
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

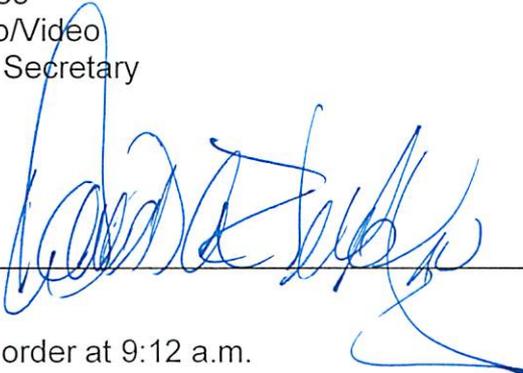
June 8, 2021 Minutes

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 9:12 a.m.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance

CASE # 1 - SMG 06-21-154 - Michael A Rogers is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 302.3), at **446 Walnut St.** Violation(s) – Peeling paint on trim. First Notified – 9/5/2020.

Compliance 6-8-2021

CASE # 13 - SMG 06-21-150 - Thomas & Valerie Hamm is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 604.3, 605.2), at **740 S Ridgewood Ave**. Violation(s) – Failure to remove sign, no screens, failure to maintain electrical receptacles.

Compliance 6-7-2021

CASE # 37 - SMG 05-21-118 - 2900 Bellevue LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2900 Bellevue Ave**. Violation(s) – No permit for new deck and fencing.

Compliance 6-3-2021

Captain Lee requested, do to Inspectors Absence several cases be continued until the Next meeting July 13, 2021 9am are as follows.

CASE # 17 - SMG 06-21-161 - Global Enterprise Acquisition Group LLC & Darryl B Henderson II is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.2, 304.13.1), at **121 & 123 N Hollywood Ave**.

Violation(s) – Damaged accessory structure garage or carport, damaged roof, damaged walls and paint, overgrown grass and weeds (backyard), principal structure, broken & boarded up windows. First Notified – 12/22/2020.

Continued July 13, 2021

CASE # 18 - SMG 06-21-162 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c); Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6), at **Lot Boardwalk (Parcel # 5304-05-01-0110)**. Violation(s) First Notified – 3/1/2021.

Continued July 13, 2021

CASE # 19 - SMG 06-21-163 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c); Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6), at **40 N Ocean Ave (Parcel # 5304-05-01-0030)**. Violation(s) – Unmaintained lot, damaged fence, paint fading and peeling (perimeter wall). Outside storage trash and debris. First Notified – 3/4/2021.

Continued July 13, 2021

CASE # 20 - SMG 06-21-164 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c); Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6), at **Lot Boardwalk (Parcel # 5304-05-01-0040)**. Violation(s) – Unmaintained lot, damaged fence, paint fading and peeling (perimeter wall). Outside storage trash and debris. First Notified – 3/1/2021.

Continued July 13, 2021

CASE # 21 - SMG 06-21-165 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c); Art. 9 Sec. 9.2.A

(Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6), at **15 Boardwalk (Parcel # 5304-05-01-0150)**. Violation(s) – Unmaintained lot, damaged fence, paint fading and peeling (perimeter wall). Outside storage trash and debris. First Notified – 3/1/2021.

Continued July 13, 2021

CASE # 22 - SMG 06-21-166 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c); Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6), at **25 Boardwalk (Parcel # 5304-05-01-0070)**. Violation(s) – Unmaintained lot, damaged fence, paint fading and peeling (perimeter wall). Outside storage trash and debris. First Notified – 3/1/2021.

Continued July 13, 2021

CASE # 23 - SMG 06-21-167 - 600 Fern Avenue LLC & Dream Rentals of Daytona Beach is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 304.7, 304.13, 304.14, 308.2.2), at **720 & 722 E Intl Speedway Blvd**. Violation(s) – Failure to obtain Business tax receipt for apartments, outside storage, trash and debris, damaged asphalt (holes), junk vehicles, paint fading and peeling, dirt and grime, damaged exterior lighting. First Notified – 7/21/2020.

Continued July 13, 2021

CASE # 49 - SMG 04-21-81 - Frank P Heckman is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.1.1, 304.2, 304.7, 304.8, 304.10, 304.12), at **46 S Oleander Ave**. Violation(s) – Front knee wall half painted, front porch roof. rotten wood, damaged roof, damaged fascia board, damaged soffit, front porch structural issues, unit on Harvey, damaged railings, damage rain gutter. First Notified – 9/18/2020.

Continued July 13, 2021

CASE # 50 - SMG 04-21-88 - Marie J Squillante Est % Richard A Squillante is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.E.1; Art. 6. Sec. 6.10.E.2; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.9, 304.2, 304.6, 304.7, 304.10, 304.15, 603.1, 603.2, 605.4), at **725 E Intl Speedway Blvd**. Violation(s) – Damaged roofing and fascia board, exterior non-working mechanical box, faded and peeling paint, containment, cooking oil, spilled outside of container, damaged exterior surfaces, damaged concrete sidewalk, unpermitted sign, damaged exterior door, damaged. First Notified – 4/15/2020.

