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# City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

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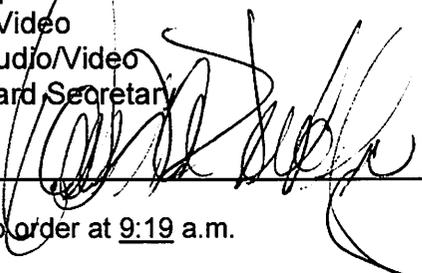
## January 11, 2022 Minutes

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. John Stenson, Code Inspector  
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. Cliff Recanzone, Inspector  
Mr. Joe Graves, Audio/Video  
Mr. Xavier Campbell, Audio/Video  
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by:  \_\_\_\_\_ Special Magistrate

The meeting was called to order at 9:19 a.m.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance

**CASE # 8 - SMG 11-21-322 - Mary V Taylor** is cited for failure to correct violations of The Land Development Code, Art. 2 Sec. 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 544 Bellevue Ave & 546. Violation(s) – Parking in the yard, inoperable vehicle(s), outside storage and peeling paint, dirt & grime. First Notified – 6/1/2021.

### **Compliance January 11, 2022**

Page #5 Case # 14 appearing via Zoom

Page #7 Case # 22 appearing via Zoom

**CASE # 26 - SMG 10-21-287 - 555 Seabreeze LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.C.4.j; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **555-533 Seabreeze Blvd.** Violation(s) – Failure to have a dumpster enclosed, permit for refrigeration trailer, dirt and grime (back dock), oil dripping out of oil container, trash and (debris back lot). First Notified – 6/21/2021.

## Compliance January 10, 2022

**CASE # 28 - 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.

## Compliance January 7, 2022

Page #11 Case # 38 appearing via Zoom

Page #14 Case # LR-4 appearing via Zoom

### ***Mr. Vukelja call case #9 for exigent circumstances***

**CASE # 9 - 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.

**Robert Klenk** sworn in

**Attorney Barry Hughes**

Inspector Kirk testified to the status of the case advised contact with the owner's daughters and requested a onetime \$250 dollar fine for the fiscal licensing year of 2020-2021.

Mr. Hughes stated it is their position that the property is in compliance. He recognized that he was not at the last hearing where he was found not in compliance and that is the concern. This property, Halifax Wrecking has been in existence and owned by Mr. Klenk since 1978 and at this location since 1978. Referred to extensive code enforcement hearings back in 2009 and 2011. Regarding this property and all Mr. Klenk, other properties on Marion St. at that point they admitted noncompliance set up a schedule to bring Mr. Klenk in compliance, advised he was, in fact brought in compliance and brought copies for code enforcement officer and for the magistrate. The violation was December 31, 2009 SMG 01-10-16 advised he highlighted the parcel number and violation had a hearing on this matter May 10, 2011. Minutes refer to this parcel for failure to obtain an occupational salvage license. Reviewing the case, Mr. Hughes stated the use has not changed since it was found in compliance in September 13, 2011. Stating he has an occupational license he has numerous properties under all separate tax ID numbers, he's operated under one occupational license for all the properties since 1978, He was found in compliance back in 2011, he should not be found in noncompliance and shouldn't be subject to a lien and had a meeting with the city of Daytona Beach by Zoom with some of their planning people and apparently the zoning on that property has changed and for Mr. Klenk to get an occupational license for this property he's going to have to get a variance, he's going to have to do a whole bunch of stuff that he's just simply not going to be able to do. They believe that he's grandfathered in. the believe that the they showed the use through the prior code enforcement proceedings 10 years ago, and the use is the same, and suggest that they not be found in noncompliance and the court reconsider its position and that there be no fine imposed, and recognized that it's a minimum fine, but it does have serious implications for Mr. Klenk's future use of the property of continued use of the property.

**Mr. Vukelja** asked if the respondent was cited for the same violation in 2011 and asked how did he come into compliance on that violation, what constituted compliance back in 2011. Discussion on having recollection and not having the recollection of the compliance back in 2011 and trying to find the old files. It was stated they dealt with all the properties as one as it can be seen the affidavit of compliance references several cases which were all treated as one because the properties have always been treated as one. The use continued to be the same, but did not recall an occupational license on this particular property being an issue. The property was cited and they cleaned up the property because that was the major concern.

Conversation referring to having one license for the entire operation. Of all the parcel and that they did fall under the umbrella of one license has been historically how it has been treated and Mr. Klenk has obtained the same license to this day. questions on the zoning has changed and they have tried to

combine all the parcels the city has to issue a letter saying they do not oppose the combination, and the city has indicated that they're not going to issue that letter according to Charmaine,

**Mr. Jackson** stated when it came into compliance, it did with a whole different business use, storage company, issues Mr. Klenk had going on the properties were that they were being utilized for additional extended storage, now what hes allowing is for a parking use of a business that's not related to his business, so he's converted it now to some other use. That is not a lawful use, if it were to be lawful he has to get it developed and he has to have a business tax receipt allowing.

