
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

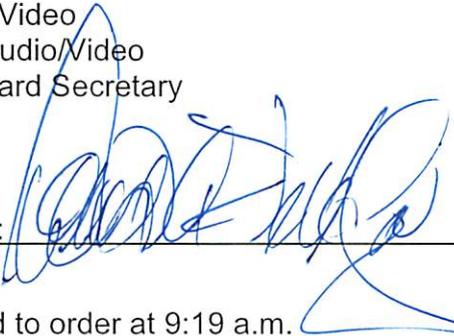
March 8, 2022 Minutes

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. Mark Bostwick, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Daniel Garcia, Code Inspector
Ms. Sara Kirk, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Clearvens Jean-Baptiste Inspector
Mr. Tom Clig, Code Inspector
Mr. Clifford Recanzone
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 9:19 a.m.

Mr. Vukelja approved the minutes for the January 10, 2022 and January 11, 2022 meetings

Mr. Vukelja asked for anyone testifying to stand and be sworn

Mrs. Reno swore in all the employees present

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance

CASE # 12 - SMG 03-22-102 - Gloria Smith & Angie Breedlove is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **Rose Ave (Parcel # 5338-66-00-0150)**. Violation(s) – Overgrown vacant lot and debris. First Notified – 7/21/2021.

Compliance March 3, 2022

CASE # 18 - SMG 03-22-110 - James & Pauline Steckel 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 **207 S Keech St.** Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 5/27/2021.

Compliance March 3, 2022

CASE # 37 - SMG 11-21-319 - Brenda G Soderlund is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **109 S Hollywood Ave.** Violation(s) – No permit (fence), dirt and grime. First Notified – 5/20/2021.

Compliance March 4, 2022

CASE # 39 - SMG 10-21-281 - Americano Beach Resort Assoc

Appearing via zoom

CASE # 45 - SMG 02-22-88 - Nellie Bell is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **637 Hudson St.** Violation(s) – Peeling paint. First Notified – 7/19/2021.

Compliance March 4, 2022

Page #18 LR-3 Appearing via zoom Page # 20 LR-6, LR-7, LR-8 appearing via zoom

New Cases:

Called case #22 first

CASE # 22 - SMG 03-22-114 - KRK Investments, 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 302.1, 302.7, 304.2, 304.5, 304.6, 308.1, 605.1), at **110 S Ocean Ave.** Violation(s) – Dirt and grime, unmaintained landscaping, dead vegetation, failure to remove electrical cord in grass, failure to add missing shrubbery and vegetation at islands, fading, peeling & discolored paint, exterior storage, trash and debris. First Notified – 7/22/2021.

Jessica Gow attorney for the respondent

Inspector Jean-Baptiste requested next cut off

Jessica Gow advised the inspector noted a utility line that they just need to coordinate with utilities to see whose court it is that's out there to get that handled. And then they are waiting on a landscape quote they are reaching out for a second one because they are a little backed up, but they think its appropriate for April 6th cut off.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 44 - SMG 02-22-87 - Karen Hollums-Broome is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D, at **407 Main St (Parcel # 5304-03-19-0130).** Violation(s) – Not adhering to approved site plan. First Notified – 5/20/2021.

Jessica Gow attorney for the respondent

Inspector Kirk testified to the status of the case and stated since the last hearing they are working on it and would like to amend to the next cutoff April 6, 2022.

Jessica Gow stated they will definitely have a progress update by then, in order to have a time extension to put in the drainage facility, which is the item on the site plan that's missing, they have to do a minor modification to their planned development agreement through zoning, so they have that drafted, that should be in staff review and that is usually very quick, so they should be ok, but that'll give them another year to put in that facility.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 58 - SMG 10-21-282 - Pelican Bay Golf Club LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B, at **370 Pelican Bay Dr (Parcel # 5236-00-00-0030)**. Violation(s) – Commercial property maintenance (Handicap ramp). First Notified – 6/30/2021.

Field Supervisor Jones did receive an email that they stated that they may nw demo the structure and the pool, but there hasn't been any progress that he knows of to date. Staff is requesting a fine of \$200 a day with a cap of \$20,000.

Mr. Vukelja asked for a brief summary of the tortured route that we have followed to get here today. Didn't this all start with just replacing a handicap ramp or something like that?

Field Supervisor Jones that was correct, that was what they were written up to replace the handicap ramp for the pool. They then put the handicap ramp in without a permit, so they had to take the ramp back out. and where we're sitting now is the photos of its just sitting there (the remains of the ramp)

Mr. Vukelja asked what is just sitting there?

Field Supervisor Jones the remians of them taking the forms and stuff out of the handicap ramp that they built.

Mr. Vukelja just talking about a handicap ramp?

Field Supervisor Jones that's all were talking about.

Mr. Vukelja not the pool itself

Jessica Gow advised it predates the ramp it started with the leak to the bathroom for the pool. So this pool has been closed for well over a year while we've been going through all this process and it will not be open again. The owner has decided to remove the pool. They do have two demolition bids from Samsula and Florida demolition and wrecking for the removal of the pool, the bathroom structure and all associated improvements to level and sod it, so now theyre struggling with installing a \$15,000 ramp when they're going to remove everything by the en of the year. And its not open to the public. That is why you have not seen movement there.

Mr. Vukelja so they feel better about a \$20,000 fine than \$15 grand to remove a ramp.

Jessica Gow the ramp has been removed, they just it is hard to see why they would install the ramp when it is not open to the public and is being removed completely.

Mr. Vukelja so what is the current problem, what we have this debris field sitting out there?

Field Supervisor Jones with the current problem, this original violation that was opened in June of last year was for installing a handicap ramp to a pool. Where we are at is they know he has not seen any documentation that they've got, planning to do the demolition or any timeline. The cities concern is it is just sitting there and they havent made any progress and

we really haven't had until I got an email that they might demo the building **Mr. Jones** hasn't had any other contact or any progress seen.

Mr. Vukelja stated Mr. City attorney what's the maximum I can fine a respondent?

Mr. Jackson stated a per day fine on the first time will be \$1,000 per day.

Mr. Vukelja asked if that was the maximum. **Mr. Jackson** confirmed Yes.

Mr. Vukelja asked how long is this debris been sitting out here and how long have you asked them to remove it?

Field Supervisor Jones stated well, we've been asking them to do is get a permit for the ramp. And the debris has probably been there the last three months, maybe longer

Mr. Vukelja how long would it take to remove the debris

Field Supervisor Jones stated an afternoon, a couple of hours?

Mr. Vukelja how long does it take us to get an order to a respondent?