Continued July 13, 2021

CASE # 51 - SMG 04-21-89 - Mary H Hamilton is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.3 Mobility and Access LDC Specific Reference-Notes. Encroachments into Right -of-Way; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.1.1), at **310 5th Ave**. Violation(s) – Stairs, encroaching on city property, unsafe

condition, open cast iron sewer pipe, paint fading and peeling, dirt and grime, damaged windows doors, outside storage trash and debris, rotten wood. First Notified – 9/18/2020.

Continued July 13, 2021

CASE # 52 - 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.

Continued July 13, 2021

CASE # 53 - 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.

Continued July 13, 2021

Mr. Vukelja granted the request for the cases to be continued to the July 13, 2021 meeting.

Captain Lee requested the following case, be ***Administratively withdrawn***.

CASE # 26 - SMG 06-21-173 - First Presbyterian Church of Daytona Beach is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4, at **704 S Grandview Ave**. Violation(s) – Illegal trailer parking. First Notified – 3/15/2021.

Administratively withdrawn

CASE # 27 - SMG 06-21-174 - First Presbyterian Church of Daytona Beach is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4, at **620 S Grandview Ave**. Violation(s) – Illegal trailer parking. First Notified – 3/15/2021.

Administratively withdrawn

CASE # 28 - SMG 06-21-175 - 1500 S Atlantic Ave LLC is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4, at **1500 S Atlantic Ave**. Violation(s) – Illegal trailer parking. First Notified – 3/15/2021.

Administratively withdrawn

CASE # 29 - SMG 06-21-176 - 1405-1431 S Atlantic LP is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4, at **1410 S Atlantic Ave**. Violation(s) – Illegal trailer parking. First Notified – 3/8/2021.

Administratively withdrawn

CASE # 30 - SMG 06-21-177 - Seabreeze Markett LLC is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4, at **535 Silver Beach Ave**. Violation(s) – Illegal trailer parking. First Notified – 3/8/2021.

Administratively withdrawn

Mr. Jackson requested to announce if anyone was here for the cases called as continued or withdrawn they do not have to stay.

Mr. Vukelja stated if your case number 17-23 or 49- 53 continued to July 13 meeting. If you are cases 26-30 **Administratively withdrawn** and no longer needed

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

Mrs. Reno swore in the City Representative present.

Mr. Vukelja called a couple cases out of order called number #35 First.

New Cases:

CASE # 35 - SMG 05-21-122 - Trste LLC tr, Bryn Mawr Dr Land Trust 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 (Ref. FBC Supp. IPMC 302.7, 304.2, 304.3, 304.4, 304.6), at **1162 Bryn Mawr Dr.** Violation(s) – Structural appearance, accessory structures, protective treatment, premises identification, exterior walls. First Notified – 9/21/2020.

No Respondent

Inspector Recanzone testified no contact no movement requesting a fine.

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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

CASE # 54 - 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.

Attorney Brock stated the buyers backed out since the last hearing and requested more time so they could Paint and bring the properties cosmetic violations into compliance and stated they would board the 2nd floor windows and put the property back on the market.

Inspector Clig testified no contact compliance next cut off.

Mr. Vukelja asked what the plans are for the building.

Attorney Brock stated the pressure wash was completed but did not work and they would be painting and finishing some cosmetic issues and put back on the market. Garage doors are locked from the inside, would like to board the windows on the 2nd floor and secure it. Plans are to market the building to someone that will renovate.

DISPOSITION: Mr. Vukelja ordered the building be secured to city standards by the next cut off July 7, 2021, the exterior maintained includes the cosmetic items mentioned and not be rented, utilized or otherwise occupied until brought into compliance, Failing that the respondent be returned to the special magistrate for consideration of a fine up to \$1,000 per day. Further ordered a progress report in 90 days.

Mr. Vukelja stated, to satisfy the owner is doing something to advance the cause of the building.

CASE # 3 - SMG 06-21-160 - 900 North Atlantic Ave LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 7 Sec. 7.2.M.9; Art. 8 Sec. 8.2.C, at **833 N Atlantic Ave**. Violation(s) – Parking of vehicles that does not conform to the site plan. First Notified – 6/18/2019.

Mr. Bell present not sworn as it was requested the case be continued to work on a resolution.

Mr. Jackson agreed

DISPOSITION: Granted the Motion to **continue** SMG 06-21-160 to the **July 13, 2021** to come to resolution.

CASE # 2 - SMG 06-21-155 - Nitu Enterprises 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 **Marion St (Parcel # 5339-49-00-0300)**. Violation(s) – Overgrown vacant lot. First Notified – 3/22/2021.

No Respondent

Inspector Kirk testified has had contact with the owner requested compliance by next cut off

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 4 - SMG 06-21-156 - TC Property Venture LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.6, 304.13, 308.1), at **1002 W Intl speedway Blvd**. Violation(s) – Discolored walls, dirty awnings, landscaping, window covered. First Notified – 3/1/2021.

No Respondent

Inspector Clearvens Jean-Baptiste testified, advised progress made, and requests compliance by next cut off.

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 5 - SMG 06-21-159 - 20th Street 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, 302.3, 304.2, 304.6), at **600 Seabreeze Blvd.** Violation(s) – Rust, dirt and grime, dirty walls, sign damage. First Notified – 11/20/2020.

