

---

---

# City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

---

---

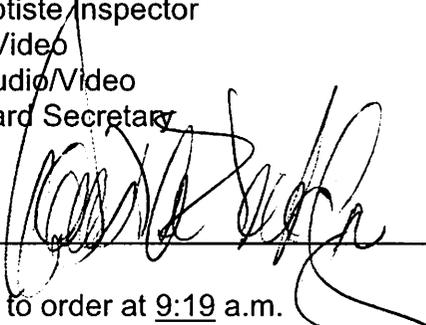
## January 10, 2022 Minutes

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. 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 called case number #32

**CASE # 32 - SMG 01-22-46 - 308 Seabreeze Boulevard 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), at **308 Seabreeze Blvd.** Violation(s) – **Santitation- Oil Container and Oil spillage.**

First Notified – 10/1/2021. *ACTION TO BE TAKEN:* Impose Fine - Irreparable / Irreversible

**Mr. Kitt** sworn in and agreed to non-compliance

**Field Supervisor Mark A. Jones** testified and requested a one-time fine in the amount of \$15,000.00 for Irreparable / Irreversible

**Mr. Vukelja** stated that Mr. Jones would put on his testimony, give Mr. Kitt an opportunity to cross examine any witnesses and give him an opportunity to state whatever it is he wants and bring any witnesses to testify that he wants and with that called the inspector to go forward with his presentation.

**Field Supervisor Mark A. Jones** stated he received a call from public works on September 13, 2021 about an oil spill and it was running down the back alley over the side walk and out into the street.

It was stated that it was (cooking oil). It was advised this was the Axe and Grind pub.

**Sandra VanCleaf** testified that she arrived to scene about 945 on other business and discovered the oil container had failed and the oil was saturating the ground.

**Mr. Vukelja** stated if this thing failed because this guy wasn't maintaining it that's one thing, if it failed because some phantom vehicle backed into it in the middle of the night that might be another thing.

Discussion about a resident who had a slip and fall is when she made necessary calls to shut down with cones and barricades and code enforcement to come and take a look at what was going on.

**Mr. Vukelja** asked while looking at a picture of the container if that was the area of failure that we think the oil was coming out of or is there more stuff broken on the bottom that I can see.

**Ms. VanCleaf** stated That would need to be reported by the inspector. She reported the oil because of the slip and fall and resident safety.

Discussion on how high the damage was on the container as to if it indicated a maintenance issue or trauma to the container.

**Ms. VanCleaf** stated the business is primarily open at night and with little light they could be filling it and filling and having it overflow into the asphalt.

Discussion on whether the crack at the top of the container was a recent occurrence or had been there over time and it was noted it was discovered while investigating other issues.

**Mr. Kitt** was asked if he wanted to cross examine Ms. VanCleaf and he stated I think she stated everything that happened that day, the container cracked.

**Mr. Vukelja** turned conversation back to Inspector who called Ms. Tracy from stormwater to testify Ms. Tracy stated she was contacted and she advised how the storm drain tracked out through three ponds before it hits the river. She advised you're not going to get a clear discharge with those three ponds, but as soon as it hits our system immediately that triggers a non performance with our MS four permit that we carry for the city. And stated that basically all they can do in a situation like this is put socks in front of the inlet to protect them.

**Inspector Jones** referred to previous complaints and a previous case along with the time it took for clean up and man hours that had been used was estimated to be between 20-30.

**Mr. Vukelja** asked about the impact this spill violation had and Tracy advised probably was some discharge but the damage was minor for this particular incident.

**Ms. VanCleaf** testified she had phone conversation with the gentleman from Brownie septic owner of the container and advised he was resistant and unking but after speaking with her they did send their own clean up people in, a crew from Orlando, a pressure washing company then sent a vac truck.

**Mr. Vukelja** asked when she showed up (September 30<sup>th</sup> 2021 at 9pm-4pm) the oil issue was discovered about 10:30 and the trucks had arrived by dusk.

**Mr. Kitt** advised he only knew about the oil spill when they notified him. He called and spoke to a supervisor with Brownie septic and they did arrive by 5 or 530 the same day.

Discussion on Brownie being the owner of the container and they are the ones that pay him to put the container on his property and they never paid. Brownie has been replaced with a new company.

**DISPOSITION:** After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the amount of \$1,500 be imposed and for any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence.

