
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

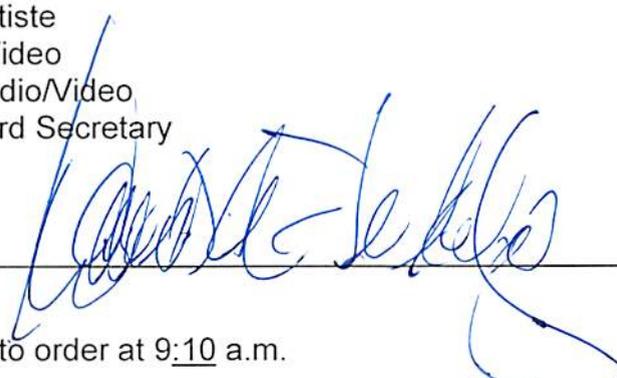
August 10, 2021 Minutes

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. Curtis Wiggins, Code Inspector
Mr. Clearvens Jean-Baptiste
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 9:10 a.m.

Mr. Vukelja call all inspectors that will be testifying to stand and be sworn

Ms. Reno swore in all inspectors.

Mr. Vukelja asked if there were any announcements.

Ms. Reno made the following announcements.

CASE # 21 - SMG 08-21-215 - Rafica Muhammad Itani 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, 304.2), at 602 Eldorado St. Violation(s) – Inoperable vehicles, rust and overgrowth. First Notified – 3/19/2021.

Compliance 8-10-2021

CASE # 23 - SMG 08-21-217 - Siamak Vaziri

Appearing via zoom

CASE # 25 - SMG 08-21-219 - Leila & Idean LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at 250 S Lanvale Ave. Violation(s) – Overgrown backyard, inoperable vehicle, parking in yard, peeling paint, dirt and grime on trim. First Notified – 3/25/2021.

Compliance 8-6-2021

CASE # 26 - SMG 08-21-220 - McNeil Enterprise LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.a, at Marion St (Parcel # 5339-49-00-0240). Violation(s) – Parking on a vacant lot. First Notified – 3/22/2021.

Withdrawn – New Owner – Per Inspector

CASE # 31 - SMG 08-21-225 - Investments of ANKH 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, 304.13, 308.2.2), at 841 Maley St. Violation(s) – Outside storage, broken windows & doors, damaged fence, refrigerator stored improperly outside. First Notified – 2/24/2021.

Compliance 8-6-2021

CASE # 32 - SMG 01-21-20 - Julia T Cherry 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.

Compliance 8-6-2021

CASE # 35 - SMG 05-21-106 - Sea & Sun Properties LLC

Appearing via zoom

CASE # 37 - SMG 05-21-108 - B&B 2421 N Oleander Ave LLC 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 302.3, 304.2), at 2421 N Oleander Ave. Violation(s) – Cracked and broken sidewalk, dirt and grime, peeling paint, parking on the lawn.
First Notified – 7/15/2020.

Compliance 8-5-2021

CASE # 46 - 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.

Compliance 8-9-2021

CASE # 47 - SMG 01-21-22 - DB 101 Corp

Appearing via zoom

CASE # 49 - SMG 07-21-183 - Remun Said is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at 502 Madison Ave. Violation(s) – Trash and debris, grime and dirt on exterior walls.
First Notified – 3/17/2021.

Compliance 8-5-2021

CASE # 50 - SMG 06-21-146 - Growfast International Corp

Appearing via zoom

CASE # 53 - SMG 07-21-195 - Sherry Lynna Price TR & Charles Gary Gorden TR 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. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at 635 N Beach St. Violation(s) – Outside storage and parking on the grass.
First Notified – 10/24/2020.

Compliance 8-9-2021

CASE # 55 - SMG 07-21-197 - Vernon B Thurman II is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3, 605.1), at 115 Mason Ave. Violation(s) – Graffiti, exposed exterior outlets, no address numbers.
First Notified – 12/17/2020.

Compliance 8-9-2021

LR 5, 6 and 7 would be appearing via zoom

Called case number 36

CASE # 36 - SMG 07-21-181 - Redelva LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.3, 304.2, 304.3, 304.7, 605.1), at 999 N Atlantic Ave. Violation(s) – **Blighted property, dilapidated parking lot, exterior surfaces, address numbers, dilapidated roof, and exposed electrical fixtures.**
First Notified – 10/1/2020.

Steve O'Neill sworn in
James Evans

Inspector Jones testified to the status of the case, Stated they have done some work, Requested compliance next cut off in hopes work will continue to progress. Asked for the parking lot to be repaired and the paint to be completed.

Mr. Vukelja asked what has to happen with the parking lot for compliance to be achieved.

Mr. Jones responded repaired or replaced.

The painting and the parking lot would bring the property into compliance

Mr. O'Neil spoke to ***Mr. Jones*** and discussed what has been done and what needed to be done and thinks we are good.

Mr. Vukelja stated since everyone is in agreement he will amend the order.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **September 8, 2021** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Called case number #1

CASE # 1 - SMG 08-21-212 - George & Clary Manolas is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1018 S Atlantic Ave.** Violation(s) – **No Permit (unpermitted storage trailer).**
First Notified – 4/7/2021.