Lorie Walker Project Manager Sworn in stated she was aware of the violations and working on them.

Inspector Jean-Baptiste Testified the respondent could be in compliance by the next cut off.

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

CASE # 6 - SMG 06-21-145 - Giniya International Corp (Mason Quick Stop) 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, 304.2), at **580 Mason Ave.** Violation(s) – Landscaping, dirt and grime. First Notified – 9/8/2020.

No Respondent

Inspector Butler testified he has had contact with the owners, requesting compliance by the next cut off

Mr. Vukelja asked if there was a limit to the number of posters in the windows

Inspector Butler advised he could research it by calling Permits and Licensing for the information and Attorney Jackson advised it was a percentage of coverage per the Article 6 Land Development code.

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 7 - SMG 06-21-153 - Carlton Shores Health & Rehab Center is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7), at **1350 S Nova Rd.** Violation(s) – Excessive overgrowth, damaged fencing. First Notified – 1/16/2021.

Walter Prush(Plant Operation Manager) & Julie Morris Sworn in.

Inspector Stenson requested compliance by next cut off.

Walter Prush(Plant Operation Manager) testified that they would need more time to come into compliance due to complications on getting contractors and permits for the fence and tree

removal. Advised there is a new building owner and needs to confirm the financing. Trees have grown into the fence and they will either move the fence line and cut down smaller trees or remove trees.

Mr. Vukelja asked what this property is.

Ms. Morris advised it is a skilled nursing facility.

Captain Lee stated the city was ok if he wanted to 60 days.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **August 4, 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 them to stay in touch with the inspector.

CASE # 8 - SMG 06-21-168 - Deutsche Bank Natl Trust CO TR, Bosco Credit III TR 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, 304.13.2), at **829 Vernon St.** Violation(s) – Outside storage, damaged fencing peeling paint, damaged roof, broken/boarded windows. First Notified – 3/1/2021.

Coleen Calnan (Listing Agency) sworn in, the property has been foreclosed on and Ms. Calnan stated she is going to be the listing agent once the tenant is out

Mr. Vukelja asked the city attorney if that worked for him.

Mr. Jackson asked if it was still under contract.

Mrs. Calnan advised it is tenant occupied and he is uncooperative and had two stays on eviction, relocation assistance was declined and the eviction process is ongoing with the occupant who received a stay until July 9, 2021, which is the next eviction date.

Attorney Jackson advised it was sufficient for this portion of the proceedings.

Mr. Vukelja asked if she agreed to the violation and found the respondent in non-compliance.

Inspector Stenson stated July cut off then corrected his statement to the August cut off.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **August 4, 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 the respondent to stay in touch with the inspector.

CASE # 9 - SMG 06-21-146 - Growfast International Corp 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 302.4, 304.2), at **408 Dr Mary M Bethune Blvd**. Violation(s) – Overgrown grass, weeds, branches, peeling and unpainted exterior wall. First Notified – 1/28/2021.

Cecil Perez (owner) sworn in

Mr. Vukelja asked if he agreed to the violation

Mr. Perez disagreed and stated no, and he can fix it as soon as he can prove it is his wall.

Inspector Garcia testified the remaining wall belonged to the owner of the concrete slab. It was left after demolition and the wall needs painted.

Mr. Vukelja have we had Engineers look at this to satisfy that removing that wall does not do damage to the neighbor.

Captain Lee advised the demolition would have been finalized by Building Department.

Mr. Perez provided the property appraisers land lines and stated that showed it was not his property. Discussion reference his purchase of the property and the survey should have been done at that time and the title company or someone handling the sale would have got one.

Mr. Vukelja advised a survey would show the property line and did he get a survey when he purchased the building, and asked who handled the closing.

Mr. Perez advised he did not know, it was someone in Jacksonville and he paid Cash for the property.

DISPOSITION: Continued to the July 13th meeting to locate a survey to determine the owner of the property.

CASE # 10 - SMG 06-21-147 - Christopher Dean Ali 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, at **550 N Ridgewood Ave**. Violation(s) – No permit (roof), parking on the grass, overgrown grass & weeds. First Notified – 5/23/2020.

No respondent

Inspector Garcia Testified on the status of the case no contact with the owner.

Discussed the violations that are on the notice of violation

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 11 - SMG 06-21-148 - Pinchas & Eva Mamane 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, 605.1), at **818 N Ridgewood Ave.** Violation(s) – Dirty exterior surface, exposed wires, missing outlet covers, trash & debris. First Notified – 2/26/2021.

No respondent

Inspector Garcia Testified on the status of the case, had contact with the owner thought someone would be at the hearing.

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 12 - SMG 06-21-149 - Bersonn LLC (Homes for the Aged) is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.9), at **934 S Ridgewood Ave.** Violation(s) – Failure to maintain overhang extensions, soffits & fascia, mildew on building, dirt and grime, broken windows. First Notified – 8/5/2020

No respondent

Inspector Clig Testified on the status of the case had contact with the owner who is ready to start cleaning up the property and has done a little bit of work.