**Mr. Vukelja** asked what the unlawful use was.

**Mr. Jackson** stated there is a crane rental service that is allowing them to utilize it for parking.

**Mr. Vukelja** questioned the Rental service, Crane Rental service parking on the property and it not falling under his existing license. **Mr. Jackson** addressed the lack of having the license and then advised to go to the broad perspective of this mulit license is probably something that, as **Mr. Hughes** acknowledged, he's not really sure about exactly what's going on and Mr. Jackson needs more personnel to advise him or the inspector would know on that issue specifically. Mr. Vukelja asked if the respondent was required to have the license the city is insisting that he is supposed to have under the current zoning climate you have referenced. Mr. Hughes stated he would not be able to operate his business. Question on what business and it was answered that Mr. Klenk does demolition work then he recycles the demolition material, so he brings material back to the site. In addition, would not be able to do this without a variance and it is doubtful that a variance would be issued. Mr. Vukelja stated to both Mr. Hughes and Mr. Jackson that neither of them could say how the property was brought into compliance in 2011. Mr. Jackson stated he'd have to look into it further.

Captain Lee stated this is a vacant lot and has no established use on the property, when the inspector visited the property it was clear there was a business operating there. The operation appeared to be that heavy equipment was being stored there. That was for a business Bryson Crane, and that was the business that was being conducted there. When they did the research and looked, there did not appear to be a business license so that's why they cited it for not having a business license when they communicated with staff and working with the respondent on this there has been a back and forth conversation about how the license from other locations may extend to this lot and whether that was previously extended to this lot Mrs. Askew his here from planning to speak on that and answer any questions. The staff conversation and determination through this process has been that it does not extend to this lot and is mainly because when its previously been applied for and discussed in the past the respondent has not come in and applied for that use and executed what was required to in order to extend their use from other properties to this lot. How long have we been parking cranes on this lot three years?

Mrs. Askew advised she was told they would be asking for a continuance since he had just been brought onto the case, and he needed to do some more work on it

Mr. Jackson is no opposed to a continuance and requested February hearing.

Captain Lee advised we could set it on the end of the hearing.

**DISPOSITION:** Continue to the **March 8, 2022** hearing.

### **Called LR-2**

**SMG 07-21-202 - 559 N Beach St. John Buren Clark III TR** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.3.A; Art. 6 Sec. 6.2.H.7.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), Violation(s) – Overgrown grass and weeds, parking of the right of way, road, street and walkway, damaged soffit. First Notified – 8/12/2020. Order Imposing Fine/Lien effective September 9, 2021. \$100.00 a day to a maximum of \$15,000.00 Compliance = November 16, 2021. \$6,800.00, \$24.00 recording fees = **\$6,824.00**

**Inspector Garcia** testified to the status of the case per Mr. Vukelja' s request.

**Mrs. Clark** advised her husband was sick at the last hearing and she was unaware of the violation. He started the corrections and did not get the soffit done and subsequently her husband had a stroke. The repairs did get finished as soon as she found out.

**DISPOSITION: Waving Fine and Liens**

**CASE # 1 - SMG 09-21-247 - Jonathan Worsham III, Allison Worsham, Patrick Worsham** 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, 302.1, 302.4, 302.5, 308.1), at **N Charles St (Parcel # 5338-44-02-0010)**. Violation(s) – Vacant land, sanitation, weeds, rodent harborage, rubbish and garbage, storage of building materials, no permit. First Notified – 6/9/2021.

Allison Worsham sworn in

Inspector Recanzone testified to the status of the case and stated zoning is moving forward with the application and requested next cut off

Mrs. Worsham advised they just got the comments back on January 6 stating they were given ninety days for correction that they need to make. It is not going to take me that much time to respond to their comments. The rezoning will help work towards compliance. The next administrative step is to respond to their comments to corrections to both zoning applications.

Clarification from the last meeting Mrs. Worsham advised it was said the city had been working with them for a year or two years and that we were in noncompliance ever since then. That was a misrepresentation of the truth. What happened was we started in a home office that was getting a little small. They approached the city to ask what they had to do to put an office building on the property. They had the TRT meeting, the information was overwhelming, and they abandoned that ideal and leased an office, where they are now. That was probably the year she was talking about. Different set of circumstances. This compliance issue did not come out until last year like August, September. They did not get direction on where to go or how to fix it until October 15. That is when they started working on it. They were told it takes 4 to 6 months to get through the process and all they are asking for is the 6 months from October 15 2021, which is April to get finished with the process, they are already like halfway through with it.