No Respondent

Inspector Bostwick testified to the status of the case stated the case was in non-Compliance and now in Compliance and asked for will fine status.

DISPOSITION: Based on the Inspectors testimony find the Respondent to have been in Non-Compliance and now in compliance and order the Respondent will be returned to the special magistrate for consideration of a fine of up to \$5,000.00 for each future repeat violation.

CASE # 2 - SMG 08-21-236 - Vishnu LTD 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, 302.7, 304.1, 304.7, 304.13, 308.1, 304.10, 605.1), at **1000 N Atlantic Ave.** Violation(s) – **Unmaintained landscaping, dilapidated pool shed, general conditions of exterior structure, dilapidated roof, missing and broken windows, trash and debris, dilapidated stairs, balcony's and rails, exposed wiring.**
First Notified – 5/30/2020.

Attorney Hosanney stated they are under contract to sell the property and it should go through at the end of August.

Captain Lee stated the property has been in this process multiple times and they would like to see next cut off and amend at that time

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Aware of contract and put that in place as a reminder to you and the new buyer to show up and start talking to this gentlemen about what has to be done.

Called Case # 43

CASE # 43 - 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

Mr. Vukelja stated Counsel appearing on behalf of the respondent

Inspector Stenson testified to the status of the case the leak is not from the pool but it is from the bathroom, they are getting complaints from the residents they still do not have access to the pool.

Attorney Hosanney Everything has been done and the contractor is coordinating with the city to final out the permit.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until September 8, 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 # 3 - SMG 08-21-229 - Roslyn Page is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7), at **555 Oak St Apt # 3. Violation(s) – Parking on an unapproved surface, peeling paint, roof and fascia damage.**

First Notified – 10/13/2020.

Roslyn Page and Peter Blountt Sworn in

Inspector Butler testified to the status of the case and stated he has had no contact with the owners, and requests compliance next cut off.

Discussion on the parking issue was addressed and it was stated an approved surface needs to be installed.

Mr. Blountt stated that apt 3 was in compliance and the remainder of the violations are being worked on and if he could do it himself he would and they do have someone for the driveway and get an estimate next week.

Mr. Vukelja asked how many things remain to be done.

Mr. Butler listed parking , roof repaired, fascia repaired and peeling and paint and need to pull permits for the work that needs to be done.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 4 - SMG 08-21-230 - Sun Glow Construction is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **Wesley St (Parcel # 5202-22-00-0030)**. Violation(s) – **Outdoor storage trash & debris. First Notified – 11/27/2020.**

No Respondent

Inspector Butler testified to the status of the case

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Called case number #34

CASE # 34 - SMG 04-21-82 - JKM/ECM Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7), at **507 Brentwood Dr.** Violation(s) – **Damaged roof (fascia), peeling paint and rotten wood.** First Notified – 4/16/2020.

Mr. Earl McCrary sworn in

Inspector Butler testified to the status of the case new roof completed and finalized, all rotten wood replaced, windows installed and permitted entire structure scheduled to be painted before the end of the month.

Mr. McCrary stated they should be done by the end of the month and next cut off should be good.

DISPOSITION: Will amend our current order of non-compliance to allow the respondent until September 8, 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 # 5 - SMG 08-21-213 - Samuel W Marten & Jefferson 386 St Family Trust % Anthony Marrone is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 304.1.1, 304.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.13.2, 304.15, 304.19, 308.1, 308.2, 308.3, 604.3.1), at **386 Jefferson St.** Violation(s) – **Unsecured vacant house, paint fading and peeling, dirt and grime, exterior surfaces, damage windows, damaged and unlocked doors (secure to city standards),**

outside storage, trash, debris and garbage, unmaintained vacant building, electrical hazard with water exposure, damaged plumbing, damaged interior surface, damaged roof, damaged fence and gate. First Notified – 6/17/2021.

Mr. Anthony Marone sworn

Inspector Fitzgerald asked for compliance next cut off.

Mr. Marone stated it had a fire in it and they are waiting for it to be leveled and is trying to give it to the city, he was in a severe accident about 3 years ago

Mr. Vukelja stated that **Mr. Marone** does not have the means to come into compliance and maybe the city would have some interest in the property.

Mr. Jackson stated if he could start with the city manager or public works or **Captain Lee**.

Mr. Vukelja asked if the property was secure.

Mr. Marone stated that is his concern that people keep getting in.

Mr. Vukelja asked if this is a police issue.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** and further order the respondent to secure that property to city standards in 10 days, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 6 - SMG 08-21-214 - Theresa A Drahovsky 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 302.7), at **301 & 305 5th Ave. Violation(s) – Damaged perimeter wall.**
First Notified – 2/17/2021.

No Respondent

Inspector Fitzgerald testified to the status of the case and requested compliance next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector **Mr. Vukelja** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 7 - SMG 08-21-226 - Brentwood Real Estate Partners LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 308.1), at **Brentwood Dr (Parcel # 4244-01-31-0026).**
Violation(s) – **Damaged fence, trash and debris, rubbish and garbage, overgrown grass, bushes, shrubbery, tree branches.**
First Notified – 3/22/2021.

No Respondent

Inspector Garcia testified to the status of the case and advised he did receive an email stating the owner could not attend the hearing because his son caught the covid. Requested for compliance next cut off.