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Case #13 in Compliance June 7, 2021

CASE # 14 - SMG 06-21-151 - Paul S Phillos LLC (CVS) is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **101 S Ridgewood Ave.** Violation(s) – Failure to maintain exterior property sanitation. First Notified – 3/15/2021.

Paul Phillos and Noah Gardner sworn in and agreed to the violation.

Inspector Clig agreed they could be in compliance by next cut off.

Noah Gardner advised the property was professionally cleaned and trying to come up with a plan where it will be cleaned up weekly by an outside company to stay in compliance. They defeat the locks and pull things out of the dumpster at night; they stated they have an illegal dumping problem and finding couches and recliners dumped behind the building at night.

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

CASE # 15 - SMG 06-21-169 - NDR Daytona LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.5, 304.2, 304.4, 304.6, 304.13.2, 304.14, 305.3, 504.3, 603.1, 604.3, 704.2), at **920 S Ridgewood Ave unit 1 & 3**. Violation(s) – Rodent harborage, exterior structure-protective treatment, exterior structure members, exterior walls, openable windows, no screens, interior surfaces, plumbing system hazard, appliances not working, electrical systems hazards, no smoke detectors. First Notified – 1/23/2021.

Cris Dinardo represents the property owner (Property Manager) agreed the violations exist and found in non-compliance.

Mr. Vukelja asked the inspector how much time would reasonably be required for the respondent to come into compliance.

Inspector Clig advised they started as of yesterday and today so next cut off.

Mrs. Dinardo stated the man that she hired yesterday quit, stated the

Tenant Dawn Aikens apt #1 advised she has been in the apt since Oct 1st 2019, Dinardo took over April 1st 2020. Same requiring problems numerous maintenance men come and take pictures. Holes behind cabinet and has a possum in her upstairs bathroom. Rat infestation, fire alarm issues, showers leak where the appliances are. Several children in the home. Several holes in the unit. Stove door broken, advised she pays \$1400 rent a month. No fire extinguisher. Making some of her own repairs and handing in receipts

Tenant Robert Jakup Unit #3 moved in Jan 4th 2021 calling NDR Property Management and gets the run around, when reports he gets the same response “will check with the owner or I’ll research it” and never gets a call back or when he does get someone back they tell him no they are not fixing it. Has holes in floors, section that is uneven (sky slope). Advises the secretary and even Cris with NDR treat him poorly.

Mr. Vukelja asked if they have conveyed all these concerns with the inspector and the tenants stated they had.

Mr. Vukelja called Ms. Dinardo back up and stated that was pretty ominous testimony.

Ms. Dinardo Unit 2 for Robert calls the office several times a day every day for the last month not months since he’s moved in um there no safety concerns and new floor in there and there is a spot that is not level just stated some of this is exaggerated. They have been in there and cannot do repairs that owners will not let me do. Unit 1 have pest control thing holes covered up, A new stove will be in today fixed light fixed window there is one window broken since they took over the property after she moved in so she does not know what it looked like

before she moved in, there are holes in the walls that look like they could have been created by the tenant and she can't believe they got a rental license with broken widow,

Mr. Jackson requested the Life Safety issues be handled in the next 10 days.

Mr. Vukelja stated the inspector believes the Life Safety issues be handled in the next 10 days and the rest of the property be brought into compliance by July 7th.and the property manager agreed.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent bring all the life safety issues primarily the electrical and the smoke detector into compliance within 10 days of today's date, and the rest of the property into Compliance by **July 7, 2021** failing to come into compliance on either orders or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Host of issues raised by the tenants that they are aware of

CASE # 16 - SMG 06-21-170 - Tzadik Eagle Bay LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.1, 304.6), at **1225 S Beach St.** Violation(s) – Failure to maintain dock, seawall. First Notified – 4/7/2021.

***Kathy Hopkins Regional Manager
Nicole Johnson Property Manager
Tenant Sandra Manning***

Inspector Clig testified they need a permit and the contractor stated he could get it done within 30days. Pulling permit today and get started today, The contractor will fix the dock and all the sea wall he filled in the hole already and looking at next cut off.

The manager stated the contractor advised them it would be 60 days and the walkway is included in the estimate

Ms. Manning advised the damage was 1 foot from where she lives, she was treated rudely, and told she could move or not to go out there. Shared that the seawall does not protect the property

Mr. Vukelja advised her to contact the inspector if she has questions or concerns along the way.

Mr. Vukelja advised we need it fixed and fixed right. Mr. Vukelja Stated he has misgivings if 60 days is even enough. But to keep the inspector informed.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **August 4, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Case # 17 – 23 Continued to the July 13, 2021 hearing

CASE # 24 - SMG 06-21-144 - Kala Niketan Inc (South Beach Fashion) 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 604.3) City Code Ch. 90 Sec. 90-297, at **624 Seabreeze Blvd.** Violation(s) – Amplified music without permit, electrical hazards, Failure to obtain Business tax receipt. First Notified – 3/31/2021.

Mr. Lynch Sworn in Business owner who leases from the property owner

Inspector Jones requested a Non-Compliance – Compliance Will Fine Status

Mr. Lynch Business owner done spring break and got permit for both weekends- promotional activity permit to extend to sidewalk. Permit did not include sound, thought it was what he needed as he did get the permit after explaining to permits and licensing what it was for and thought he got the right one.