Captain Lee requested to amend to the next cut off and see that she's given her responses and the city probably will have responded to her responses and we can probably at that point gauge whether its April or May for the completion.

**DISPOSITION:** Continue the imposition of a fine to the **February 8, 2022** hearing

**CASE # 2 - SMG 09-21-262 - Tambra N Davis Management Tr % Tambra N Davis** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13 ), at **2301 S Peninsula Dr**. Violation(s) – Broken windows. First Notified – 4/15/2021.

**No Respondent**

**Inspector Bostwick** testified to the status of the case in continuance contact with the contractor windows ordered but Lowes home delivery changed the delivery date from November 10, 2021 to January 24, 2022 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 **February 2, 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 # 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**. Violation(s) – Parking on an unapproved surface, peeling paint, roof and fascia damage. First Notified – 10/13/2020.

**Peter Blount** (son-in-law) sworn in

**Inspector Bostwick** testified to the status of the case since the last proceedings, received an email on December 31, 2021 from Mr. Blount regarding a roof contract with the commencement date of 2-14-22 also stated he has a contract for the parking lot. On review of the system shows no documentation for a site plan nor a permit to pave the parking lot or the roof. Requested a fine in the amount of \$100 to \$20,000

**Mr. Blount** stated at the last hearing he was told to check with zoning for the procedures that he would have to go through for the parking lot, he contracted Pro-Seal asphalt. As far as the permit, what he found out was a site plan is needed. To be done he hired an architect who then found out that there was a survey needed in order to make the site plan, so what he has done is contracted somebody to do a survey, but they won't have that done, there was a 30 day wait and won't be done until February 9, 2022 after that the architect will then draw up the site plan he's been in touch with zoning. And submit it for the permit. The roof is scheduled to be done on the February 14, 2022. Put down \$7,000.00 for the asphalt and progress is being made.  
11,000 demo, 6,000 roof, 7,000 parking lot, 1,000 survey, 3500 architect

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **March 2, 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 # 4 - SMG 10-21-308 - 504 Main Street DB INC** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.2.B.14, at **504 Main St.** Violation(s) – Selling adult material. First Notified – 9/22/2021.

**CASE # 4 in Compliance January 10, 2022**

**CASE # 5 - SMG 06-21-168 - Deutsche Bank Natl Trust CO TR, Bosco Credit III TR Series 2010-1 % Bowen Quinn PA**

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 advised progress being made 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 **February 2, 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 # 6 - 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.

**Attorney Jessica Gow**

**Inspector Stenson** testified to the status of the case advised the permit was applied for it is still on hold (handicap ramp) requested for a fine in the amount of 200 a day to 25,000

**Jessica Gow** stated the kdka concrete did not have the certificate to pull the permit. The client reached out to David Wallace construction for another quote who is certified to take over. They set a conference call for next week.

**Inspector Stenson** advised case began back in June and was complaint driven by the citizens inside Pelican Bay, they demolished the one that was there without a permit, a stop work order was issued, on the ramp demo and this has been dragging on and on.

**Captain Lee** stated the city would like to change its request seems like they are trying to resolve it.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **March 2, 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 # 21 - SMG 08-21-236 - Vishnu LTD & MMA Shantoshi** 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, balconies and rails, exposed wiring. First Notified – 5/30/2020.

**Jessica Gow** testified to the progress on the this case

**Inspector Yates** testified to the status of this case and requested for an extension of compliance to the April cut off. Discussion on the preliminary construction schedule and to continue to the April hearing for another progress report.

**Jessica Gow** stated the hotel should be open by February 2023 base on the current schedule.

**DISPOSITION:** Continue to the **April 12, 2022** hearing for progress report & set compliance date.

**CASE # 7 - SMG 10-21-283 - Wal-Mart Stores East LP, Property Tax Dept No 1391** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.9), at **1101 Beville Rd.** Violation(s) – Unmaintained landscaping, accessory structure (property wall), graffiti. First Notified – 7/30/2021.

**No Respondent**

**Inspector Stenson** testified to the status of the case meetings with the regional supervisor and store supervisor, landscapers. The exterior wall in the rear of the property has been pressure washed and painted. The graffiti has been removed.

**Captain Lee** advised after the last meeting knowing that we were approaching a significant fine and it being on a major thoroughfare, understanding that the property's landscape is significantly out of compliance we got with the inspector and had him set up a meeting between his supervisor and their regional facilities manager at the property, walked through what they were trying to achieve with them and no work was done.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$500.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$115,000.00 or the property comes in Compliance.