Mr. Vukelja asked what the response was and the intentions for compliance.

Inspector Garcia advised the owner did hire someone but it continued and that is why we are here.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 8 - SMG 08-21-228 - Isola Bella Landscaping 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 302.1, 308.1), at **Brentwood Dr (Parcel # 4244-01-31-0021)**. Violation(s) – **Overgrown tree branches, shrubbrey, grass, weeds, trash and debris, rubbish and garbage.** First Notified – 3/22/2021.

No Respondent

Inspector Garcia testified to the status of the case had contact with the owner and advised he and the police have been to the property and it still remains.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 9 - SMG 08-21-237 - Porpoise Bay Road LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **101 Porpoise Bay Rd.** Violation(s) – **No permit (New Fencing).** First Notified – 5/25/2021.

Dwayne Mc Duffy sworn in and advised he is the hired contractor to Porpoise Bay Road LLC

Inspector Stenson testified to the status of the case *and requested compliance next cut off.*

Mr. Mc Duffy stated he agreed as long as the building department gives him the permit, and they are behind.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 10 - SMG 08-21-238 - Derbyshire Property LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **1148 Clearwater Rd. Violation(s) – Junk Vehicle.**
First Notified – 4/15/2021.

No Respondent

Inspector and Stenson testified to the status of the case *requested compliance 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 **September 8, 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 08-21-239 - 2018-3 IH Borrower LP is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **1329 N Shangri La Dr. Violation(s) – Outside storage, parking in yard, junk vehicle.**
First Notified – 4/12/2021.

Josh Flowers & Carmen Lopez sworn in and are the tenants

Inspector Stenson testified to the status of the case *requested was in non-compliance now in compliance and will fine status*

DISPOSITION: Based on the Inspectors testimony find the Respondent to have been in Non-Compliance and now in compliance and order the Respondent will be returned to the special magistrate for consideration of a fine of up to \$5,000.00 for each future repeat violation.

CASE # 12 - SMG 08-21-208 - Heritage Preservation Trust Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec 9.1.A, at **111 & 115 Silver Beach Ave. Violation(s) – No Permit (siding, car port).**
First Notified – 3/8/2021.

John Dillard & Fran Dillard Board Members sworn in

Inspector Clig testified to the status of the case and requested compliance next cut off.

Mr. Dillard asked if compliance was permit or application in for permit for after the fact application. They worked with two engineers and an architect and no one would move forward with them.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 13 - SMG 08-21-209 - Carley B Walters Est is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.15), at **133 Magnolia Ave.** Violation(s) – **Broken windows and doors.**
First Notified – 2/26/2021.

Jordan Walters personal representative sworn in

Inspector Clig testified to the status of the case and requested compliance October cut off.

Mr. Walters stated they had fire remediation, that the property is secured and has plans from the architect and engineer and has full PDF sent to Inspector Clig this morning. Now he can apply for the permits and put \$100,000 into the property already.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 14 - SMG 08-21-210 - The ETA IOTA House Corpotation of the Sigma Chi International Fraternity, INC. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 9 Sec. 9.2.A, at **520 S Ridgewood Ave.** Violation(s) – **No Permit (Interior renovation).**
First Notified – 5/19/2021.

Mark O'Neil sworn Vice president of the Iota House Corporation and does not agree to the violations.

Inspector Clig testified to the status of the case. The permit was applied for then canceled, the original permit was for plumbing cancelled without getting it finalized, and a stop order was submitted.

Captain Lee advised the permit was cancelled therefore; work was done without a permit (outside the scope of a permit).

Discussion on new permit that was pulled adding electrical to the current plumbing permit.

They have the permit now and have the funds and expect the work to be done by August 28.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 15 - SMG 08-21-211 - Promo 05 LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.4, 304.7, 304.13.2, 304.14, 304.15), at **630 S Palmetto Ave.** Violation(s) – **Failure to maintain site appearance standards, exterior doors, exterior protective treatments, exterior structural members, roof & drainage, inoperable windows, insect screens.**
First Notified – 2/18/2021.

No Respondent

Inspector Clig testified to the status of the case and advised he had contact with the owner and he stated he was not going to do work on the property because he was selling on August 13, 2021

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 16 - SMG 07-21-198 - Racecoast Marina Land Holdings LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **Marina Point Dr (Parcel 5339-01-01-0100)**. Violation(s) – **Outside storage**.
First Notified – 6/23/2020.

Attorney Cory Brown storage law firm - representing the respondent

Inspector Clig stated they just needed to move the boats.

Mr. Brown discussed the owner going through the process submitting an application and asking for a PD Amendment rezoning the use of the property to permit this use.

Discussion on the use for the strip of land and pursuing an administrative remedy for the violation.

Mr. Jackson requested a time line be established next hearing.

DISPOSITION: Continued to the September 14, 2021 meeting for a progress report.

CASE # 17 - SMG 08-21-232 - 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, 304.6), at **922 S Atlantic Ave**. Violation(s) – **Damaged exterior surfaces, pressure wash and paint the exterior building**.
First Notified – 11/19/2020.