**CASE # 10 - SMG 01-22-15 - 504 Main Street D B INC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; Art. 6 Sec. 6.2.H.7; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7, 304.2, 304.6, 304.8, 304.10, 304.15), at **504 Main St.** Violation(s) – **No sign permit, damaged exterior surfaces, damaged parking lot asphalt, second floor door open, missing staircase second floor.** First Notified – 5/21/2021.

**Attorney Metz appearing on behalf of Mr. Gandhi** advised she agreed to non-compliance for all violation except the stairs and was found in non-compliance.

**Mr. Vukelja** asked how long it would take for compliance  
Inspector Jones stated next cut off

**Mrs. Metz** advised they would like to ask for 90 days one of the issues is the parking lot next door which needs to be recoated or somehow fixed unfortunately the tenant that was in the property was splitting the cost and done all the work in terms of getting the quotes and invoicing and whatnot. Unfortunately another matter came up with this particular tenant your honor may be familiar with that and because of the deterioration of that relationship they have to start over at square one with the pavement so they are asking for 90 days to accomplish the corrections of the remaining items there are many items and she did take pictures yesterday of things that have already been corrected and they believe that there are minor things remaining but that the one major thing would take longer than thirty days to come into compliance

**Mr. Vukelja** asked about the missing staircase second floor.

**Mrs. Metz** stated there was a violation as to a deteriorated staircase up to that , she advised she thought it was in 2019 or 2020 and at the time the code officers agreed to that they could remove that staircase- Mr. Gandhi is hear and can testify as to the interior of the property having no access to the second floor. Theres no access from the exterior of the building so at that time it was her understanding that the staircase that was deteriorated could simply be removed.

Discusion on the sign permit was applied for and was still open and the business did receive its ability to participation In biktoberfest activites, permit is still open however that business will no longer be there and so that issue is moot.

**Mr. Vukelja** asked if the building was being occupied and Mrs. Metz advised the building Is currently being vacated.

**Mr. Jackson** confirmed the tenant and case that Mrs. Metz was reffering to had been on a special hearing November 15, 2021.

**Inspector Jones** advised the city was fine with 90days if that's what they need for the parking lot, and that they have never been able to determine whether there was access to upstairs to an internal storage, and then just get the rest of the violations completed which is some electrical and painting.

**Mrs. Metz** testified a lot of the violations have been corrected if they could do some sort of check in 30days that would be fine, but they believe if they have not already been dealt with that the majority of the remaining items are either moved or easily dealt with, Mr Gandhi can confirm that the electricla and some of the façade work has already been done.

**Mr. Jones** asked for 10day to confirm there is no access to the stairs.

**Mr. Gandhi** advised the tenant is going to be out by the 24<sup>th</sup> so right when he gets out we can show the inspector into the properties and they can see there is not any access to the second floor.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **April 6, 2022** and further order that the respondent within the next 20 days provide access to the city's inspector to verify the inaccessibility of the former door that is on the second story and failing to do either of those things the respondent will be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 18 - SMG 01-22-26 - 115 Main Street INC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.B.1; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.10.G; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 605.1 ), at **115 Main St.** Violation(s) – **Graffiti, trash & debris, damaged exterior wall, unpermitted windows, exposed electrical outlets, signage that no longer represents business.**  
First Notified – 7/2/2021.

**Mr. Gandhi** sworn in

**Inspector Kirk** requested compliance next cut off

**Mrs. Metz** asked for additional time as it is a permit issue with the windows, apparently, these were put in, in 2017 permit was pulled and approved but never finalized with the prior owner. Therefore, they have to go through the process of getting that redone. They would ask for ninety days just to ensure that the process could be reasonably handled within that frame. There is one other question about the signage whether they can get a covering on that or whether they have to get a panel made to cover the sign. Property is not occupied however; there are some opportunities for the landlord to have a tenant soon, so the sign may become a moot issue however, sign companies are 6 to 8 weeks out on having panels made that would be able to cover.

Discussion on the remaining violations occurred and it was determined only the exposed outlets and how the trash & debris is an ongoing issue with the vagrant and homeless issue. Inspector Kirk advised she opened the case back March 31 2021, has not had contact until last week, so there was plenty of time to get something moving, so she would be agreeable to 60 days.