**CASE # 10 - SMG 10-21-305 - Johnny & Triana Dutra & Marisa Kitson** 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 302.7, 304.13, 304.12.2, 305.3, 504.1,603.1, 604.3.1.1, 704.2), at **552-550 Magnolia Ave.** Violation(s) – Exposed electrical, leaky A/C, no permit for handrails, no permit for enclosing upstairs room and window, rotted wood, defective interior and exterior surfaces, cracked plaster, broken & defective windows, door that is not weather tight, missing smoke detectors and damaged kitchen faucet. First Notified – 8/31/2021.

**Mike Bretzel** sworn in

**Inspector Kirk** testified to the status of the case advised they had plenty of time to remedy and requested a fine in the amount of \$200 a day to a maximum of \$20,000. Permit for handrail failed last week's inspection. On the east side of the building there was a staircase, there was a window and a door. In unit two, there was a wall that was completely sealed off and was another room and that is the permit that was never applied for. There is a rental case started. The door to apartment two is not sealed properly and the windows are inoperable locks, one window when opened could just come out.

**Mike Bretzel** testified to the fact that as of today all violations are done and have a final inspection today

**Captain Lee** advised an auto fine could be imposed based on the inspection for today.

**Mike Bretzel** advised he was not aware of the need for a permit to enclose the upstairs room

Mr. Vukelja advised the respondent is saying he's in compliance and continued the imposition of the fine until the February meeting and may very well be imposed retroactively advised inspector Kirk to do the inspection and then she will report back as to what has or has not been done. Compliance date

remains the way it is because if it is not in compliance he will be free to do whatever it is he needs to do.

**DISPOSITION:** Continue to the **February 8, 2022** hearing Compliance stays January 5, 2022

**CASE # 11 - 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** stated November 16<sup>th</sup> had a voicemail from an engineer who stated he had been hired and was going to be involved in the project not seen any progress no application for repairs asking for a fine of \$150 a day to a cap of 15,000

Mr. Vukelja asked what we need an engineer for.

The building is being held together with chains and it needs either repaired or demolished.

**Mr. Danielides** Wasted a lot of time with one company and finally got sawgrass enterprises and came and inspected everything and put a deposit down they are applying for the permits left a copy of the contract and talked over the phone, left a copy for Mike Fitzgerald who was on vacation.

**Supervisor Jones** observed a contract showing a deposit was made \$3500 and is now with permits and he was told it would take three days once they get the permit and they are getting everything in motion.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **March 2, 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 # 12 - 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 **Mr. Adam Haba & Mrs. & Mr. Riddick** sworn in

**Inspector Jones** testified to the status of the case and stated there was no progress and requested a fine in the amount of \$100 a day to a max of \$15,000

**Mr. Haba** advised that his client Cedar Families had spoken and we had contracted with a vendor to start pulling the permits and pulling the funds obtained a bid then spoke to the Riddick's who reside at the property and they informed them they had actually already gotten their own contractor brought the paperwork today that their contractor has is applying for the permits since they already put down the deposit.

**Inspector Jones** is unaware of any contractor. The proposal is dated December 15, 2021 no contract was given to Mrs. Riddick she advised she paid the 50 percent of the cost to do the roof, \$1,166 dollars. Her back advised the check was cashed on December 30, 2021. So she is just waiting and they shared they are backed up and she did get a call from Certified Construction.

**Mr. Vukelja** asked from permit application to compliance, how much time should reasonably be required?

**Inspector Jones** requested next cut off and Mrs. Riddick agreed.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 13 - SMG 10-21-285 - Cossi Investment LLC & Emil A. Dolel & Miriam P. Aversano** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.A; Art. 6 Sec. 6.2.H.4.C; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 302.8), at **612 George W Engram Blvd.** Violation(s) – Overgrowth, outside storage, junk vehicle, parking. First Notified – 9/21/2020.

**Sarah Guilts** attorney for Cossi Investments

**Justin Gore, Michael & Miriam Aversano** sworn in

**Mr. Aversano** stated they acquired the property from Cossi on approximately September 8, 2021 they were aware of the violations and lien for the garbage, which the money is being held in escrow a little over \$15,000. They knew about this and as of September 2021 until now, the money is still there, this has not been rectified. We have since the new owners hired a landscaper who goes out there twice a month, cleans the property, mows the lawn makes sure everything is taken care of. That is what they have done. They are first finding out from the notice, which was given to them in November late, that there is also supposed to be a parking lot assigned to the property, which they state were never notified of up until he spoke to Mrs. Reno late in November.

**Mr. Vukelja** read the description of violation overgrowth outside storage, junk vehicles, parking.

What does parking mean? Inspector Jones advised there is no parking for this area it is required they get a current site plan for the four units and right now, they are parking on the lawn.