Mrs. Gow stated if I can I just want to confirm is the debris still on site. The debris is no longer on site. **Mr. Vukelja** love to take your word for it, not my job. How long to get an order to somebody. **Mrs. Reno** advised it could be done by the end of the week.

Mr. Vukelja if that debris is not cleared and this issue is not in compliance by Friday starting Monday fining the respondent to the sum of \$1,000 per day until the matter is brought into compliance. If your telling him its done already, that's great, then that god awful fine wont ever come to fruition. If by Monday that is not in compliance, the fine in the amount of \$1,000 per day will go into effect, **Mr. Jackson** stated and that would be to a maximum of \$20,000

Field Supervisor Jones asked for clarification?

Mr. Vukelja stated just a second, for future reference if this respondent is coming back here because they anticipate more work to be done im going to just basically say right now, im going to expect them to be a hell of a lot more prompt going forward than they have been when it comes to dealing with a handicap ramp.

Mrs. Gow Absolutely, for clarity, I think the inspector and I would like to note the cut off is that debris removal or do you want? We don't intend to move forward with the ram permit based on what we said.

Mr. Vukelja assuming compliance in this instance would include the removal of the ram and the closure of the pool. I don't know how you can have a pool without a handicap ramp

Mrs. Gow the pool has been closed.

Mr. Vukelja that brings us to another topic because I want to be crystal clear here that its going to involve closure of the pool, which means its going to involve making sure the pool is secured to city standards, make our pools very serious around here. So by Monday, hes expecting all the debris to be gone, expecting anything about the handicap ramp to be gone. And if youre closing the pool, I assume theyre closing the pool and securing it would constitute compliance since there doing away with the ramp now. And if yur closing he pool, you need to make sure its secured to the city standards.

DISPOSITION: Based on the testimony of the inspector ordered the property be secured to city standard all debris removed by **March 14, 2022** or an Auto fine will commence on **March 14, 2022**.in the amount of \$ 1,000.00 per day to a max of \$20,000.00.

CASE # 61 - SMG 09-21-257 - Cedar Families 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.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13), at **677 Kingston Ave.** Violation(s) – No permit for roof & fascia, damaged window, rotting wood, paint, dirt & grime. First Notified – 4/28/2021.

Attorney Adam Haba on behalf of Cedar Families LLC

Mrs. Angelia and Henry Riddick were sworn in

Field Supervisor Jones stated since last hearing he had no contact, but they have made progress, they've passed two roofing inspections they're just waiting for the final and staffs requesting to amend to the next cut off.

Mr. Haba advised that is what their understanding is also and they are comfortable with 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 **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 63 - SMG 01-22-45 - Florida Pacific Leasing CO LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **316 Main St (Parcel # 5305-08-15-00-0010)**. Violation(s) – No permits (sealing & striping, plumbing, outside bar, concrete ramp, lights & wood fence). First Notified – 5/17/2021.

Attorney Moore present

Mr. Vukelja stated this matter is a continuation from the February meeting compliance or non-compliance, before I get into that, I am told the last meeting in February, which I was not present for lasted 3 hours. **Mr. Moore** agreed. **Mr. Vukelja** stated we are not doing that today I suspect all these folds start pulling out shooting irons. **Mr. Moore** advised this should be 5 minutes. **Mr. Vukelja** stated he liked the sound of that do we have any stipulations?

Mr. Moore stated he can get started if that is okay with Mr. Jones, if you look at the agenda item, there's a laundry list of things that we've got it narrowed down to the sealing and striping the outside bar and the wood fence. **Mr. Vukelja** asked what the sealing and striping of the outside bar. **Mr. Jones** stated there is three permits, one is a permit that expired it was for sealing and striping the parking lot. Then they had two violations that are considered after the fact that they were going to get permits for it was for the outside bar that they installed and some outside fencing. Through the communications, I have had with Mr. Moore. During the month since last hearing and today, they have a surveyor that they have hired. They believe at least what Mr. Moore said that they can be in compliance by the May cut off, so he asked for a finding of non-compliance with compliance by the May cut off as to all three violations

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 4, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 1 - SMG 03-22-99 - Murry Creek Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.D; Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; City Code Ch. 90 Sec. 90-297, at **705 W Intl Speedway Blvd & 707**. Violation(s) – No business license, no sign permits, unused signs and brackets. First Notified – 10/21/2021.

No Respondent

Inspector Kirk testified to the status of the case she has had no contact with the owner requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 2 - SMG 03-22-119 - Mickey H & Anna Obed TR is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2, 304.6, 304.13), at **1130 S Ridgewood Ave.** Violation(s) – Failure to maintain exterior (weeds), exterior wood surfaces (fence), exterior building walls, broken windows. First Notified – 7/29/2021.

No Respondent

Inspector Clig testified to the status of the case has had contact with the owner he's trying to sell the property, but he is refusing to do any work, he said the windows alone would cost fifteen thousand, so staff's requested compliance next cut off **Captian Lee** advised the board coordinator was saying there is an email response to you in the packet. **Inspector Clig** advised the only thing the respondent did was put a rope across the paring lot with rags on it.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 3 - SMG 03-22-117 - GEA Seaside Investments INC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **508 Eastwood Ln.** Violation(s) – Dirt and grime, chipped paint. First Notified – 12/7/2021.

No respondent

Inspector Bostwick testified to the status of the case no contact with the owner requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 4 - SMG 03-22-118 - GEA Seaside Investments INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7, 304.2), at **507 Phoenix Ave.** Violation(s) – Peeling and fading paint, overgrown landscaping, dilapidated fence/wall. First Notified – 12/2/2021.

No respondent

Inspector Bostwick testified to the status of the case no contact with the owner requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 5 - SMG 03-22-93 - Palma R Swinehart 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 304.12), at **333 Flushing Ave & 335.** Violation(s) – Dilapidated stairs rails, unpermitted work at the steps, rails, and right of way. First Notified – 11/24/2021.

Palma Swinehart sworn in

Inspector Yates testified to the status of the case stated she has all her permits now and requested compliance by the May cut off. **Palma Swinehart** agreed to the May cut off.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 4, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 6 - SMG 03-22-94 - Cathy Moutsopoulos is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 605.1), at **940 N Halifax Ave.** Violation(s) – Peeling paint, broken light fixture, dirt, grime and dilapidated monument sign. First Notified – 6/23/2021.

Cathy Moutsopoulos sworn in and advised her mother passed and she did not remember that period. She already has this on the books to be painted by the end of May. The sign cleaned up and ideal electric quoted her for fixing the electric.