No Respondent

Inspector Jean-Baptiste testified to the status of the case, met with the owner last Friday to go over what will bring it into compliance. Requested compliance 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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 18 - SMG 08-21-233 - Track Three LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.B; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at **501 Seabreeze Blvd.** Violation(s) – **Graffiti on walls, rust, no light bulbs on light fixtures, fading and peeling paint, dirt and grime.** First Notified – 4/26/2021.

No Respondent

Inspector Jean-Baptiste testified to the status of the case, had contact with the owner via email and voice mails she is asking for more time. Requested compliance October cut off.

The criminal investigation is now over (graffiti investigation) she is now able to paint and looking for a contractor.

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 **October 6, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 19 - SMG 08-21-234 - Douglas & Charles Jr Schelmety 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 302.3, 304.1, 304.2, 304.4, 304.5, 304.6, 304.7, 304.9), at **1010 Main St.** Violation(s) – **Dirty awnings, chipped/peeling paint, exposed wires, discolored paint, rust, cracked and damaged walls, dirt and grime.** First Notified – 5/7/2021.

Mr. Schelmety sworn in

Inspector Jean-Baptiste testified to the status of the case, requested compliance by October 6, 2021

Mr. Schelmety advised the property will be sold on September 18, 2021. Will be developed.

Mr. Vukelja asked if he was going to sell the Tiki Hut.

Mr. Schelmety advised covid did damage to the company and it is going to be demolished.

Inspector Jean-Baptiste asked if he can amend the request to the next cut off to September 8, 2021 so everyone could be notified?

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **September 8, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 20 - SMG 08-21-235 - Drymonis Georgas 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), at **619 N Grandview Ave.** Violation(s) – **Repair or remove cracked broken concrete perimeter, powerwash dirt and grime off all exterior surface.**

First Notified – 5/24/2021.

Mr. Drymonis sworn in

Inspector Jean-Baptiste testified to the status of the case, requested compliance by October 6, 2021

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Case # 21 in compliance

CASE # 22 - SMG 08-21-216 - Donald E Hawkins TR 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. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 308.1), at **885 & 887 W Intl Speedway Blvd.** Violation(s) – **Damaged roof, unsecured sign brackets, trash and debris, dirt and grime.**

First Notified – 1/27/2021.

No respondent

Inspector Kirk testified to the status of the case, requested compliance by September 8, 2021 stated she had contact with the owner's secretary.

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 23 appearing via zoom (no audio)

CASE # 23 - SMG 08-21-217 - Siamak Vaziri is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.7, 304.13), at **513 S Martin Luther King Blvd.** Violation(s) – **Damaged upstairs porch, rotted wood, dirt and grime, peeling paint, damaged windows & doors, damaged fence, blighted and unsafe structure.**

First Notified – 3/18/2021.

Skipped to # 24

CASE # 24 - SMG 08-21-218 - Loch N Kop Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **520 Wallace St.** Violation(s) – **Unpermitted fence.**

First Notified – 4/28/2021.

NO Respondent

Inspector Kirk testified to the status of the case, no contact and no permit, requested compliance by September 8, 2021

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 27 - SMG 08-21-221 - Lipazy2000 LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-297, at **955 Orange Ave suite 110.** Violation(s) – **No business license (Dance studio).**

First Notified – 4/23/2021.

NO Respondent

Inspector Kirk testified to the status of the case, had contact with owner and tenant, requested compliance by September 8, 2021

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 28 - SMG 08-21-222 - Rev Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10, 304.13, 304.14, 304.15, 305.3, 504.1, 602.3, 604.3), at **220 Reva st.** Violation(s) – **Damaged interior/exterior surfaces, no heat, missing insect screens, loose railing, defective appliance, defective window, doors & locks, inoperable bathroom.**

First Notified – 1/22/2021.

NO Respondent

Inspector Kirk testified to the status of the case, had contact with owner no interior re-inspection yet, requested compliance by September 8, 2021

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 29 - SMG 08-21-223 - ASP-Ready Chem LLC 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), at **701 Magnolia Ave.** Violation(s) – **Inoperable vehicles, parking on grass.**
First Notified – 10/21/2020.

NO Respondent

Inspector Kirk testified to the status of the case, complaint driven case, no contact, requested compliance by September 8, 2021

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 **September 8, 2021** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 30 - SMG 08-21-224 - Audrey Houston Est, Don Shevara Roberts, Edward Jones Est, Tamara Jones, Sedrick Davis, Kirk Lovette Murphy, Debbie Yvette Filer, Jacarie Lamar Jones. Is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7, 304.7, 304.13, 305.3, 604.3), at **727 School St.** Violation(s) – **Damaged fencing, roof and windows, exposed electrical wiring, interior surfaces, unimproved parking surface.**
First Notified – 11/26/2020.

Camita Jones and Leroy Houston sworn in
Camita Jones Daughter in process of being added.

Inspector Kirk stated compliance by next cut off September 8, 2021.

Mr. Houston stated they won't be in compliance by September 8, 2021.

Mr. Vukelja asked what the game plan is.

Mr. Houston stated he came to find out what needs to be done. They have four units and discussed the different addresses and parcels.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the continuance to the September 14, 2021 to determine a compliance date.