**Mr. Aversano** stated he already hired three companies to come out to give estimates and to do all the proper procedure. Asked what are they supposed to do with the garbage and they were advised they needed to contact the permit department for that information. It was ordered to clean up the dumpsters and then ordered a continuance. Asked about the Lien.

**Mrs. Guilt's** that is the why they are there, they have been told they are unable to schedule a lien review until the property is in compliance which is why they have continued to be involved in this process. In addition, yes that is the standard practice and advised he will be dealing with the new owner from here on out as far as the property is concerned and she can request the lien review.

**Justin Gore** stated the parking was never something over the course of the last year that was mentioned to them and don't really think its fair necessarily to them to hold them to that under this current complaint, if it needs to be a new one based on some new things. The parking on grass was handled.

**DISPOSITION:** Continue to the **February 8, 2022** hearing to determine compliance date.

**CASE # 14 - SMG 06-21-161 - Global Enterprise Acquisition Group LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.2, 304.13.1), at **121 & 123 N Hollywood Ave.** Violation(s) – Damaged accessory structure garage or carport, damaged roof, damaged walls and paint, overgrown grass and weeds backyard, principal structure. broken windows, boarded up windows. First Notified – 12/22/2020.

**Darryl Henderson II** sworn in (owner)

**Field Supervisor Jones** testified to the status of the case advised extremely slow progress and requested a \$150 a day fine with a cap of \$15,000.

**Darryl Henderson II** stated that the contractor will be finished in two weeks the contractor has guaranteed them that they'll be finished stucco the assuring the roof and have the garage painted. Stated they had many challenges her and there, whether it was weather, covid, contractors, contractor catching covid. However, they are just about at the end of finishing the garage. Requested a couple more weeks.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 16, 2022** failing that a fine in the amount of \$150 dollars per day will automatically go into effect and continue to accrue each day thereafter until the property is in compliance or the amount of the fine reaches a maximum of \$15,000.

**CASE # 15 - SMG 10-21-291 - Virgil & Ellen Rosenfeld TR** 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 302.7, 304.15, 305.1, 305.3, 305.4, 305.6, 308.1, 309.1, 604.3.2.1, 605.2 Nfpa 1, 13.6.6.8.3, Nfpa1, 13.7.1.4.9), at **228 Bay St.** Violation(s) – Outside storage, rubbish & garbage, parking on the grass, damaged fence, damaged interior & exterior doors, missing outlet & light switch covers, exterior dirt & grime, exterior and interior peeling paint, missing smoke detectors, outdated fire extinguishers,

damaged walkway at front door, exposed wires, rotted wood and insect/bug infestation. First Notified – 1/25/2021.

**Mike Bretzel** property manager

**Inspector Garcia** testified to the status of the case, had contact with the property manager advised they have made a lot of progress and requested to amend.

Mr. Bretzel agreed to the inspection

**Inspector Garcia** requested and agreed to next cut off for compliance

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 16 - SMG 11-21-312 - ASTK 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) City Code Ch. 78 Sec. 78-112, at **Elm St (Parcel # 5338-38-00-0420)**. Violation(s) – Overgrown grass & weeds, trash & debris. First Notified – 9/21/2021.

**No respondent**

**Inspector Garcia** testified to the status of the case along with Captain Lee stating the issues with the transient and vagrant capping and did nothing until a homicide occurred on the property and he then only did minimal.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$500.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

**CASE # 17 - SMG 11-21-338 - Hostdime Com INC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7) City Code Ch. 78 Sec. 78-112, at **Dr. Mary M Bethune Blvd (Parcel # 5238-27-00-0010)**. Violation(s) - Overgrown vacant lot, damaged fence. First Notified – 7/22/2021.

**No respondent**

**Inspector Garcia** testified to the status of the case no contact and no progress requested a fine in the amount of \$250 capped at \$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 **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

**CASE # 18 - SMG 10-21-290 - Panora Properties LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.6, 304.7, 304.13, 304.14, 304.15, 305.3, 305.6, 308.1, 308.2, 504.1, 505.1, 603.1, 605.1, 704.2), at **210-208 Pierce Ave**. Violation(s) Outside storage, trash & debris, rubbish & garbage, damaged fence, damaged and peeling interior and exterior surfaces, damaged roof, soffit and fascia, damaged window screens, missing plumbing, no water heater, toilet, sinks, exposed wires, overgrown grass, missing smoke detectors, damaged circuit breaker. First Notified – 2/5/2021

**William Pandora sworn in**

**Inspector Garcia** testified to the status of the case has had contact and progress has been made roof finaled, electrical in progress and only lacking the plumbing permit. Requested to amend to next cut off.