Inspector Yates most has been cleaned up on the monument sign, confirmed the sign having exposed metal and rust and needing cleaned up.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 4, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 7 - SMG 03-22-95 - Vermont Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **735 N Atlantic Ave.** Violation(s) – No sign permit for new patio and shed addition. First Notified – 10/12/2021.

Mrs. Irby sworn in, affiliation is (part owner)

Inspector Yates advised the only thing left was the permitting of the additions she made to the shed.

Mrs. Irby stated she needed to talk to him about that because when her contractor went in they actually gave him something and told them that he did not need a permit, so he was not sure how to move forward. **Mr. Yates** had not received that information because Mrs. Irby had just received it.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 8 - SMG 03-22-96 - J & L Property Investment Group LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **1601 N Grandview Ave.** Violation(s) – Unpermitted window install, unpermitted siding install, dirt and grime. First Notified – 6/1/2021.

Mr. Joseph Ochmanek sworn in and Owner and Laurie Ochmanek.

Inspector Yates requested compliance by the April cut off

Mr. Joseph Ochmanek waiting on the contractor that had the permits for the window's. they're cut off is April 30, 2022 he talked to them yesterday and they said that parts should be in Friday for the one that they had somebody come out and cut the frame of, then also, theres a thing that says the windows were not permitted. The permit tht they had is R1512 - 131 which was dated 12-21-2015 that they idnt get a final on. There was also an extension

to that permit that was filed on April 7, 2016, which is R1512-131. They didn't get finalized because of a court case and the case wasn't settled until September 2019 and still working on getting it finished. They told him they'll be able to have the final done before April 30th that on the windows. On the siding he filed that permit, changed the property back into his name so he could do that. Dropped the quit claim deed off to them this morning, so once they get that done, he will have a final for the siding. And has the closing of the garage on that permit as well.

Mr. Jackson questioned the Owners name and requested the name be corrected from J&L property to his name and his wife's name as testified to. Mr. Vukelja advised we will substitute the names to New Owners Joseph and Laurie Ochmanek

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 4, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 9 - SMG 03-22-97 - Douglas Durrance 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), at **628 N Peninsula Dr.** Violation(s) – Landscaping overgrowth, and dilapidated fence. First Notified – 7/30/2021.

Douglas Durrance sworn in has the estimate for the fence that did fall down, the landscaping is misunderstood, and discussed the wall and planting the hedge. Before planting the hedge people would come from Seabreeze, which is just one block away and they were sitting on his wall drink beer and throw the cans in his yard. He is happy with not letting the stuff grow out where it would hit someone when they walk but he didn't want to cut the hedge back so far that people could come back and start sitting on his wall again because they come and sit on the wall and have a party after the bars close or after they get drunk enough to leave and he throw stuff on the sidewalk and in the yard and the hedge kind of prevents that, and it prevents them from sitting on the wall.

Inspector Yates clarified that the growth that is hanging over and when they push into the sidewalk

Mr. Vukelja advised he likes the property and not to chop anything down just keep it out of the walkway and out of pedestrians path. In addition, get a fencing company to repair the piece of fence that fell down.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 10 - SMG 03-22-100 - James Edward Fosler Sonia Fosler is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112., at **556 Wallace St.** Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 6/25/2021.

No Respondent

Inspector Garcia testified to the status of the case no contact and requested compliance next cut off.

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by April 6, 2022 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 11 - SMG 03-22-101 - Danial Marashi is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3. 4.S.1; Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6. 19. A.3; Art. 9 Sec. 9. 2. A (Ref. FBC Supp. IPMC 301.3), at **Foote Ct (Parcel # 5339-23-02-0021)**. Violation(s) – Unmaintained vacant lot, outside storage, vehicles parked/stored on a vacant lot, trash and debris, unsanitary, unsecured structure, no permit for fencing. First Notified – 12/14/2021.

Danial Marashi & Robert Young sworn in

Inspector Garcia requested compliance next cut off

Danial Marashi advised he bought the property like that from his uncle and most of it has been cleaned up.

Robert Young advised the lot was bought in October, about two weeks after he bought the lot he started using it to sell drugs out of, he had dogs in there that were barking all night long, whining, crying, he called the police on him at least 10 times, Fire department, Burning all night long metals, paints everything you could think of. Fire department had to come put it out. He is out there smoking weed, people knocking on his door looking for him to buy weed. He dumped 30 car tires into a public, ravine down the street and left them there. The lots not the nuisance Danial Marashi is the nuisance. He actually pulled a gun on the neighbor because a neighbor told him to stop dumping stuff in his lot. This has been going on for months and its nonstop with him, he sleeps in his car out there, and as soon as it gets dark, he shows up and wants to do work. 2oclock in the morning he is using chainsaws.

Mr. Marashi stated that Mr. Young wanted to by the lot and he don't want to sell it and they just don't get along

Mr. Young shared an article from Sheriff Staley, who calls Daniel Marashi at least 13 times a drug dealer so it's not something he's making up, this is a known fact that he's a drug dealer and this is what he does with the law. He and his parents, moved to palm coast, so his clients are in Daytona, so he bought the lot so he can continue selling the drugs out of it.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 13 - SMG 03-22-103 - School Board of Volusia County is cited for failure to correct violations of The Land Development Code, City Code Ch. 78 Sec. 78-112, at **Fulton St (Parcel # 5338-99-00-0180)**. Violation(s) – Overgrown vacant lot. First Notified – 5/18/2021.

Captain Lee advised we had recent contact with somebody who is engaged in resolving this problem and actually think the work is probably being done today, and it was part of break down between the two entities and asking to continue this case until next hearing.

DISPOSITION: continued to April 12th hearing Compliance or Non-Compliance

CASE # 14 - SMG 03-22-105 - Affordable Cribs 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)City Code Ch. 78 Sec. 78-112, at **208 S Adams St**. Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 12/21/2021.

No Respondent

Inspector Garcia testified to the status of the case and he has had contact as of yesterday and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 15 - SMG 03-22-107 - Yoko & Gillis R Creech is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **220 Strawberry Ln.** Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 10/15/2021.

No Respondent

Inspector Garcia testified to the status of the case and he has had no contact and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 16 - SMG 03-22-108 - Edward P Heaphy is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **Fulton St (Parcel # 5338-66-00-0100).** Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 5/3/2021.

No Respondent

Inspector Garcia testified to the status of the case and he has had no contact and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 17 - SMG 03-22-109 - Edward P Heaphy is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **Fulton St (Parcel # 5338-66-00-0060).** Violation(s) – Overgrown vacant lot, trash & debris. First Notified – 5/3/2021.