Called case # 23 Zoom Call

CASE # 23 - SMG 08-21-217 - Siamak Vaziri is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.7, 304.13), at **513 S Martin Luther King Blvd.** Violation(s)

– Damaged upstairs porch, rotted wood, dirt and grime, peeling paint, damaged windows & doors, damaged fence, blighted and unsafe structure.

First Notified – 3/18/2021.

Mr. Ben Zaeri represent Mr. Vaziri sworn in

Inspector Kirk stated compliance by next cut off September 8, 2021.

Mr. Ben Zaeri stated they explored the possibility of repair and found that everyone suggested it needed to be removed. They applied for the permit, and then had to add a sketch of what would be left after they removed the porch. Then the city came back and advised the building was unsafe and the building had to be demolished so they entered into a contract with Samsula demolition and because they found asbestos in the downstairs garage that Asbestos remediation needs to be done, cost will be prohibitive because of that and reach out to the city to see if they will demolish it and put a lien on the property until a later date, he advised he does not know if next compliance date is going to be enough to reach an agreement with the city or have the ability to raise the money themselves to demolish it.

Mr. Vukelja asked if the building was secure, and asked what time the remediation would add to the time line of being in compliance.

Captain Lee stated remediation is done about a week before demolition and maybe up to 10days.

Mr. Vukelja advised they have the right to contest the condemnation and cannot say the only option is to demolish and then say you cannot afford to demolish it. The option is to renovate or demolish and he can give additional time.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **October 6, 2021** or be returned to the Special Magistrate for consideration of the imposition of a fine up to \$1,000 per day. Secured to city standards.

CASE # 33 - SMG 07-21-205 - Boardwalk at Daytona Development, 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. 6 Sec. 6.10.G, at **1002 Main St.** Violation(s) – **Dirty awnings, damaged window, broken windows, damaged/cracked walls, unsecured building, exposed wires, discolored paint, rust, dirt and grime, trash and debris, landscaping.**

First Notified – 5/7/2021.

Mr. McDonald sworn in controller of Boardwalk at Daytona Development, LLC

Mr. Vukelja asked when he thought he would be in compliance

Mr. McDonald stated October 6, 2021; he was waiting for his asbestos report tomorrow and had a contract to tear down both

Inspector Jean-Baptiste agreed to the October cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **October 6, 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 # 48 - 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) – **Unmaintained lot, damaged fence, paint fading and peeling (perimeter wall). Outside storage trash and debris.**
First Notified – 3/1/2021.

Mr. McDonald testified that he should have it done by September 8, 2021.

Inspector Fitzgerald agreed to the September 8, 2021 cut off.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **September 8, 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 - SMG 05-21-106 - Sea & Sun Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.13, 304.15, 305.3, 504.1, 603.1, 309.1) and NFPA 1, 13.7.1.4.9), at **1065 N Atlantic Ave Unit 6**. Violation(s) – **Rusted pipes, holes in garage ceiling, broken window, missing screens, entry door not sealing, cracked interior walls, plumbing leaks, HVAC not working, electrical hazard, pest control, and missing smoke detectors.**
First Notified – 8/19/2020.

Mr. Bazak sworn in

Inspector Jones testified to the status of the case and requested to the next cut off.

Mr. Bazak stated he thinks it is in compliance and needs to schedule between inspector and tenants.

Mr. Vukelja advised him to make sure he contacts his inspector for a final inspection.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **September 8, 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 #36 done

Case #37 in compliance

CASE # 38 - 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, Nicole Johnson & Shana Lier sworn in

Inspector Clig testified to the status of the case had contact with management and contractor, and the Contractor has the doc waiver from DEP and applied for the permit with the city still waiting on the permit for the sea wall and requesting next cut off .

Demolishing the Doc and putting a new Doc in the same footprint and already have the Exemption from the DEP that states they do not need a permit, Requested additional information and waiting for the Exemption for the repairs for the rip wrap wall. And taking that to the city when they get that. And the city will have all the documents needed by September 8, 2021 but not in compliance.

Captian Lee requested compliance date for the October cut off.

DISPOSITION: progress report for September 14, 2021 and set a compliance date.

CASE # 39 - SMG 05-21-115 - Jeffrey Todd Newfield & Julie Baker 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 to the status of the case. No contact with Mr. Newfield and numerous emails and calls from the New Owner Julie baker. Did get a permit August 6, 2021 doors and windows to be replaced but that was fourteen weeks out, the main concern is he still has not had an inspection of the property inside. Does have pictures and work is being done.

Inspector Clig requested a \$400 dollar a day fine to \$15,000.

Mr. Vukelja asked what am I looking at.

Mr. Newfield stated to the front door and looking out at the backsliding glass door. Mr. Newfield also stated Mrs. Baker had another court appearance in Deland and he came so that someone was here but he does not have control over the property anymore.

Mr. Vukelja asked what the caution tape was going to accomplish other than color. Has Mrs. Baker applied for any permits?

Mr. Newfield advised she told him the supplies would be available mid-October to do the balcony repairs.

Captain Lee advised the permit was for window and doors, is that the scope of the balcony.

Inspector Clig advised yes window and door.

Mr. Vukelja stated in the interim she is putting caution tape up?

Mr. Vukelja asked what a reasonably prudent person be putting up across that opening to keep someone from falling.