**William Panora** advised miscommunication within the city on the plumbing permit it has been in since the beginning. The GC wants to start the inspections next week.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 19 - SMG 11-21-314 - Damian W Williams & Willie Holland** 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 304.2, 304.7, 605.1), at **2215 N Atlantic Ave. Violation(s)** – No permit for windows, no permit (pool renovation), damaged exterior fixtures, peeling paint, unprotected surfaces, damaged soffit and rust garage door. First Notified – 6/29/2021.

**No respondent**

**Inspector Yates** testified to the status of the case no contact and no progress requested a fine for \$200 capped at \$20,000.

Mr. Vukelja asked if they got any of these permits yet. In addition, Inspector Yates advised they did get and interior demo permit which is nothing to do with his violations.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$200.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

**CASE # 20 - SMG 09-21-240 - Tim Team LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.12.B; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.7, 304.13, 304.14, 304.15, 305.3, 504.1, 605.1, 605.2, 605.4, 702.1), at **1055 N Atlantic Ave. Violation(s)** –Exterior surfaces, damaged doors, interior surfaces, broken plumbing fixtures, nonfunctional appliances, missing outlet face plates, electrical cord used as a permanent wiring, blocked egress laundry room, outside storage, unpermitted fence, unmaintained landscaping, junk vehicles, graffiti, peeling paint, broken windows, missing screens, dilapidated roof sections, unpermitted shed. First Notified – 1/21/2021.

**Kevin Crist** (realtor selling the property) sworn in

**Inspector Yates** testified to the status of the case has had contact and no progress the windows are contracted but there were many other items that could have been completed since the last hearing requested a fine for \$200 capped at \$20,000.

**Captain Lee** advised there has been significant police activity multiple search warrants were executed. They have resolved or remediation most of that problem.

**Mr. Crist** had no ideal of police activity, listed the item completed. Windows are coming in and did pressure wash the building and has a quote to paint.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$200.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance

**CASE # 22 - 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** 5601 Windover Dr Orlando FL 32819 West Gate Resorts the Management company of the Americano.

**Inspector Yates** testified to the status of the case, had contact and progress and they believe they can get everything done in 30 days except the windows and the windows are ordered requested compliance next month and if everything else done then we can amend for the windows.

**Brian Smith sworn**

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

With regard to the windows, going to schedule a progress report and or determination of a compliance date for our **March 8, 2022** meeting.

**CASE # 23 - SMG 11-21-335 - Anthony T Arpino** 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 308.2) City Code Ch. 90 Sec. 90-5, at **1529 S Ridgewood Ave.** Violation(s) – Outside storage, rubbish, no Business Tax Receipt. First Notified – 7/2/2021.

**No respondent**

**Manager Sykes** testified to the status of the case advised has had contact and progress but there is still no current BT for the property and asked for a one-time fine for \$250 dollars.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector property is in compliance except no BT Mr. Vukelja imposed a onetime fine for \$250.00 for no current Business Tax Receipt.

**CASE # 24 - 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**

**Manager Sykes** testified to the status of the case advised has had no contact no progress requested a \$100 a day up to \$15,000.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 25 - 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 5339-01-0100).** Violation(s) – **Outside storage.** First Notified – 6/23/2020.

**Attorney Cory Brown**

**Manager Sykes** testified there has been in contact, asked to attorney to speak due to the lengthy progression, and requested to amend to the next cut off.

**Attorney Cory Brown** has made progress met with 30 40 condo owners 275 notices mailed out received new comments from TRT from the planning department and he turned those around in a week and resubmitted those part of the process taking time is to do the zoning and think some of the concerns about them being there came from the condo owners and a lot of the condo owners store there boats there. Trying to work with the condominium association to try to determine what the conditions for the property may be some improvements or what they would support or what they would not and once they coordinate with the planning department based on that, they can go ahead and have the neighborhood meeting, go ahead and get to the redevelopment Board planning. The use is called Boat Dry Storage facility opposed to single-family development. One of the condition they have agreed to is that this is temporary also a maximum of five years before it has to be readdressed

**Manager Sykes** asked to make it a progress report to make sure everything is moving along smooth and then set it out a little further.

**DISPOSITION:** Continue to the **February 8, 2022** hearing for progress report.

**CASE # 27 - 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.

**No Respondent**

**Manager Sykes** testified the property was sold and the new owner cited and they sent some paperwork in stating that there has been some minor progress but we are here to set a compliance date and seeing that no one is here next cut off.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance (establish a compliance date) of **February 2, 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 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.

**Julie Baker** sworn in

**Manager Sykes** advised there was some windows to be delivered and requested to amend to the next cut off for the windows.