DISPOSITION: Denied Will-Fine

CASE # 25 - SMG 06-21-172 - Daytona Braddock LLC (Marantha By the Sea) is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.10, 304.14, 304.18.2, 305.6, 504.1), at **624 Braddock Ave #12.** Violation(s) – Exterior structure walkway and stairway, no window screens, windows not locking, interior doors not working, plumbing leaking in apartment. First Notified – 3/30/2021.

No Respondent

Inspector Jones Testified on the status of the case citizen's complaint, several attempts to reschedule an inspection not been able to get back into the property. Request compliance next cut off.

DISPOSITION: Noting the absence of the respondent, Based on the testimony of the Inspector, and photographs presented found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **July 7, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Case # 26 – 30 Administratively withdrawn

CONTINUED CASES:

CASE # 31 - SMG 05-21-102 - CTN Peninsula 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 301.3), at **S Peninsula Dr Parcel (#5309-19-00-0090).** Violation(s) – Vacant lot overgrown landscaping. First Notified – 1/30/2021.

No Respondent

Inspector Jones Testified on the status of the case no contact with the owner and no progress and requested a fine of \$100 a day to a max of \$15,000.

Discussion on where the property is located and how concrete and dirt is now being dumped on the 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 32 - SMG 05-21-103 - Daytona Braddock LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.12, 304.13.2, 305.6, 309.1, 604.3), at **624 Braddock Ave Apt #11**. Violation(s) – Infestation, Interior doors, Handrails, Electrical system. First Notified – 9/5/2020.

No Respondent

Inspector Jones Testified on the status of the case no contact with the owner and no progress, requested a fine of \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 33 - SMG 04-21-98 - Bernard N Mccutcheon III 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), at **325 Temko Ter**. Violation(s) – Roof and drainage, protective treatment and sanitation. First Notified – 6/26/2020.

No Respondent

Inspector Jones Testified on the status of the case and has had numerous contacts with the owner, progress has been made and would like to request to amend to the next cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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

CASE # 34 - SMG 04-21-84 - Warren & Ruth Trager is cited for failure to correct violations of The Land Development Code, Ref. FBC Supp. IPMC 304.2, 304.6, at **316 Dr. Mary M Bethune Blvd (318 & 320 Dr. Mary M Bethune Blvd Parcel # 533851000030)**. Violation(s) – Rotten wood, faded paint, dilapidated roof (rear). First Notified – 1/9/2020.

No Respondent

Inspector Jones Testified on the status of the case and has had contact with the owner, have obtained a permit had the building demolished, waiting on the permit to be finalized and would like to request to amend to the next cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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

Case # 35 called first.

CASE # 36 - SMG 05-21-117 - Pelican Bay Golf Club 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.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 303.1, 304.15), at **370 Pelican Bay Dr.** Violation(s) – Site appearance standards, commercial property maintenance, accessory structure (fencing), swimming pools (leaking), dilapidated exterior door. First Notified – 2/9/2021.

Attorney Jessica Gow present and determined the Leak is a bathroom and not from the pool

Inspector Stenson testified they had email communication with the attorney and the last one on 5/27/21 the client was moving forward to repair the pool just haven't accomplished that yet.

Mr. Vukelja asked about the history on the case (problem) where they had a pool to the abandoned clubhouse that they do not want to fix.

Ms. Gow stated the pool has been open, when there was a leak on the grounds they closed the pool, has new information, and did work with the department of health. The plumber went out and found the leak is from the cabana bathroom and not the pool and the plumber is working on pulling permits for the bathroom leak with city permitting.

Inspector Stenson requested to Amend to the next cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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

Case #37 in compliance June 3, 2021

CASE # 38 - 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.

Mr. Hughes sworn in

Inspector Garcia testified no contact since last hearing requested a fine.

Mr. Hughes testified he is waiting for the skylights to come in before the roof can be done. That is what he has been waiting for so he could finish the soffits. He does not want the soffits damaged by the roof.

Inspector Garcia requested a temporary fix to close in the missing soffit.

Mr. Vukelja asked a few questions
When do you expect the roof to be done?
Is there a date?
How much have you spent?

Mr. Hughes they still do not have a date, stated there is a window shortage and when those come in the roof and soffit will be done. They have spent over \$150,000 since this case opened.

Mr. Vukelja does not see the utility of a fine helping anything along the way.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **August 4, 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 # 39 - SMG 02-21-36 - Colonial Impact Fund II LLC % Weekend Note Buyer 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.
No Respondent

Inspector Garcia testified the contractor has obtained a demo permit for the removal of the shed structure; permits for the windows, door and the fence are still required. Staff is recommending to amend to the next cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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

CASE # 40 - SMG 05-21-124 - Joseph & Jouhaina Abichaker is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 308.1), at **Rose Ave Parcel (#5338-66-00-0170)**. Violation(s) – Overgrown grass, weeds, bushes, branches, trash debris, rubbish and garbage. First Notified – 3/17/2021
No Respondent

Inspector Garcia requested to continue the case.

DISPOSITION: Noting the absence of the respondent granted the city's request to continue the case until the July 13, 2021 meeting.

