vukelja asked what would be required fix.

Mr. Fitzgerald stated a Contractor to do a scope of work and do a drawing of how to bring back the wall.

Mr. Vukelja ask to focus on the wall and it was stated it is residential property and discussion on what a contractor would need to do in order to do the work, discussed how much time would reasonably estimate would be required to do all that. Mr. Fitzgerald stated other walls, approximately three to four month for completion if they actually got the permit and went through the cycle.

Mrs. Jimenez advised the last hearing was last November.

Discussion regarding the notice was in November and compliance ordered in January and they had two month, and maybe they would need another month, the time line starts when the permit is applied for and no permit has been applied for.

Question made as to why the client did not apply for the permit

Mrs. Jimenez referred to the financial hardship to the business.

Questions to if the client could not attend to the issue due to financial constraints.

Mrs. Jimenez confirmed.

Mrs. Jimenez asked Mr. Fitzgerald if he has addressed other issues that the client has worked on and he responded yes.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until March 3, 2021 to come into compliance if the respondent is not in compliance by March 3, 2021 a fine in the amount of \$100.00 per day will commence thereafter and will continue to accrue until such time as the amount the fine reaches \$15,000.00 or the property is brought into compliance.

Mrs. Jimenez requested to be placed at the beginning of the docket or a time certain for court reporter and health reasons.

Mr. Vukelja stated no and discussed that time-consuming cases would be heard last and the other cases are allowed to be heard more quickly at the beginning of the agenda.

1. Miscellaneous Business

MB-1

SMG 08-20-116 - 511-509 Harvey Ave - GEA Seaside Investments, Inc. 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 304.2, 304.15) Violation(s) – Paint fading and peeling, parking on grass in front yard, damaged front door, grass and weeds, overgrown and unmaintained yard. First Notified – 10/2/2019. **Order Imposing Fine-Lien effective September 3, 2020 in the amount of \$200 per day to a maximum \$15,000.00 Compliance Date unknown at this time. \$15,000.00 plus \$24 recording fees = \$15,024.00.**

Mrs. Jimenez questioned the order imposed on September 22, 2020 and submitted (Respondent exhibit #1)

Discussion on communication issues between Mrs. Jimenez and the city officials were discussed.

Discussion about the permit for the door being the matter that related to the fine being ordered. Mr. Fitzgerald backdated compliance to September 3, 2021, and the fine was ordered September 22, 2021.

Discussion on the basis for the rehearing is that the two matters the court ruled on were in compliance when the fine was imposed.

Submitted Respondents Exhibit #1 through 5.

Mrs. Jimenez stated Mr. Fitzgerald finally responded on October 22, 2020 almost a month and half later.

Discussion between everyone on which violations had been in compliance and which ones are not in compliance and when the fine started and ended.

Fine/Lien date September 22, 2020 and commenced September 3, 2020 ended November 17, 2020 @\$200 day until compliance achieved or max 15,000. Fine ran for 73 days accrued \$14,600.

Mr. Vukelja questioned painting, door, and grass. What quantum of fine would have been sought? Mr. Fitzgerald stated \$100 to a max of 15,000. Because he thought, the door needed a permit.

Conversation requested to have the miscommunication considered and no fine be imposed or the \$200 fine be divided by the 5 violations to account for the violations that were in compliance.

Mr. Sykes communicated they made an appointment to meet on the property to review the violations and advised Mrs. Jimenez was a no show.

Mrs. Jimenez advised the reasons for that and one being she is not primarily in the city.

Mr. Vukelja added he is Amending the fine and it be divided to reduce it to \$40 a day to include only the painting totaling \$2, 920.00.

Mr. Vukelja called case number #19

CASE # 19 - SMG 08-20-125 - 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), at 345 Garden St. Violation(s) – No permit for renovations, abandoned vacant building, damaged exterior surfaces, paint fading and peeling, damaged windows and doors.

No Respondent

Inspector Fitzgerald requested fine \$100 day to max 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 January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case number #21

CASE # 21 - SMG 10-20-166 - 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), at 223 N Peninsula Dr. Violation(s) – Abandoned building. First Notified – 4/6/2020.

No Respondent

Inspector Fitzgerald requested fine \$300 day to max of 15,000 property is an extreme eyesore and property has been condemned.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$300.00 per day, effective January 6, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Mr. Vukelja called case number #26

CASE # 26 - SMG 10-20-169 - SIG Global Family Limited Partnership 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. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.3, 302.3, 302.7, 304.1, 304.2, 304.6, 304.7 304.9, at 509 E Intl Speedway Blvd. Violation(s) – Exterior rotted siding, window and door

frame, wood on the exterior surfaces and roof members, missing soffits, cracked and missing retainer walls, unused street sign pole, damaged fence, damaged driveway, trash accumulation and weeds. First Notified – 9/18/2020.

No Respondent

Inspector Fitzgerald stated substantial improvement and requested to Amend to next cut off

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja will amend our previous order of non-compliance to allow the respondent until February 3, 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 #27

CASE # 27 - SMG 10-20-170 - SIG Global Family Limited Partnership is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 304.13), at 216 S Wild Olive Ave. Violation(s) – Damaged Windows, roof damage, peeling paint. First Notified – 5/1/2020.