**Julie Baker** advised she would be selling the property tired of looking at the homeless. Bought a place in Ormond Beach.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 30 - SMG 05-21-140 - Alberta Elliott Est** 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, 304.2, 304.7, 304.13, 304.14, 305.3, 308.1, 309.1, 604.3), at **449 Walnut St.** Violation(s) – **Outside storage, broken windows, peeling paint, rodent and insect infestations.** First Notified – 8/28/2020.

**Kami Wilson** (granddaughter) sworn in

**Inspector Jean-Baptiste** testified to the status of the case had contact and still in court and unable to find any probate that has been initiated.

**Mrs. Wilson** the plans for the house it is going to cost \$15,000 to get it in someone's name to be responsible for the property and get it secured until they can get someone

The uncle has turned on the utilities and moving in until they obtain ownership.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 31 - 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.

**Brenda Soderlund**

**Inspector Jean-Baptiste** testified to the status of the case, had contact, permit applied for yesterday, and requested compliance next cut off.

**Mrs. Soderlund** agreed

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **February 2, 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 # 32 - SMG 11-21-323 - 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, 304.1, 304.2, 304.5, 304.6, 304.9, 304.13), at **13 S Peninsula Dr.** Violation(s) – **Damaged retaining walls, peeling & discolored paint, exterior storage, trash & debris, discolored**

**fascia, dirt and grime, damaged gate, damaged concrete, landscaping, boarded window.** First Notified – 7/27/2021.

**No Respondent**

**Inspector Jean-Baptiste** testified to the status of the case had no contact, progress observed and the only violation left is the retaining wall is leaning and cracks. Requested a fine in the amount of \$100 a day to the max of \$15,000

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 33 - 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.

**No Respondent**

**Inspector Jean-Baptiste** testified to the status of the case had contact, progress observed only remaining is the dirty awning and asphalt in the rear of the building and has a contractor and did submit a purchase order and requested compliance by the March cut off.

**DISPOSITION:** Based on the testimony of the inspector Will amend the current order of non-compliance to allow the respondents until **March 2, 2022** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

**Requesting to combine case #34 #35 #36**

**Noting no respondent**

**CASE # 34 - SMG 11-21-329 - Seabreeze A1A 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 302.4, 304.19, 308.1), at **N Grandview Ave (Parcel # 530501390140)**. Violation(s) – **Damaged perimeter fence, trash and debris, secured fencing, landscaping.** First Notified – 8/5/2021.

**Inspector Jean-Baptiste** testified to the status of the case has had no contact the landscaping has been cared for, the damaged perimeter fence and unsecured fencing are not in compliance for all three parcels and requesting a fine for \$100 dollars a day to be capped at \$15000 it's worth noting that he simply has a barricade on site and those are not approved fencing material.

Based upon our inspectors presentation as to each of these case 33#34#35.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 35 - SMG 11-21-330 - Seabreeze A1A 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 302.4, 304.19, 308.1), at **N Grandview Ave (Parcel # 530501390130)**. Violation(s) – **Damaged perimeter fence, trash and debris, secured fencing, landscaping.** First Notified – 8/5/2021.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 36 - SMG 11-21-331 - Seabreeze A1A 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 302.4, 304.19, 308.1),

at **530 N Grandview Ave (Parcel # 530501390120)**. Violation(s) – **Damaged perimeter fence, trash and debris, secured fencing, landscaping**. First Notified – 8/13/2021.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 37 - SMG 11-21-337 - Trust Line Trucking LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.2, 304.4, 304.6, 304.15, 308.1), at **29 S Grandview Ave**. Violation(s) – **Damaged fence, trash and debris, exterior storage, fascia boards, cracked and damaged concrete, damaged windows, damaged doors, damaged wooden gate, dirt and grime, unmaintained landscaping**. First Notified – 8/20/2021.

**Mr. Kasimov** sworn in

**Inspector Jean-Baptiste** testified to the status of the case has had no contact city abated the property. **Mr. Kasimov** bought the property and was out of the country and once he got back hired and contractors working on it.

**DISPOSITION:** Noting the absence of the respondent and based on the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **January 6, 2022** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance

**CASE # 38 - SMG 10-21-271 - DB 153 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, 308.1), at **S Ocean Ave (Parcel # 5309-06-00-0090)**. Violation(s) – **Remove all exterior storage, remove trash and debris, landscaping**. First Notified – 7/14/2021.

**Mr. Filgueiras** sworn in

**Inspector Jean-Baptiste** testified to the status of the case has had contact and the property is in partial compliance, he removed everything. In addition, the fix was advised to have ground cover of some sort.