**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 01-22-18 - MHC CARRIAGE COVE LLC C/O Equity Property Tax Group** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.3, 304.6, 304.7, 304.8), at **27 Pathway Ct (Parcel # 5344-16-00-1560).** Violation(s) – **Unmaintained landscaping, junk vehicle, address numbers, exterior surface staining, damaged roof, damaged/missing skirting.**  
First Notified – 9/20/2021.

**Attorney Will Matthews** on behalf of the respondent Naomi Rodrigues was sworn

and does not agree to violation due to a technical perspective, the description of violations apply to 26 Pathway court and the notice stated 27 Pathway court.

**Mr. Vukelja** asked if the notice of violations is directed to the wrong property. Your client is on 27 and the violation belong on 26

**Mr. Matthews** advised yes.

**Inspector Stenson** advised he already had this discussion with Mrs. Rodriguez one of the problem and violation is the lack of address numbers on this property. On the pole right in front of the property it say 27 Pathway ct.

Mr. Vukelja asked what the argument was for this being 26.

**Mrs. Rodriguez** stated the pictures are for 1 pathway court and that's a whole different issue.

**Mr. Matthews** advised he spoke with Mr. Stenson as well and do agree about the address numbers as far as if this was applied to 26 pathway court, his understanding is the junk vehicle violation they are not aware of that, but that violation had been corrected. The landscaping issue they had someone come out and fix that.

**Mr. Vukelja** stated that what he is saying is these violations did exist at one time but they have now been corrected, Mr. Vukelja stated he finds the respondent in non-compliance. How much time should it take to come into compliance?

Inspector Stenson advised next cut off.

**Mr. Vukelja** stated the city says they should be able to have it taken care of by February 2, 2022.

Mr. Matthews advised 26 Pathways Ct. has been scheduled for demo, and requested 60-90 days since the date is unknown.

Testimony and the photos of property cited are said to be 1 Pathway Ct. Mrs. Rodriguez advised she manages the property in the mobile home community but Mr. Donald Younger owns the mobile home.

**Mr. Matthews** advised if that they do not own the actual property, they could not touch the property by law and the property owner itself under section FL SS# 723.024 is responsible for sending any sort of violation relates to the structure itself. As lead to earlier they sent landscaping out there to take care of that. As far as an actual structures concerned by law we cannot touch that.

Mr. Matthews was advised to speak to the city attorney regarding jurisdiction.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 12 - SMG 01-22-19 - MHC CARRIAGE COVE LLC C/O Equity Property Tax Group** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6), at **21 Trotter Ct (Parcel # 5344-16-00-1560)**. Violation(s) – **Exterior surface staining.**

First Notified – 9/27/2021.

**Mr. Matthews** agreed to the violations and advised they have already been remedied.

**Mr. Vukelja** asked if the Inspector was going to ask for compliance by next cut off.

**Inspector Stenson** stated yes that is correct.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**Mr. Vukelja** advised the needed to call for the final inspection.

**Mr. Vukelja** stated to note for the purpose of our minutes that counsel is incorporating the arguments counsel made in case number eleven, in response and objection to the special magistrate proceeding further.

**Mr. Vukelja** called case # 13 and the Inspector advised this case was in compliance as of 1/6/22

**CASE # 13 - SMG 01-22-20 - MHC CARRIAGE COVE LLC C/O Equity Property Tax Group** 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 304.7), at **3 Glen Cove (Parcel # 5344-16-00-1560)**. Violation(s) – **Unmaintained landscaping, dilapidated car port**. First Notified – 9/20/2021.

***Compliance 1-6-2022***

Pursuant to stipulation between the city of Daytona Beach and counsel, for I believe it is Florida Pacific Leasing Co LLC

**CASE # 31 - 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.

Pursuant to stipulation between the city of Daytona Beach and counsel, for Florida Pacific Leasing Co LLC

**DISPOSITION:** Continued to February 8, 2022 hearing.

Issued subpoenas as per the respondents request for witnesses they wish to have present when this matter is heard, called case #56

**CASE # 56 - SMG 01-22-70 - Florida Pacific Leasing CO LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec.6.1, at **316 Main St**. Violation(s) – **Failure to follow seating plan**. First Notified – 10/13/2021.

**DISPOSITION:** Continued to February 8, 2022 hearing.

Issued subpoenas as per the respondents request for witnesses they wish to have present when this matter is heard.