No Respondent

Inspector Garcia testified to the status of the case and he has had no contact and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Case # 18 in compliance

CASE # 19 - SMG 03-22-111 - Nainai Capital LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.a; Art. 6 Sec. 6.2.H.4.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.2, 302.4, 308.1), at **N Atlantic Ave (Parcel # 5305-01-39-0051).** Violation(s) – Off-street parking surface, failure to remove all trash and debris, unmaintained landscaping. First Notified – 7/6/2021.

No respondent

Inspector Jean-Baptiste testified to the status of the case and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 20 - SMG 03-22-112 - GEA Seaside Investment INC 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 302.1, 302.3, 302.4, 302.7, 304.2, 304.6, 304.10) City Code Ch. 78 Sec. 78-42., at **308 N Peninsula Dr.** Violation(s) – Repair damaged concrete and retaining wall, discolored paint, failure to remove trash and debris, failure to paint/clean fascia boards, failure to clean dirt and grime, unmaintained landscaping, failure to remove trash containers from the sidewalk non-trash days. First Notified – 10/7/2021

No respondent

Inspector Jean-Baptiste testified to the status of the case no contact with the owner and requested compliance next cut off

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 21 - SMG 03-22-113 - Sandals US, LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.5, 304.6) City Code Ch. 90 Sec. 90-297., at **140 S Ocean Ave.** Violation(s) – Failure to obtain and maintain an established parking lot master plan, trash and debris, damaged concrete wall, unmaintained landscaping, No Business Tax License for paid parking, failure to remove wood poles. First Notified – 10/27/2021.

Joe Hopkins sworn in and stated the property owners engaged them to try to correct the violation. They have completed a site survey and some geotechnical boring to try to advance a site plan approval with the city's development services division. They are several months out from getting the approvals necessary to do the parking lot improvements, which would include the landscaping, paving and so forth. The property owner is committed he owns the hotel directly east of this property, and he owns a commercial property immediately west of this property. So he has a vested interest in the neighborhood. He has done some improvements to clean up this wall, clean up the trash and so forth but his hands are tied until they get a development order from development services.

Inspector Jean-Baptiste testified to the status of the and requested compliance next cut off unless other stated by the magistrate

Captain Lee advised if they restored it to a vacant lot this case would be closed.

a lot of discussin on what the plan is and how long this will take. And what restoring it to a vacant lot would intail. Captain lee stated he didn't see a development project started on this parcel yet. Mr. Hopkins advised they havent initiated the application yet. Stating they just received a geotechnical boring. Mr. Hopkins gave a quick time line stating they did the survey in August and recevied it in September. Ordered the geotechnical boring in November received it in February, and were set to go to design. This is our construction set and were going to file it as quickly as we can. Has not had a pre-application meeting with development services yet, but they are prepared to do that now. Captain Lee stated that for us, he thins they really need to see next cut off as far as or at least need to be back here

next month to see where we are at one way or another so they can try to narrow in on what is going to be the best on what they provide between now and then.

Mr. Vukelja asked for a progress report at our next meeting, at which point they can advise and let him know where you stand on the efforts towards the master plan and in the interim he wants any overgrowth eliminated and maintained and as nice as you can make it and minimize any eyesores.

DISPOSITION: found in non-compliance, continued to the April 12th meeting for a progress report, and set a compliance date.

CASE # 23 - SMG 03-22-115 - Blue Daytona One, 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 302.1, 302.7, 304.2, 304.5, 304.6, 304.10, 304.12), at **103 S Ocean Ave.** Violation(s) – Discolored and peeling paint, damaged concrete, rust, dirt & grime, dead vegetation. First Notified – 7/26/2021.

Project manager Daniel Mundrean & Chief engineer Gary Beard sworn in testified to what had already been completed and advised they hired a general contractor because they have some rehab work to the property they hired them in September, and they recently brought on an engineering crew to look at the corner of the parking lot, which needed engineering, there scope of work is out two to three months from February 24, 2022. Captain Lee requested the email communication to verify the timeline.

Inspector Jean-Baptiste testified to the status of the case and advised the only violation left is the damaged concrete.

DISPOSITION: continued to the May 10th meeting for a progress report and set a compliance date.

CASE # 24 - SMG 03-22-116 - GEA Seaside Investments INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 304.2, 304.4, 304.5, 304.6, 304.10), at **324 N Peninsula Dr.** Violation(s) – Damaged broken/cracked concrete retaining wall, dirt and grime, rust, peeling paint, dirty walkway/steps, dirty walls, unmaintained landscaping. First Notified – 9/22/2021.

No respondent

Inspector Jean-Baptiste testified to the status of the case no contact

DISPOSITION: found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Continued Cases:

CASE # 25 - SMG 02-22-83 - Cheryl D Miller is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **541 Cedar St.** Violation(s) – **No permit (roof & electrical).** First Notified – 7/6/2021.

Victor Ingram (family friend) sworn in

Inspector tomengo testified to the status of the case no progress on the expired permits.no contact and requested a fine.

Victor Ingram has hired a roofer and sanders electric for Mrs. Miller.

Mr. Vukelja and advised if no progress he will have no option but to impose a fine.

DISPOSITION: continued to the April 12th meeting for the Imposition of a Fine

CASE # 26 - SMG 01-22-71 - Kelly Lynne Riley is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.1, 304.2, 304.5, 304.6, 304.13, 304.13.2, 304.14), at **105 N Peninsula Dr.** Violation(s) – Parking on grass, faded and peeling paint, dirt & grime, exposed wall siding/stucco, broken / windows, ripped damaged window screens. First Notified – 9/22/2021.

Kelly Lynne Riley sworn in

Inspector Jean-Baptiste testified to the status of the case no progress has had communication.

Mrs. Riley advised the stucco is primed in and needs painted. She advised she got sick and was unable to finish and requested more time to finish.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **May 4, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 27 - SMG 11-21-327 - JP Holding INC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.1, 304.1.1, 304.2, 304.6, 304.9), at **300 Seabreeze Blvd 304 & 306.** Violation(s) – Peeling & discolored paint, damaged/exposed wood, dirt and grime, rust, dirty awnings, damaged asphalt/concrete. First Notified – 6/23/2021.

Charlene Waters (Employee) sworn in

Inspector Jean-Baptiste testified to the status of the case stating the awning was the last violation. Requested next cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 28 - SMG 01-22-59 - Agroparcel & Associate LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.4, 302.7, 304.2, 304.6), at **402 Auditorium Blvd.** Violation(s) – No building permit, overgrown grass, hedges, shrubs and trees, dirt and grime, damaged concrete, damaged wood. First Notified – 8/5/2021.