Inspector Clig advised some typ of 2x4 or plywood like a hurricane board is all that you have to do.

Mr. Newfield advised he is still responsible for the fines but has no

DISPOSITION: Order the opening be secured to city standards in 5 days and failing that a fine in the amount of \$1000 dollars a day to a maximum of \$15,000 starting day 6. During the five days and the city be allowed to come in and do the inspection previously ordered.

CASE # 40 - SMG 07-21-180 - Esam Hamad 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), at **770 S Segrave St.** Violation(s) – **Failure to maintain lot grass and weeds.**
First Notified – 10/7/2020.

No Respondent

Inspector Clig testified to the status of the case, no contact, no progress requesting a \$100 dollar a day fine to a maximum of \$15,000

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector **Mr. Vukelja** imposed a fine in the amount of \$100.00 per day, effective **August 5, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

11:07 AM Mr. Vukelja called for a break and for all respondents in the room to give their case numbers to the secretary and he will call those cases first and get them out.

CASE # 44 - SMG 07-21-185 - LA Philip 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 302.5, 302.7, 305.3, 304.1, 605.1, 605.4), at **845 Valencia Ave.** Violation(s) – **Outside storage, damaged fencing, interior surfaces, plumbing fixtures, electrical equipment installation, electrical wiring.**
First Notified – 2/10/2021.

Alex Afghani sworn in

Inspector Stenson testified to the status of the case stating the shipping cargo container is still on the property and requested a fine in the amount of \$100 dollar a day fine to a maximum of \$15,000

Mr. Afghani call in a company to move the container and they told him it was almost impossible to move it.

Mr. Afghani spoke of trying to find out if he moved one of the storage units because you are only allowed two then maybe he would be allowed to keep this one.

Captain Lee stated that a shipping container is not considered an accessory structure.

Mr. Afghani also stated the shipping container has been in this place before the tree was there and the tree is why he cannot move the shipping container off the property

Mr. Vukelja advised the shipping container has to be removed. And if he gives extra time he expects it to be gone.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **October 6, 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 # 41 - SMG 06-21-153 - Carlton Shores Health & Rehab Center, 1350 S nova Road LLC % Altus Group US Inc 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.

No Respondent

Inspector Stenson received a call from maintenance supervisor at this facility and the new fence installation would begin next week, as of yesterday no application or issuance of a permit for a fence, requesting a fine in the amount of \$200 a day to a maximum of \$25,000

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 **August 5, 2021** until the fine reaches a maximum of \$25,000.00 or the property comes into Compliance.

CASE # 42 - SMG 06-21-168 - Deutsche Bank Natl Trust CO TR, Bosco Credit III TR Series 2010-1
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.

No Respondent

Inspector Stenson testified to the status of the case stating the occupant has been removed and the cleaning has begun. Requests to amend to the September cut off.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **September 8, 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 # 45 - 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 – 4/13/2020.

No Respondent

Inspector Fitzgerald testified to the status of the case, advised almost in compliance and requests to give more time to final the permit and amend to next cut off.

Mr. Sykes asked if this was continued
Inspector Fitzgerald stated yes he is asking for next cut off.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **September 8, 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 # 47 - SMG 01-21-22 - DB 101 Corp is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **S Ocean Ave (Parcel ID 5304-01-03-0010)**. Violation(s) – **No demolition permit, excluding the sea walls.** First Notified – 11/11/2020.

Mrs. Carnicer sworn in

Inspector Fitzgerald testified to the status of the case and requested to amend to the next cut off.

Mrs. Carnicer agreed that would be good.

DISPOSITION: Will amend the current order of non-compliance to allow the respondents until **September 8, 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 # 50 - 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.

Mr. Jose Perez sworn in and stated he is still waiting for the survey.
Inspector Garcia stated he has had email communication and still waiting on the survey.

Mr. Vukelja asked if we are just going to reschedule for the September 14 meeting for a progress report and it is in the works and waiting on the survey

DISPOSITION: Continued to the September 14, 2021 hearing for a progress report.

CASE # 51 - SMG 07-21-193 - Daytona Ridgewood 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), at **200 N Ridgewood Ave.** Violation(s) – **Trash, debris, rubbish, garbage and overgrown landscaping.**
First Notified – 8/31/2020.

No Respondent

Inspector Garcia testified to the status of the case, no contact and no progress asked for a fine in the amount of \$200 dollars a day to a maximum of \$25,000.

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 **August 5, 2021** until the fine reaches a maximum of \$25,000.00 or the property comes into Compliance.

CASE # 52 - SMG 07-21-194 - Daytona Ridgewood LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.12, 605.1), at **200 N Ridgewood Ave.** Violation(s) – **Damaged light posts, retaining wall handrails and exposed wires.**
First Notified – 8/31/2020.

No Respondent

Inspector Garcia testified to the status of the case, no contact and no progress asked for a fine in the amount of \$200 dollars a day to a maximum of \$25,000.

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 **August 5, 2021** until the fine reaches a maximum of \$25,000.00 or the property comes into Compliance

CASE # 54 - SMG 07-21-196 - ASP-Ready Chem LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **611 Weber St.** Violation(s) – **Overgrown grass, no address numbers.**
First Notified – 9/25/2020.