CASE # 41 - SMG 05-21-131 - 5T Wealth Partners LP 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 **Champions Dr Parcel (#5217-00-00-0050)**. Violation(s) – Overgrown Lot. First Notified – 1/25/2021.

No Respondent

Inspector Butler testified he conducted an inspection and the property is in compliance, this is an ongoing problem at this particular location. Has received numerous complaints, contacted last week however, this went up to the city manager. Non-Compliance/Compliance, in compliance June 7, 2021

DISPOSITION: Based on the inspector's testimony having previously found that the respondent was in non-compliance, I now find that the respondent has since come into compliance further ordering that the respondent will be returned for a fine of up to \$5,000 for each repeated violation.

CASE # 42 - SMG 05-21-132 - Scott O Stansfield 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 302.8), at **863 Julia St**. Violation(s) – Overgrown Landscaping, outdoor storage and junk vehicle. First Notified – 3/3/2021.

No Respondent

Inspector Butler testified no contact and no progress on the property request \$200 to a max of 10,000.

Mr. Vukelja asked what if any cooperation from the respondents.

Inspector Butler advised none.

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 **June 3, 2021** until the fine reaches a maximum of \$10,000.00 or the property comes in Compliance.

CASE # 43 - SMG 05-21-133 - Tina Rui Fan 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 304.3), at **1159 Hampton Rd**. Violation(s) – Unpermitted shed and fence, overgrown landscaping and vegetation on fence line, install house numbers on structure. First Notified – 3/3/2021.

No Respondent

Inspector Butler testified the owner has completed all violation and waiting on the fence permit to be finalized.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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

CASE # 44 - SMG 05-21-134 - Cora Lee Moultrie 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 304.1, 304.2), at **638 Aberdeen St.** Violation(s) – Overgrown landscaping, peeling paint, door and screen repair.

First Notified – 10/28/2020.

No Respondent

Inspector Butler testified no contact and no progress requests a \$200 per day to a max of \$10,000.

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 **June 3, 2021** until the fine reaches a maximum of \$10,000.00 or the property comes in Compliance.

CASE # 45 - SMG 05-21-125 - Michelle & Theodore Jr Carter is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **916 Kathy St.** Violation(s) – No permit (roof). First Notified – 8/19/2020.

Theodore Carter sworn in

Inspector Tomengo testified Mr. Carter submitted evidence that he is getting his roof inspected tomorrow by the engineering company as requested by the building department and after that, the building department would then go out and hope to final his roof permit.

Mr. Carter agreed he believes he can wrap it up by July 7, 2021.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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.

CASE # 46 - SMG 05-21-126 - John & Mary Ann Odell is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **1304 N Shangri La Dr.** Violation(s) – Overgrown Lot/Landscaping, trees and weeds. First Notified – 8/19/2020.

No Respondent

Inspector Tomengo testified no contact from the owners and the property remains in non compliance and requests a fine of \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 47 - SMG 05-21-127 - Stephanie Robinson 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 (Ref. FBC Supp. IPMC 302.7, 304.2, 304.7, 304.10, 304.15), at **590 Shady Pl**. Violation(s) – Unpermitted Construction/renovation to shed, damaged/chipped wood on exterior door and stairs, hipped/peeling paint on exterior walls, unprotected/exposed wood on fascia board/roof trim. First Notified – 7/16/2020.

No Respondent

Inspector Tomengo testified she has had communication from Ms. Robinson no progress on appearance but did apply for the permit for the shed. Request a fine \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 48 - SMG 05-21-128 - Russell L Chiodo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **1120 Clearwater Rd**. Violation(s) – Overgrown Lot/Landscaping. First Notified – 8/19/2020.

No Respondent

Inspector Tomengo testified no contact and no progress requested \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

Case # 49 – 53 Continued to the July 13, 2021 hearing

Case # 54 called 2nd

CASE # 55 - SMG 05-21-115 - Jeffrey Todd Newfield is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.12, 304.13), at **641 Marina Point Dr**. Violation(s) – Failure to maintain balcony railings, patio window. First Notified – 1/11/2021.

Jeffrey Newfield sworn in

Inspector Clig testified no contact no progress no permit issued recommended a \$400 day fine to a max of \$15000.

Mr. Newfield At the last hearing advised he did not know he had to communicate anything more because nothing had changed since the last hearing and the closing is the 30th. In addition, at the last hearing he submitted the contract that has not closed yet.

Mr. Vukelja You could not contact Mr. Clig

Mr. Newfield that was presented at the last hearing did not realize he had to recommunicate nothing had changed or he would have.

Inspector Clig advised his concern was also if the sale were to fall through

Mr. Vukelja asked if the purchaser is aware of this violation.

Mr. Newfield Yes there planning a full renovation upon purchase

Mr. Vukelja What are the violation

Inspector Clig Failure to maintain balcony **the railing and also a glass sliding door broken and compromised** advised his concern was also if the sale were to fall through. The HOA would not allow access to observe the sliding glass doors and if they are in fact secure, we can only go by what is being told.

Captain Lee concerned the balcony condition and the fact he is attempting to sell the property, which would mean that would mean people would be viewing the property and a safety issue. That somebody would fall off that balcony and there is not a proper railing.