Mr. Gill (owner)

Inspector Jean-Baptiste testified to the status of the case stating the roof was finalized and the other violations are still not in compliance and Requested a fine for the damaged wood, concrete.

Mr. Gill Put the house up for sale and under contract and the house will be demolished so he quit repairs.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 29 - SMG 01-22-60 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Atlantic Ave (Parcel # 5304-05-02-0011)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

Mr. McDonald sworn in and agreed all cases #29 through case #36 can be heard together **Inspector Jean-Baptiste** has had communications and the lots have not been combined. Captain Lee confirmed the previous plan that was applied for and developed for this property years ago that was never implemented and in that plan it called for the parcels to be combined into one parking lot, and there was some improvements that needed to be done to the property in order to make it a property that was going to have the use as a parking lot and that was never executed. So that's why our case started and where it originated from. They have been told about and hearing a lot about what's being done and what's happening in the background but were not being provided the documentation that shows that and not hearing from other departments that any of that is occurring.

Mr. McDonald stated this has been going on for a long time; they were not involved when the property was purchased. As for what Mr. Lee just said, he totally disagrees with him, they were never told to combine the properties. Part of the thing was that we had to fall under the rules of it being an unpaved parking lot, which they have done as they got up past the time when they went past, the original agreement said they could go 6 years then they were given an extension, Mr. McDonald agrees they are supposed to have something from the city, when this came up, they were doing the other cases that had come before the magistrate in place and got those fixed. He received this last year not notified to come back in until January. In January, he had Covid. When he came back last month, they told him he now would have to combine the properties. He has spoken to Mr. Cossett at the county and he assured him and gone through the list that they can get that done and Mr. McDonald just has not had the chance to get that done.

Captain Lee stated the combination of the parcels was just something that we would have seen as some kind of indicator that progress was being made and that the project from previous was maybe being made. And that maybe the project from before was being reapplied for and they were working through that process. but they haven't done any of that so it's not about combining the parcel the property is being used as a parking lot and that is has not been properly established on the property so the conditions in which they have on the property that are listed here, and the planning process needs to start.

Conversations continued on the history of the parcels and what is expected

Mr. Vukelja stated he was clear for the month of march we will set aside 2 to 3 hours and that should be enough time and that should be enough time for everyone to speak their peace and tell him what he needs to know and go from there. Make a determination of what needs to be done.

DISPOSITION: continued to a special meeting later in the month

CASE # 30 - SMG 01-22-61 - Boardwalk at Daytona development 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, 302.7, 304.6, 308.1) City Code Ch. 90 Sec. 90-297, at **N Atlantic Ave (Parcel # 5304-01-06-0020)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 31 - SMG 01-22-62 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0010)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 32 - SMG 01-22-63 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0101)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 33 - SMG 01-22-64 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0110)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 34 - SMG 01-22-65 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0120)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 35 - SMG 01-22-66 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0080)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash & debris, dirt & grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 36 - SMG 01-22-67 - Boardwalk at Daytona development 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, 302.7, 308.1) City Code Ch. 90 Sec. 90-297, at **N Ocean Ave (Parcel # 5304-05-02-0130)**. Violation(s) – Permits, no approved parking plan, unapproved parking surface, potholes, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

DISPOSITION: continued to a special meeting later in the month

CASE # 38 - SMG 02-22-82 - 604 Main Street INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A(Ref. FBC Supp. IPMC 304.2, 304.10, 304.14, 304.15), at **604 Main St**. Violation(s) – Dilapidated doors, trash & debris, dilapidated metal stairs, unpermitted fence, signs not directed towards business, damaged dumpster enclosure, wood rot, dirt and grime. First Notified – 6/29/2021.

Mr. Sheriff Guindi sworn in

Inspector Yates testified to the status of the case had no contact and no progress and asked for a fine in the amount of \$200 a day to a max of \$20,000 dilapidated egress stairs in the rear

Mr. Guindi stated he did not know he needed a permit for removing the stair. Provided information on the investor that he is working with and the amount of money being spent to better the building.

Mr. Vukelja stated he will continue to the April 12 meeting and at that point in time, he is hoping **Mr. Guindi** is going to have as many of these things as in compliance as is humanly possible for those things that aren't in compliance he is going to give a great explanation and don't care if he wants to argue with him over whether you need to be removing a sign or not. I'll hear it if you think you have a good argument.

DISPOSITION: continued to April 12th hearing for the consideration of the Imposition of a Fine

CASE # 40 - SMG 02-21-31 - 736 S Beach Street INC & Juanny Paulino 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.

Mr. Sheriff Guindi appearing for this case

& Jonathan Paulino sworn in

Inspector Clig testified to the status of the case had no contact and no progress and requested a fine.

Mr. Guindi advised the property sold as of December 2021 and they immediately jumped on and painted. Hired a General Contractor for repairs. Joe Hopkins is the engineer for this property.

Submitting site plan next Thursday.

DISPOSITION: continued to April 12th hearing for the consideration of the Imposition of a Fine

CASE # 39 - SMG 10-21-281 - Americano Beach Resort Assoc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 5 Sec. 5.12.D; Art. 6 Sec. 6.19.A.3, at **1260 N Atlantic Ave (Parcel # 4236-21-00-0001)**. Violation(s) – Expired building permits, minimum maintenance standards (fencing, dumpster enclosure, missing windows/air-conditioning units), unmaintained landscaping. First Notified – 4/22/2021.

Brian Smith sworn in via zoom

Inspector Yates testified to the status of the case they have continued to communicate they are waiting on the last items, which is their windows to come in so they can be installed so the city would like to extend the cut off to May. Photos are from February

Mr. Smith is in agreements with Inspector Yates.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **May 4, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

Break 11:38

Returned 11:48

CASE # 41 - 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.

No Respondent

Inspector Butler testified to the status of the case received several email correspondences of January 31st Mr. Blunt emailed and said that he was waiting on the Surveyor to complete the work to give to the architect with a site plan which we know has to be approved by planning. The roofing permit was finalized on February 17, 2022. Recommended April cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 42 - SMG 02-22-89 - Fai Hung & Hang Lou Lo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.7.c, at **582 Mason Ave**. Violation(s) – No right-of-way encroachment, parking spaces, stacking spaces and loading areas shall not encroach upon, no portion of any vehicle shall overhang the right-of-way any road, street, alley or walkway. First Notified – 9/27/2021.

No Respondent

Inspector Butler testified to the status of the case numerous communication, stated all owners notified and requested the May cut off.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **May 4, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 43 - SMG 10-21-304 - Robert P Klenk is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-297, at **Marion St (Parcel # 5339-32-00-0010)**. Violation(s) – Unlicensed business. First Notified – 7/28/2021.