No Respondent

Inspector Garcia testified to the status of the case, no contact and no progress asked for a fine in the amount of \$200 dollars a day to a maximum 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 **August 5, 2021** until the fine reaches a maximum of \$10,000.00 or the property comes into Compliance

CASE # 56 - SMG 07-21-186 - Sterling Crystal Holdings 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 301.3), at **214 Weber St (parcel #5338-15-00-0060)**. Violation(s) – **Overgrown grass, trash & debris.**

First Notified – 5/18/2021.

No Respondent

Inspector Garcia testified to the status of the case, no contact and no progress asked for a fine in the amount of \$250 dollars a day to a maximum of \$15,000.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **August 5, 2021** until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance

LR-1

SMG 02-21-32 - 311-309 Wisteria Rd. Ingrid Beltran is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 4.1.A; Art. 5 Sec 5.2.A.2; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 403.2, 404.2, 503.1, 504.1,602.3), Violation(s) – **Outside storage, junk vehicles and boats, exterior surfaces damage, no bathroom violation, room size violation, no toilet privacy, no plumbing system, fixtures, no heat.** First Notified – 12/3/2020. Order Imposing Fine/Lien effective **April 8, 2021**. \$200.00 a day to a maximum of \$10,000. Compliance = **May 11, 2021**. \$6,600.00, \$24.00 recording fees = **\$6,624.00**

Mr. Vukelja stated the facts in the case, stated that she is there for some type of relief, and asked what I can do for you.

Mrs. Beltran was stating how she misunderstood the inspector and thought she was in compliance because he said so far so good. She also stated how is she supposed to be in court on the 9th when the letter came on the 10th. When he came back from vacation he inspected, passed, and was in compliance.

Mr. Clig testified to the status and advised he spoke to the husband and was able to come into compliance

Mr. Vukelja asked for more clarification.

Mr. Clig advised he has been dealing with her for fifteen years and different situations and she is very aware of what needed to be done.

Captain Lee stated the reason why law enforcement was involved was a response to a call in reference to the living conditions to an elderly individual and when they got there, they discovered the conditions of the house where she was renting a space to or allowing somebody was in deplorable conditions and that's why they contacted them and she didn't get the work done and that's why she ended up with a fine.

Mrs. Beltran asked for pity and could not be in compliance because he was on vacation.

Mr. Vukelja asked if the respondent was absent when the fine was imposed?

Mr. Jackson stated the minutes show on April 13th the respondent was not present and the inspector reported they still had a lot to do.

Mrs. Beltran stated when he came, everything was clean.

Mr. Vukelja asked does the city want a lien or does the city want paid.

DISPOSITION: Reduced the Lien to the amount of \$2524.00 subject to being paid in 30days and if it's not paid in 30days it stays the way it is.

LR-2

SMG 10-20-165 - 126 S Oleander Ave 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, 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. Order Imposing Fine/Lien effective January 7, 2021. \$300.00 a day to a maximum of \$20,000. Compliance = March 01, 2021. \$15,900.00 + \$24.00 recording fees = **\$15,924.00****

Mike Lockey sworn in and requested the fine be eliminated and stated due to covid he could not be at the hearings and his manager at the October hearing and could not be represented. Since the October hearing he did make a lot of progress and pulled permits in December and work commenced in January. Could not be in full compliance by the January cut off but was making progress and working on it.

Mr. Fitzgerald stated the city asked for no reduction that it took almost a year, they have been working on it and it does look good but it took a year.

Mr. Vukelja asked how much was spent on the property and Mr. Lockey advised \$20,000.

DISPOSITION: Reduced the Lien to the amount of \$1500.00 subject to being paid in 30days and if it's not paid in 30days it stays the way it is.

LR-3

SMG 01-21-10 - 1440 Mississippi St. 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), 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. Order Imposing Fine/Lien effective May 6, 2021. \$100.00 a day to a maximum of \$15,000. Compliance = July 15, 2021. \$7,000.00 + \$24.00 recording fees = **\$7,024.00**

DISPOSITION _____

(John C. Stenson)

No show

LR-4

SMG 02-08-29 - 635 Bellevue Avenue Minnie Earl Properties, LLC is cited for failure to correct violations of The Land Development Code, Ch. 90-297 Code of Ordinances; Art. 8, Section 7 & Art. 19 Sec. 1 (ref. 304.2 and 302.8 IMPC), Violation(s) – **No occupational for rentals; outside storage; mildew and peeling paint, unlicensed and inoperative vehicles stored on property.** First Notified – 9/27/2007. Order Imposing Fine/Lien effective March 5, 2008. \$100.00 a day and a one time fine \$250.00. Compliance = May 14, 2008. \$7,000.00 plus \$24.00 recording fees + (BTR) No Business Tax Receipt \$250.00 = **\$7,274.00**

Mr. Vukelja stated the facts of the lien review

Mr. G McCrary sworn in and asked what the city was asking for and asked if the city was willing to reduce it.

Mr. Vukelja asked to give him a reason to reduce it.

Mr. G McCrary stated the progress they made after they got the tenants out in October 2009.
Mr. Vukelja stated the fine accrued in March 5 and May 14 in 2008

Mr. G McCrary stated they did not get proper notice and did find the information they did send to him and the certified mail. Made reference to several document discrepancy and his due process was violated

Captain Lee asked if it was a due process issue why did it take 13 years to bring up.