No Respondent

Inspector Fitzgerald stated substantial improvement and requested to Amend to next cut off

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja will amend our current order of non-compliance to allow the respondent until February 3, 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 #28

CASE # 28 - SMG 10-20-165 - Stonegate Properties 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 302.1, 302.3, 304.2, 304.4, 304.6, 304.8, 304.10, 304.12, 304.13.1, 304.13.2, 304.15, 305.3, 307.1, 604.3, 604.3.2, 605.1, 605.2, 605.2, 605.2); Ch. 90 Sec. 90-297, at 126 S Oleander Ave. Violation(s) – Damaged fence, concrete driveway and walkway cracked and uneven, damaged exterior surfaces including siding, rotten wood, cracks in stucco, peeling paint, damaged interior surfaces of garage, loose electrical wiring, outside storage, trash and debris including storage under stairs and tarps, damaged stairs including rotten wood, damaged exterior doors and locks, damaged porch ceiling including rotten wood and paint fading and peeling, no exterior light fixture, non-working exterior electrical, dirt and grime, mold and mildew, building exterior back porch has rotten wood including railings and extensive damage, boarded up windows, Business Tax Receipt (BTR) expired 9/18/2018. First Notified – 5/5/2020.

No Respondent

Inspector Fitzgerald requested fine \$300 day to max of 15,000 property is an extreme eyesore and property has been condemned.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$300.00 per day, effective January 7, 2021 until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

New Cases:

CASE # 29 - SMG 01-21-21 – Erica Davis is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8), at 615 Washington St. Violation(s) – Outside storage, trash and debris, junk vehicles. First Notified – 1/14/2020.

No respondent

Inspector Fitzgerald advised city helped clean this property up and it has now reverted.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector. Mr. Vukelja ordered a Fine for \$100 dollars per occurrence on 10/21/21, 11/4/21, 12/22/21, 1/4/21 and 1/11/21 for a \$500 total fine.

Mr. Vukelja called case number #35

CASE # 35 - SMG 01-21-01 - Big Cypress Capital 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 302.1), at 731 Mason Ave. Violation(s) – Trash, debris and fascia damage. First Notified – 9/14/2020.

No respondent

Inspector Butler requested non-compliance, compliance 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 February 3, 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 #37

CASE # 37 - 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 advised he has been in contact Mrs. Brown the mother lives in Tampa and her son Mark who is a teacher in Illinois says she will start working on it. Requesting until next cut off for compliance.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance to allow the respondent until February 3, 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 #38

CASE # 38 - SMG 01-21-05 - Tiger DB 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), at 2655 W Intl Speedway Blvd. Violation(s) – Unmaintained Landscaping, exterior property sanitation. First Notified – 10/5/2020.

No respondent

Inspector Stenson requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance to allow the respondent until February 3, 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 #40

CASE # 40 - SMG 01-21-10 – Carlos Santos 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 302.4, 302.7, 304.6, 304.7, 304.13, 604.3.1.1 604.3.1.1), at 1440 Mississippi St. Violation(s) – Work without permits, outside storage, unmaintained landscaping, excessive weeds, damaged fencing, exterior walls, gutter/downspouts, roof/fascia, windows, electrical wiring, electrical fixtures. First Notified – 9/2/2020.

Respondent had to leave.

Inspector Stenson last inspection January 11, 2021 requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance to allow the respondent until February 3, 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 #42

Mr. Barnes advised this case was in compliance **January 11, 2021**

CASE # 42 - SMG 01-21-08 - Toce Daniel G is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4.C.12; Art. 6 Sec. 6.10.G; Art.6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2 and 304.7), at 500 N Beach St. Violation(s) – Container stored on property, damaged sign, outside storage, peeling paint, damaged fascia. First Notified – 11/7/2019.

Mr. Vukelja called Case #45

CASE # 45 - SMG 01-21-17 - Loch N Kop 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 302.7, 304.2, 304.6, 304.7), at 613 N Beach St. Violation(s) – Overgrown grass & weeds, outside storage, uneven fencing, peeling paint, damaged soffits, boarded up windows. First Notified – 12/11/2019.

No Respondent

Inspector Garcia remains in non- compliance requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance order the respondent to be in compliance by February 3, 2021 or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called Case #46

CASE # 46 - SMG 01-21-07 - Midas Touch 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, at 626 Magnolia Ave. Violation(s) – Overgrown grass, dilapidated roof. First Notified – 12/4/2019.

No Respondent

Inspector Kirk remains in non- compliance has had contact with the owner and they are working on it, requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance and order the respondent to be in compliance by February 3, 2021 or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called Case #47

CASE # 47 - SMG 01-21-11 – Dwight Edwards 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 302.8, 304.3, 304.12, 305.3, 604.3, 605.4, 704.2), at 528 Live Oak Ave. Violation(s) – No permit for 12 new windows, door frame and plumbing repair, damaged interior surfaces, missing smoke detectors, junk vehicle, inoperable electrical outlets, damaged railing, missing address numbers. First Notified – 9/9/2020.

No Respondent

Inspector Kirk remains in non-compliance has had no contact with the owner requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance and order the respondent to be in compliance by February 3, 2021 or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mr. Vukelja called Case #49

CASE # 49 - SMG 01-21-20 - Cherry Julia T Trust is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 302.7), at 427 S Martin Luther King Blvd. Violation(s) – Broken windows, crumbling exterior, damaged accessory structures. First Notified – 11/15/2019.

No Respondent

Inspector Kirk no contact with owner remains in non-compliance has had no contact with the owner requesting compliance next cut off.

DISPOSITION: Based on the Inspector testimony find the respondent in non-compliance and order the respondent to be in compliance by February 3, 2021 or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

LR-2

SMG 01-20-08 - 308 N Keech St - Lena Wright etal, 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), 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. **Order Imposing Fine-Lien imposed April 9, 2020 of \$100 per day to a maximum \$10,000.00. Compliance = October 26, 2020. \$10,000.00 plus \$24 recording fees = \$10,024.00.**

No Respondent

DISPOSITION: No respondent review Denied

2. Adjournment

The meeting was adjourned at. 2:39 pm