Attorney Mr. Barry Hughes and Charmaine Klenk-Findley sworn

Inspector Kirk testified to the status of the case requested a one time \$250.00 dollar for no business tax receipt for no business license.

Attorney Hughes advised his client is in the hospital requested to continue so he can be here or alternatively can agree to the fine of \$250 dollars with the understanding that it's our contention that we have a grandfathered use and I know the city disagrees with it and we respectfully disagree with one another, but we don't want this finding binding on any future proceedings that may occur.

Mr. Vukelja asked so do you want to hear it now or later Mr. Hughes stated he wants to pay the fine. **Mr. Vukelja** stated that he would state for the minutes if it makes you more comfortable that this is without prejudice to further argument by the respondent in the future, should the matter arise again.

DISPOSITION: ordered the respondent to pay the \$250.00 fine by April 6, 2022.

CASE # 46 - SMG 02-22-91 - Martha A Smith 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 302.4, 304.2, 304.7), at **753 Terrace Ave.** Violation(s) – Damaged carport roof, rotted wood, overgrown grass on porch roof, dirt & grime, peeling paint. First Notified – 9/3/2021.

No Respondent

Inspector Kirk testified to the status of the case no contact no progress and requested 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 \$200.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$10,000.00 or the property comes in Compliance

CASE # 47 - SMG 01-22-24 - Neptunes Sports Pub Mainstreet LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6), at **415 Main St.** Violation(s) – Unpermitted signage, broken light fixture, cracked exterior wall, trash & debris, unused sign bracket. First Notified – 5/20/2021.

No Respondent

Inspector Kirk testified stating do to Bike week requested to continue to next cut off.

DISPOSITION: continued to April 12th hearing for the consideration of the Imposition of a Fine

CASE # 48 - SMG 01-22-30 - Betty Williams Prince 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 302.7,308.1), at **509 Maple St.** Violation(s) – Damaged fence, debris, overgrowth, stairs repaired & altered without the permit. First Notified – 6/2/2021.

Betty Prince sworn in

Inspector Kirk testified to the status of the case and requested a \$100 dollars a day to a max of \$10,000.00

Mrs Prince advised the item completed and the item she is currently working on.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 49 - SMG 02-22-77 - John & Mary Ann Odell 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) City Code Ch. 78 Sec. 78-112, at **1304 N Shangri La Dr (Parcel # 5330-02-01-0100)**. Violation(s) – **Overgrown vacant lot**. First Notified – 12/9/2021.

No Respondent

Inspector Garcia testified stating no contact no progress

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

CASE # 50 - SMG 02-22-79 - James Bogle Beck Jr. 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), at **311 Temko Ter**. Violation(s) – Parking on a vacant lot, dirt and grime on the retaining wall. First Notified – 9/28/2021.

No Respondent

Inspector Garcia testified stating no contact no progress

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

CASE # 51 - SMG 02-22-80 - James Lloyd Jr & Rene Marie Altherr Wood is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3(c) (Ref. FBC Supp. IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **301 N Seneca St**. Violation(s) – Overgrown vacant lot. First Notified – 11/10/2021.

No Respondent

Inspector Garcia testified stating no contact no progress

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

CASE # 52 - SMG 02-22-81 - Alice Mae Jelks is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 LDC, Art 9 Sec 9.2 A (Ref. FBC Supp. IPMC 304.13.2), at **Ranney Ave (Parcel # 5238-13-06-0090)**. Violation(s) – Outside storage, parking on a vacant lot. First Notified – 6/30/2021.

No Respondent

Inspector Garcia testified stating no contact no progress

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

CASE # 53 - SMG 01-22-44 - Donald Lee & Shirley C Gay is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **N Ridgewood Ave (Parcel # 5338-08-00-0030)**. Violation(s) – No permit for added concrete. First Notified – 8/2/2021.

Donald Gay sworn in

Inspector Garcia testified to the status of the case, inspector advised the owner Mr. Gay sold the property and has a new owner that needs be added **Christopher Wilson** sworn in and is the current owner. Mr. Gay took his permits off and the new owner needs to pull a permit for the concrete that was added and the portion of the wall that was removed.

Mr. Wilson stated he was told when he got the property all he had to do is have the concrete sprayed, so he did that and thought it was over with.

Inspector Garcia They need a permit for the concrete that was installed around the building and the removal of the concrete wall, and they only need one permit for both.

Mr. Vukelja advised **Mr. Wilson** to get with the inspectors to find out what needs to be done and if he has a problem then he can return and talk to the Magistrate.

DISPOSITION: Continued to April 12, 2022 hearing for the consideration of the Imposition of a Fine and adding Christopher Wilson 527 Gibson St Daytona Beach FL 32114 to the case.

CASE # 54 - SMG 01-22-50 - 500 Seabreeze 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 304.13, 304.15, 305.1, 401.1, 401.2, 401.3, 501.1, 501.2, 504.1, 604.3, 605.1, 605.4), at **500 Seabreeze Blvd unit 502**. Violation(s) – Permit required electrical work, wetting pulling out of front window, damaged exterior rear door, interior sanitation, ventilation, lighting, plumbing repairs, electrical wiring standards. First Notified – 9/22/2021.

No Respondent

Field Supervisor Jones testified to the status of the case and advised he had contact with both the tenant and email contact with the property manager as requested. An interior inspection was done on January 24, 2022 and the electrical violations had not been corrected and did a reinspection on March 3, 2022 no corrections were discussed and requested a fine in the amount of \$250 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 \$250.00 per day, effective **March 3, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

CASE # 55 - SMG 01-22-51 - BDP Enterprises INC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.3; Art. 6 Sec. 6.1.A; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.18, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.8) City Code Ch. 42 Sec. 42-111, at **N Beach St (Parcel # 5338-41-00-0150)**. Violation(s) – Restriction on outside activities and uses, property maintenance, standard procedures (site plan approval), vacant land maintenance, sanitation, inoperable/unlicensed vehicles, storage of junk vehicles, exterior surfaces (parking lot), site restoration. First Notified – 8/27/2021.

Francis King Sworn in

Field Supervisor Jones testified to the status of the case and advised Case 55, 56 and 57 are three parcels right next to each other on Beach st. The first parcel last three digits 150 since last hearing has had contact and they still need to bring it back to vacant lot standards and requests to amend to the April cut of.