Mr. G McCrary advised he just got on to this his mother was taking care and she passed and Attorney Barkin passed

Mr. Vukelja stated he does not understand most of what he was told and the documents shown are from 2004 and fine in 2008 and in 2021 and hearing some rough suggestions he was denied due process and don't have a reliable timeline upon which to make any ruling have enough information and denied lien review request without prejudice meaning he can come back after he does the homework and comes back with something coherent that can be laid out chronologically so maybe he can understand what he thinks may have occurred between March to May 2008.

The

Mr. McCrary stated even the paperwork for today has the wrong address.

Mrs. Reno stated the lien review paperwork was emailed

DISPOSITION: Denied without prejudice

LR-5

SMG 05-19-102 - 214 S Oleander Ave. Nancy Braun is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3.108.1.5; Art. 6.19.A.3; Art 6 Sec. 6.19.A.4; Art 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.5, 302.7, 304.2, 505.3, 304.13.2, 501.2, 304.13, 304.6, 304.9, 302.1, 304.14, 304.10, 505.1), Violation(s) – **Permits needed, foundation repair, carport anchor pole, rotted sill plate, no water, electrical panel, broken window, windows not working, trash and debris, rotted window frames, paint structure, rotted siding, overhangs dropping, property maintenance, screens, glazing, porch.** First Notified – 1/16/2019. Order Imposing Fine/Lien effective June 11, 2019. \$200.00 a day to a maximum of \$15,000. Compliance = October 17, 2019. \$15,000.00, \$24.00 recording fees = **\$15024.00**

LR-6

SMG 03-19-68 - 214 S Oleander Ave Nancy Braun 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 – 1/15/2019. Order Imposing Fine/Lien effective June 11, 2019. \$200.00 a day to a maximum of \$15,000. Compliance = November 22, 2019. \$15000.00, \$24.00 recording fees = **\$15,024.00**

LR-7

SMG 08-11-123 - 214 S. Oleander Avenue Nancy Braun is cited for failure to correct violations of The Land Development Code, City Ordinance 90-297, **Violation(s)** – No occupational license for rental property First Notified – 5/12/2011. **Order Imposing Fine/Lien effective September 8, 2011. One-Time Admin Fine of \$250.00 = \$250.00**

Mr. Vukelja summed up that the liens are all for the same property involving Mrs. Braun and are a total \$30,000 plus and asked that the inspector give a history lesson.

Inspector Jones started Lien 7 was for no rental license back in 2011 fined \$250 for no BTR still not paid. Lien number 6 was a rental case, open on January 14, 2011 applied for rental license and let it expire in 2016 and was still renting the property, numerous item on the rental inspection. Then lien number 5 was complaint driven case open on January 16, 2011 and 22 violation listed and fine impose June 11, 2019 and came into compliance on October 17, 2019. It was a rental property and occupied during different times throughout unk if it was occupied the entire time.

Mr. Vukelja stated he was waiting to hear some extenuation circumstances not heard yet.

Mrs. Braun stated she lives in Delray and does not drive, did what she could and spent tens of thousands of dollars and \$3500 for sewer. The neighborhood is so bad that as soon as you leave it go they are in and tearing it apart and finally sold the property, as is and they are tearing it down and the neighborhood is excited. She is just almost giving it away and she cannot sell it if she owes any lien because she just cannot afford it and she can't handle it.

Mr. Jackson referred to the minutes and the issues and working without permits and continued to work after the stop work order was issued and what the status is to the property and work and permits never being validated.

Mrs. Braun advised she thought this was being taken care of and referred to the receipts that was sent and the girl that was taking care of it has since passed.

Mr. Vukelja stated he does not see anything in the documentation that explains away how you go from June 11, 2019 to October 17, 2019

Mrs. Braun asked if he meant repairs. Listed off the repairs and Mr. Vukelja looked at the paperwork and compared the list.

Mrs. Braun stated she can't sell if she does not get the liens removed because she is selling it for land value only.

Mr. Vukelja advised her to contact the city and **Mr. Jackson** gave his paralegals name and phone number.

DISPOSITION: Denied all three lien reviews

MB-1

SMG 07-21-184 - 949 Mason Ave. Wal-Mart Stores East LP 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), at Violation(s) – **Vacant land, unmaintained accessory structure, walls including graffiti, blighting problems, chain link fence damaged by a tree falling on it.**
First Notified – 4/22/2019.

Captain Lee advised the status of the case has a scrivener's error and the corrections were made and resent out and wants to make sure the fine still wanted to be imposed. Trying to have this rectified and corrected on the record

Mr. Jackson also added that there was no error in where it was sent in terms of the respondent, those address where the proper addresses the original notice of violation was the proper address and the one scrivener's Madison Ave. instead of Mason Ave appeared on our notice of hearing

Mr. Vukelja stated I find the scrivener's error and are satisfied that proper notice was provided and we will amend the previous order to specifically state mason Ave as opposed to Madison and that order will remain in full forces and effect as of the date it went into effect.

The meeting was adjourned at 12:19 PM