**Mr. Filgueiras** discussed the contacting of the landscaping company who advised they needed to take and level it. Found out they need to put ground cover. He is working on survey for fence. In addition, questioned how if they are made to put ground cover and it dies in a month.

**DISPOSITION:** Continue to the **April 12, 2022** hearing.

**CASE # 39 - SMG 10-21-275 - Amer Khaled** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **300 N Grandview Ave**. Violation(s) – **Trash & debris, discolored fascia boards, dirt & grime, work without a permit, unmaintained landscaping, discolored paint**. First Notified – 4/21/2021.

**No respondent**

**Inspector Jean-Baptiste** testified to the status of the case has had contact all the violation are in compliance except working without a permit, the permit has been submitted just not finalized. 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 **February 2, 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 # 40 - SMG 09-21-252 - Loan Thi Vu** 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, 302.7, 304.2, 304.6, 304.13, 304.13.2, 304.18.2, 605.1), at **142 S Coates St.** Violation(s) – **Broken/damaged windows, exposed wires, hole in wall, damaged gate.**

First Notified – 7/9/2021.

**Jason Miriello sworn in**

**Inspector Jean-Baptiste** testified to the status of the case has had contact and progress, the exposed wiring has been cared for the hole in the wall there is a new gate. The only thing that remains is the broken and damaged windows because they have been ordered requested to amend to the next cut off.

**Mr. Miriello** advised we ordered the windows on the 14<sup>th</sup> of September and expect to receive the windows 25<sup>th</sup> of February and they should be installing them by the second week of March, barring any manufacturing delays, which we are not anticipation any of those

**Captain Lee** requested to amend to the 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

1.

**Lien Reviews**

**LR-1**

**SMG 06-21-153 - 1350 S Nova Rd. 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), Violation(s) – **Excessive overgrowth, damaged fencing.** First Notified – 1/16/2021. **Order Imposing Fine/Lien effective August 5, 2021. \$200.00 a day to a maximum of \$25,000.00 Compliance = November 5, 2021. \$18,424.00, \$24.00 recording fees = \$18,424.00**

Walter Kreush & Andrew Restler sworn

**Andrew Restler** they did work got quotes and during pretty heavy covid time. Paid the deposit had contract to a fence company.

**Walter Kreush** testified working on the contract and the permit through the city, the fence company and the city were going back and forth, on what was allowed and they testified they were trying to be diligent and get it into compliance.

**Captain Lee** agreed that the city would agree to a reduction to an administrative cost of \$1,000.00

**DISPOSITION: Reduced the Lien to the amount of \$1000.00**

**LR-3**

**SMG 12-16-63 - 231 Lexington Drive. Ingersoll Financial, LLC** 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, 304.2, and 304.6), Violation(s) – **Outside storage of junk, trash or debris, fencing wall paint fading and peeling paint issues; exterior paint fading, peeling, missing; exterior walls, holes, breaks, and loose or rotting materials** First Notified – 7/25/2016. **Order Imposing Fine/Lien effective March 18, 2017. \$500.00 a day to a maximum of \$15,000.00 Compliance = November 12, 2018. \$15,000.00, \$24.00 recording fees = \$15,024.00**

**Captain Lee** advised this is one they would have requested an administrative release and would have normally done for \$1,000.00. That is the recommendation.

**DISPOSITION: Reduced the Lien to the amount of \$1000.00**

**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, shrubbery, 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**

**Mrs. Worsham** sworn in stated she and her husband purchased the property on November 22, 2022. The husband was contacted in September and they were hired to clear the property and found out the property was for sale. The title company advised them about the lien.

**Captain Lee** advised the work that should have been done in about a month's time frame at best at most, and the owner strung them along when tried to handle this through conversation and explain to him the community impact that was occurring there is a school bus is adjacent to this property that was being affected by what was going on in this property, the encampment that was going on, receiving significant complaints about drug activity and prostitution activity and abuts a community center and other additional vacant lots that impacted the play areas and kept saying they would take care of it and never did.

**Inspector Garcia** testified he was the one who did multiple inspections police and public works animal control.

**Mrs. Worsham** advised the \$2500 is good for her. Discussed Mr. Tinoco was not receiving the mail. **Captain Lee** advised he was in communication with the city

Advised to continue to February 8, 2022 hearing advised Mrs. Worsham to contact Captain Lee to discuss and talk sooner than later and resolve it and not going to cut Isola Bella Landscaping any slack.

**DISPOSITION: continued to February 8<sup>th</sup> hearing as a LR**

Called #37 stated that he is the new owner and asked for 10 days to come into compliance. They discussed the fine staying in place, Mr. Kasimov was advised he has the right to ask to reconsider the fine after it is in compliance.

The meeting was adjourned at 12:45 PM