Mrs. King advised the lot was already seeded

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 56 - SMG 01-22-52 - BDP Enterprises INC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.3; Art. 6 Sec. 6.1.A; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.18, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.8) City Code Ch. 42 Sec. 42-111, at **N Beach St (Parcel # 5338-42-00-0140)**. Violation(s) – Restriction on outside activities and uses, property maintenance, standard procedures (site plan approval), vacant land maintenance, sanitation, inoperable/unlicensed vehicles, storage of junk vehicles, exterior surfaces (parking lot), site restoration. First Notified – 8/27/2021.

Francis King Sworn in

Field Supervisor Jones testified to the status of the case and advised they removed the concrete slab and didn't have a permit and have now submitted it for a permit. The permit has the details on what they have to do to bring the property back into compliance and would like 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 **April 6, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 57 - SMG 01-22-53 - BDP Enterprises INC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.3; Art. 6 Sec. 6.1.A; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.18, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.8) City Code Ch. 42 Sec. 42-111, at **N Beach St (Parcel # 5338-42-00-0130)**. Violation(s) – Restriction on outside activities and uses, property maintenance, standard procedures (site plan approval), vacant land maintenance, sanitation, inoperable/unlicensed vehicles, storage of junk vehicles, exterior surfaces (parking lot), site restoration. First Notified – 8/27/2021.

Francis King Sworn in

Field Supervisor Jones testified to the status of the case the vehicles have been removed, and 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 **April 6, 2022** 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 10-21-286 - Socrates G & Argene E Danielides 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 301.3, 302.1, 304.1.1, 304.2, 304.5, 304.6), at **536 Hazel St**. Violation(s) – Outside storage, trash, building repair, damaged exterior surfaces, cracking walls, damaged foundation, paint fading and peeling, outside storage trash and debris. First Notified – 6/21/2021.

Socrates Danielides sworn in

Field Supervisor Jones testified to the status of the case since last hearing he has had no contact and was at the site last week and advised they are again lifting the building, trying to bring it into compliance and requested to amend to the next cut off.

Mr. Vukelja asked if he could be done by April 6, 2022.

Mr. Danielides stated no, they finished the work last Friday they are waiting now for a letter from the engineer that designed all the work to make sure that everything has been complete according to the plans, as soon as we get that letter probably this week then they can apply for the final inspection.

Mr. Vukelja confirmed that April 6, 2022 would be enough time and Mr. Danielides agreed

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **April 6, 2022** 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 02-22-93 - Arc Capital Management investment LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 304.3, 304.7, 304.13, 304.13.1, 304.13.2, 304.14), at **456 Pleasant St.** Violation(s) – Unmaintained vacant and unsecured house, damaged doors and windows, overgrown grass and weeds, trash & debris, damaged fascia board and rotten wood, missing address numbers. First Notified – 8/19/2021.

Mr. Mozell Fleming (property manager)

Field Supervisor Jones testified to the status of the case since last hearing he has had no contact no progress the property is in terrible disrepair, the case opened back in August of 2021. The staff is requested a fine in the amount of \$100 a day to a cap of \$15,000.

DISPOSITION: Ordered the respondent bring the property into compliance, by **April 6, 2022**, failing that, effective **April 7, 2022**, a fine in the amount of **One Hundred (\$100.00)** dollars per day will automatically be imposed and continue until compliance is achieved or the fine reaches the maximum amount of **Fifteen Thousand (\$15,000.00)** dollars.

CASE # 62 - SMG 01-22-12 - Victory Temple of God INC 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 301.3, 302.1, 302.7, 304.6, 304.7, 304.8, 304.9, 304.13, 304.13.1, 304.13.2, 304.15, 308.1), at **1047 Madison Ave (Parcel # 5338-01-18-0065)**. Violation(s) – Lawn maintenance, paint fading and peeling, vacant unused and unsecured buildings, dilapidated buildings, including accessory structures & sports complex, overgrown lot, landscaping including the right of way, outside trash & debris, damaged doors and windows, broken glass, interior surfaces, roof damage, rotten wood. First Notified – 8/13/2021.

R.T. Hillery sworn in (Chairman of the Trustee Board)

Field Supervisor Jones testified to the status of the case since last hearing he has had no contact requested a fine in the amount of \$200 a day to a cap of \$20,000.

Captain Lee advised there is a modification to that request that the inspector is unaware of, there is a situation here on this particular property where the property was not able to be brought into compliance because it was hung up waiting on a text amendment revision, that text amendment revision just recently went through, and that is now, and will enable the development project to continue forward. That development project is going to continue forward to planning board, probably in April, and then it will then proceed to the city commission after that. There will be a month gap in between there, so it will not see city commission until June and we will probably need to expect compliance at the earliest at the July cutoff or a progress report at least at that time.

Mr. Vukelja asked what is the development program we are talking about.

Mr. Hillery advised the Church acquired the property and is going to be a church.

Discussion on the reviews and planning board suggestions then it will go to the city commission.

DISPOSITION: Based on the testimony of the inspector Will amend the current order of non-compliance until **May 10, 2022** for a progress report

LR-1

SMG 05-21-134 - 638 Aberdeen St. 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), Violation(s) – Overgrown landscaping, peeling paint, door and screen repair. First Notified – 10/28/2020. **Order Imposing Fine/Lien effective June 3, 2021. \$200.00 a day to a maximum of \$10,000.00 Compliance = January 7, 2022. \$10,000.00, \$24.00 recording fees = \$10,024.00**

No respondent, skipped LR-1 and will rehear at the end if the respondent attends.

LR-2

SMG 09-21-266 - 307 Trixie St - M M I Daytona 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), Violation(s) – Failure to maintain exterior, outside storage. First Notified – 5/17/2021. **Order Imposing Fine/Lien effective November 17, 2021. \$100.00 a day to a maximum of \$15,000.00 Compliance = January 24, 2022. \$6,800.00, \$24.00 recording fees = \$6,824.00**

Mr. Ingram already sworn early case

Mr. Vukelja reviewed the case

Mr. Ingram advised he had a difficult time with the tenants and getting any cooperation, when the problem tenant left he has been able to do what he needed to do.

Inspector clig requested no reduction.

Captain Lee stated there is no rental license and the fine being 100 a day is a base line and based on the circumstances it can go up or down

Mr. Ingram advised he couldnt get access to the property inside, and went outside and he was met with resistance and eventually he got it done and looking better.

Questions on the inspection being done and him not needing to call for the inspection.