Mr. Vukelja We talked about this last time it seemed there were some safety measures in place what were they?

Mr. Newfield described the balcony used to be a sunroom and the new owner was going to decide if they were going to reinstate it to glass or railing.

Mr. Vukelja inquired about a type of temporary construction barrier.

Denied inspection by the HOA president because it had been like this since the last Hurricane 3 years ago. And never been inside and does not know how secure the sliding glass door actually is.

Mr. Newfield agreed to meet with the inspector on the property for an inspection

Captain Lee suggested the inspector could inspect the property and if the sliding glass door could be posted and maybe more permanently secured.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 7, 2021** to come into compliance (put up some type of a temporary barrier at a minimum for life safety purposes on that external balcony and

that will require Inspector Clig the opportunity to inspect the property and expects full access, or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Clarification was discussed and it was stated Mr. Newfield and or the new owner are responsible and it does not matter if the property changes hands during the case.

CASE # 56 - SMG 05-21-116 - Divine Deliverance Ministries Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.2), at **836 Dr Mary M Bethune Blvd. Violation(s)** – Failure to maintain parking lot, soffits. First Notified – 12/17/2020.

No Respondent

Inspector Clig no contact no progress no permit requesting a fine of \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 57 - SMG 05-21-130 - Emma Lee Byrd is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **632 Clark St. Violation(s)** – Outside storage. First Notified – 3/2/2021.

No Respondent

Inspector Clig no contact no progress no permit requesting a fine of \$100 a day to a 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 **June 3, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 58 - SMG 04-21-73 - LVS Management Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.2, 308.2.1), at **1531 S Ridgewood Ave. Violation(s)** – Failure to maintain driveway, exterior structures, rubbish facilities. First Notified – 12/8/2020.

Larry Smith (officer of the Company) permit issues

Inspector Clig has had a lot of contact everything else is in compliance and requests to amend to the next cut off.

Mr. Vukelja asked if they could be in compliance by July 7th.

Mr. Smith agreed.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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.

CASE # 59 - SMG 04-21-79 - Bakare Organization LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 302.3), at **952 Orange Ave.** Violation(s) – Dirt & grime and broken concrete curbing. First Notified – 5/21/2020.

Cris Switlyk (Representative) (June 19-21st) sworn

Inspector Kirk testified had contact and had contact with the contractor and noted improvement and requests to amend to the next cut off to give them time to complete the project.

Mr. Vukelja The city seems to think if we gave, you until July 7th you would be able to have this finished up

Mr. Switlyk the contractor is going to pressure was and paint the whole plaza and its weather permitting, and hopes it will be done by then.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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.

CASE # 60 - SMG 04-21-71 - Michael & Eva M Wright is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7, 304.12), at **117 S Martin Luther King Blvd.** Violation(s) – Damaged exterior, missing siding, damaged roof, dirt & grime, broken handrail, peeling paint. First Notified – 10/1/2020.

No Respondent

Inspector Kirk testified minimal progress permit is still under review and no contact with the owner. Staff is requesting a fine in the amount of \$500 to a max of \$20,000.

Mr. Vukelja asked what has been done.

Inspector Kirk advised the permit is still under review, **Mr. Vukelja** asked how long the permit has been pending, and **Ms. Kirk** advised he opened it the day before the last hearing so it's been over a month and still under review, he was supposed to submit information to permits and licensing and hasn't done it yet, He has done a little bit of pressure washing.

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 **May 6, 2021** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 61 - SMG 05-21-119 - Sunwest Trust Inc & Fran Lasseter Roth IRA 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.4, at **547 Division St.** Violation(s) – No permit for window replacement and handrails, damaged carport (rotted wood). First Notified – 1/22/2021.

Mr. McCrary sworn in

Inspector Kirk testified she would like to amend to the next cut off. Has had contact and has had progress, support beam repaired, dirt and grime and rotten wood fixed and have a plan to get a permit for the window and he can remove the railing and put up lattice.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **July 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.

LR-1

SMG 03-19-55 - 522 Wallace St. Barbara Stokes is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 1/8/2019. **Order Imposing Fine/Lien effective May 9, 2019 of \$100 per day to a maximum \$ 15,000. Compliance = January 4, 2021. \$15,000.00 plus \$24.00 recording fees = \$15,024.00**

Yozett Miley (daughter) sworn in Testified the property was a family home and not a rental like the paper states, a lawyer advised her to get a notarized statement stating the property was not a rental and she provided it to Jerome McCoy and met him on the property and since she had everything notarized everything was taken care of.

Mr. Vukelja Who owns this property now

Ms. Miley it is in mine and my brother's name

Mr. Vukelja asked who is you brother

Ms. Miley advised **Johnnie Ingram (owners)**

Mr. Vukelja Is one or the other one of you live there? Is it a rental property?

Ms. Miley No, it is empty they wanted to get this taken care of and bring it up to code.

Mr. Vukelja did Ms. Stokes lived at 915 Niles street yes where is that how far back did she have dementia?

Ms. Miley went to check on her and found her (passed away from CHF)

Inspector Clig

Captain Lee advised the complaints came from a tenant inside the building

Ms. Miley advised the complaint was from a cousin who was staying there.