DISPOSITION: Reduced the Lien to the amount of \$2000.00 payable in 30days

LR-3

SMG 09-19-211 - 612 George W Engram Blvd - BRCB Corp 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, 308.1); Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.A, Violation(s) – Overgrown lot, debris and garbage, lawn maintenance, potholes, damaged asphalt to parking surfaces, parking on the grass. First Notified – 6/10/2019. **Order Imposing Fine/Lien effective October 3, 2019. \$250.00 a day to a maximum of \$15,000.00 Compliance =NA. \$15,000.00, \$24.00 recording fees = \$15,024.00**

Justin Core sworn in

Mr. Vukelja asked for an explanation on what warrants a reconsideration of the fine that was ordered

Mr. Core stated he did not receive notice and once they finally became aware. They are not the current owners and do not have jurisdiction over the property anymore.

Field Supervisor Jones testified to the status and violation the property was posted 2019.

Mr. Core stated they believe they have been in compliance and do not understand why they haven't been able to get a compliance letter.

Mr. Jackson advised this is a normal and to have lien or knowledge or a contractual agreement to make sure that the outstanding open case is taken care of.

Mr. Core advised everyone was at the last hearing

Mr. Jackson discussed how this can create a circumstance where we're allowing a response to sell their way out of the responsibility of complying with the property. and that's something that we've never done.

Mr. Vukelja advised Mr. Jackson was right and he should not have done that. And the owner should have known.

Mr. Core advised they never got a chance to remedy it and they never got notice.

Field Supervisor Jones advised the trash has been picked up, the parking on the grass the damaged asphalt still in violation the grass at this time is mowed. The new owner is being cited for the same violations.

DISPOSITION: Reduced the Lien to the amount of \$6000.00

LR-4

SMG 08-21-228 - Brentwood Dr (Parcel # 4244-01-31-0021) - 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), Violation(s) – Overgrown tree branches, shrubbrey, grass, weeds, trash and debris, rubbish and garbage. First Notified – 3/22/2021. **Order Imposing Fine/Lien effective September 9, 2021. \$500.00 a day to a maximum of \$15,000.00 Compliance = November 18, 2021. \$15,000.00, \$24.00 recording fees = \$15,024.00**

Allyson Worsham sworn in

Captain Lee advised they did meet and come to an agreement for the \$2500.00.

Mr. Vukelja advised for stipulation of the parties, he reduced the fine to the sum of \$2500.00.

DISPOSITION: Reduced the Lien to the amount of \$2500.00 payable in 30days.

LR-5

SMG 10-21-298 - 1521 N Grandview Ave. Royal Investment Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; City Code Ch. 78 Sec. 78-112, Violation(s) – **Overgrown vacant lot.** First Notified – 7/26/2021. **Order Imposing**

**Fine/Lien effective November 17, 2021. \$100.00 a day to a maximum of \$15,000.00
Compliance = December 16, 2021. \$2,900.00, \$24.00 recording fees = \$2,924.00
Mr. Marlot Darnell sworn in**

Inspector Garcia testified and advised she misunderstood her compliance date and did actually cleaned it up herself and now has it being maintained. The city recommends a reduction to \$300 for administrative fees.

Mr. Vukelja advised he would adopt the stipulations of the parties and reduce the lien to \$300 payable in 30days.

DISPOSITION: Reduced the Lien to the amount of \$300.00 payable in 30days.

LR-6

SMG 01-19-01 - 416 N Oleander Ave. - Land Trust Service Corp Trust No 416 is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.2, 302.3, 302.7, 304.2, 304.3); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, Violation(s) – Site appearances, Sidewalk/driveways, property ID, exterior walls, protective treatment, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/20/2018. **Order Imposing Fine/Lien effective June 11, 2019. \$200.00 a day to a maximum of \$15,000.00 Compliance = July 28, 2021. \$15,000.00, \$24.00 recording fees = \$15,024.00**

Nancy Braun sworn in (owner)

Supervisor Jones clarified the address for three liens LR6, LR7 and LR8

Mrs. Braun stated she has paid receipts and stated she was in compliance and when covid hit nothing ever happened.

Conversation on this case happened before covid.

Mrs. Braun advised she made many improvements and had squatters that took two years to evict. She needs to sell the property and cannot with the lien on the property.

Supervisor Jones asked to waive the LR-7 and discussed the Rental inspections and violations.

Mrs. Braun had tenants to get out.

Supervisor Jones stated he had no problems with the tenants

Supervisor Jones advised the Compliance date was a typo

Mr. Vukelja asked if we knew the compliance date

Nancy Braun sworn in (owner)

Inspector Jones clarified the address for three liens LR6, LR7 and LR8

Mr. Vukelja reduced LR-6 to 5,000 and Waived LR-7 to \$0 and Reduced LR-8 to \$5000

DISPOSITION: Reduced the Lien to the amount of \$5,000.00

LR-7

SMG 11-19-248 - 416 N Oleander - Land Trust Service Corp Trustee No 416 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 – 6/20/2019. **Order Imposing Fine/Lien effective June 11, 2019. \$200.00 a day to a maximum of \$15,000.00 Compliance = August 14, 2020. \$15,000.00, \$24.00 recording fees = \$15,024.00**

DISPOSITION: Waving Fines

LR-8

SMG 01-19-02 - 418 N Oleander Ave Land Trust Service Corp Trust No 416 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.6, 302.3, 304.9, 504.2, 605.2); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297,. Violation(s) – Site appearance standards, off-street parking, sidewalks and driveways, exterior walls, overhang extensions, plumbing systems, electrical hazards, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). **Order Imposing Fine/Lien effective June 11, 2019. \$150.00 a day to a maximum of \$15,000.00 Compliance = October 15, 2019. \$15,000.00, \$24.00 recording fees = \$15,024.00**

DISPOSITION: Reduced the Lien to the amount of \$5,000.00

Called LR-1 respondent appeared via zoom

LR-1

SMG 05-21-134 - 638 Aberdeen St. 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), Violation(s) – Overgrown landscaping, peeling paint, door and screen repair. First Notified – 10/28/2020. **Order Imposing Fine/Lien effective June 3, 2021. \$200.00 a day to a maximum of \$10,000.00 Compliance = January 7, 2022. \$10,000.00, \$24.00 recording fees = \$10,024.00**

Maria Martinez sworn in testified she bought the house at tax deed sale, spent a lot of money, all her savings, and put a lot into it and they demolished the property.

Mr. Vukelja asked about the Demolition lien and discussed the taxable value is \$8,350 Captain Lee searched on the property appraisers site.

Maria Martinez advised she paid \$30,000 for the property and put \$15,000 in it and she thought it had potential, no leaks, and good roof. In addition, the city kept telling her to stop.

Mr. Vukelja waived the fine.

DISPOSITION: Waving Fines

The meeting was adjourned at 1:50 PM