DISPOSITION: Waving Fines

LR-2

SMG 05-19-99 - 1026 Continental Dr. Laundsy Williams & Betty Jean Hines is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.9), Violation(s) – Graffiti. First Notified – 9/27/2018. **Order Imposing Fine/Lien effective June 11, 2019 of \$100 per day to a maximum \$ 10,000.00. Compliance = May 17, 2021. \$10,000.00 plus \$24.00 recording fees = \$10,024.00**

Laundsy Williams & Betty Jean Hines

The mother Betty Jean Hines passed and the brother had mental illness and is now in a facility.

When Mr. Williams tried to get rid of the property is when he found out about the Lien, took care of it, and called for an Inspection.

Mr. Williams stated that his mother did not live in the property for over 20years because of the mental condition of his brother.

Inspector Clig put the case in compliance in January 4, 2021

Mr. Williams did not get involved until his mother passed and Earl Kelly is in a nursing facility off Clyde Morris for the past 6months. He was the one in the house.

DISPOSITION: Waving Fines

LR-3

RTL 09-20-107 - 629 Westmoreland FC RESI 1 LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294, Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12:00:00 AM. **Order Imposing Fine/Lien effective October 27, 2020 of \$100 per day to a maximum \$15000.00. Compliance = January 22, 2021. \$8,700.00, \$24.00 recording fees + Interest \$ 112.29 = \$8,836.29**

Ms. Adriana Moya and Mr. Greg Freeman sworn in

Ms. Moya testified they went into and purchased shares of a LLC, which had homes in Daytona Beach for them to have some sort of retirement. They had a manager who took money from the company and took time to get him out of the company.

They paid fines and feel as if they are playing catch up. Once they paid the fine, another one was already in place.

Captain Lee advised the other property due to a foreclosure went into an agreement with the commission for a settlement in the amount of \$5000. They tried to settle with these two properties in the amount of \$7500 each for these two case LR-3 and LR-4

Ms. Moya testified the notification issues and the notices have been being sent to the Manager who is no longer with the company. They do know the process now and do have active Rental Licenses.

DISPOSITION: Reduced the Lien to the amount of \$1500.00

LR-4

SMG 06-19-124 - 1218 Sunset Cir FC Resi 1 LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 3/8/2019. **Order Imposing Fine/Lien effective July 5, 2019 of \$250 per day to a maximum \$15000.00. Compliance = March 12, 2021. \$15,000.00, \$250.00 No Business Tax Receipt, \$24.00 recording fees + Interest \$ 161.96 = \$15,435.96**

Inspector Jones

DISPOSITION: Reduced the Lien to the amount of \$2500.00

LR-5

SMG 06-12-53 - 815 Lenora St. Charles Van Steenberg is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1.1 (ref. FBC Supp IPMC 302.3, 302.4, 302.5, 302.7, 303.1, 303.2, 303.4, 303.5, 303.6, 303.7, 303.10, 303.12.2, 303.14, 303.15, 304.1, 304.2, 304.3, 304.6, 306.1, 504.1, 504.3, 602.1, 604.3, and 605.1), Violation(s) – Sidewalks and driveways; weeds; rodent harborage; accessory strcutres; protective treatment; structural members; foundation walls; exterior walls; roofs and drainage; stairways, decks, porches and balconies; openable windows; insect screens; doors; interior structure; interior surfaces; interior doors; infestation; plumbing system hazards; heating facilities required; electrical systems hazard; electrical installation - See Attached Housing Inspection Long Form. First Notified – 5/2/2012. **Order Imposing Fine/Lien effective July 3, 2012 of \$75 per day to a maximum \$10,000.00. Compliance = April 1, 2019. \$10,000.00 plus \$24.00 recording fees = \$10,024.00**

DISPOSITION _____

Ms. Perez the niece of Mr. Ancil Mendoza testified that her Aunts ex-boyfriend will turn over the property to her and will sell her the property for \$5000 and allowed her to take the property to court and find out if she can get the properties fines waived or reduced. She stated he has actually went down to \$3000 since the beginning.

She wanted to see if she could get the liens released because she can't waist even \$3,000 and have \$25,000 of liens on the property.

Mr. Vukelja discussed Mr. Mendoza being an absent property owner and if Ms. Perez showed up with a contract for purchase. Come back and show that she has the right to buy this property and then he will be able to hear the request, legally she has no interest in the property and he has to talk to the people he is supposed to talk to.

DISPOSITION: Not hearing LR-5, not hearing LR-6 today's hearing was without prejudice to any request these be rescheduled for future hearings.

LR-6

CEB 02-16-15 - 815 Lenora St. Eschmeyer Real Estate Holdings is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.1.A (Ref. FBC 105.1), Violation(s) – Demolition and renovations without permits. First Notified – 12/4/2015. **Order Imposing Fine/Lien effective April 14 2016 of \$250 per day to a maximum of \$15,000.00. Compliance = April 1, 2019. \$15,000.00 plus \$24.00 recording fees = \$15,024.00**
DISPOSITION _____

Inspector Stenson

DISPOSITION:

The meeting was adjourned at 12:29 PM