**CASE # 58 - SMG 01-22-73 - 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. 6.2.H.4; Art. 6 Sec. 6.4.S.1; Art. 6 Sec.6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.6, 304.2, 304.6, 304.9, 308.1), at **151 S Atlantic Ave**. Violation(s) – **No established parking master plan, dirt and grime, rust, damaged canopy/overhang, exterior storage, trash & debris, faded paint on**

**fascia boards, dirty stairs, peeling paint, parking on grass/vacant lot, unmaintained landscaping.** First Notified – 9/24/2021.

**Mr. Glasser** on behalf of the respondent agreed to non-compliance.

**Inspector Jean-Baptiste** requested compliance next cut off.

**Mr. Glasser** advised this property the client owns the whole building and there are several building and will be redoing the whole thing and will be applying for permits and that will include all the violations from this particular property and also want to get a master plan for the parking lot and this will require more time. The purchased it from someone else and they didn't really inform of all this going on and are asking for ninety days. it was stated all the garbage had been cleaned up.

**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.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance

### **Announcements made**

**CASE # 2 - SMG 01-22-02 - IRD Investments LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **597 Brentwood Dr.** Violation(s) – **landscaping, no premises identification.** First Notified – 6/2/2021.

***Compliance 1-6-2022***

### **Called case #5 in compliance**

**CASE # 13 - SMG 01-22-20 - MHC CARRIAGE COVE LLC C/O Equity Property Tax Group** 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 304.7), at **3 Glen Cove (Parcel # 5344-16-00-1560).** Violation(s) – **Unmaintained landscaping, dilapidated car port.** First Notified – 9/20/2021.

***Compliance 1-6-2022***

**CASE # 17 - SMG 01-22-25 - Village Resources & Realstate LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **341 Maple S.** Violation(s) – **Missing address numbers.** First Notified – 3/17/2021.

***ACTION TO BE TAKEN:*** Compliance or Non-Compliance

***Compliance 1-6-2022***

**CASE # 20 - SMG 01-22-28 - Trustee Services LLC -TR-Trust & BOA Holding Land Trust ABN66-Trust** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4, at **581 Foote Ct.** Violation(s) – **Unpermitted fence, dirt & grime.** First Notified – 6/11/2021.

**Compliance 1-6-2022**

### **New Cases:**

**CASE # 1 - SMG 01-22-01 - Jerry Nasta** 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 **800 Donnelly PL # 802.** Violation(s) – **Parking on the grass, failure to maintain exterior surfaces.** First Notified – 6/11/2021.

**Sue Marzello** stated manager of property owner in New Jersey sworn disputed the parking on the grass.

**Mr. Sykes** advised he went to the property this morning and it was not complete.

**Mrs. Marzello** discussed they went and her crew went on Friday and they did not see anything that needed to be pressure washed.

**Mr. Sykes** confirmed it was not complete and asked for compliance next cut off.

**Mr. Vukelja stated**

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**Inspector Yates stated the correction on calling case #5 as Case #6 was in compliance on January 7, 2022**

**CASE # 5 - SMG 01-22-08 - Daytona Thunder LLC** 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 302.7, 304.2, 304.6, 304.13, 304.15), at **820 MAIN St.** Violation(s) – **Rotted wood, dilapidated fence, cracks and breaks in building exterior, dirt & grime, exposed electrical, rotten or cracked windows, door hardware.** First Notified – 4/27/2021.

**Mrs. Jennifer George** sworn and is employee of Daytona Thunder LLC speaking on their behalf. Agreed to the violations.

**Inspector Yates** testified to the status of the case and requested 60 days for compliance due to window order.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 2, 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 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.

Mr. A.T Hillery sworn chairperson Deacon for the organization agreed to violations.

Field Supervisor Mark Jones requested compliance next cut off

Mr. A.T Hillery going through the special use permit process with the planning department to be able to utilize the building

Mr. Vukelja acknowledged the respondent was pursuing administrative remedies with the building and zoning authorities that in part will be necessary for them to come into compliance. It was stated this process has already been started and Mr. Hillery is waiting on a response from when the next meeting is. Mr. Hillery stated the engineers submitted so stuff and he doesn't have the schedule to go back to the TRT meeting. They have had the community meeting. Mr. Vukelja asked if the inspector had any ideal of what Mr. Hillery was talking about. Mr. Jones stated he had no contact had no idea. They did mow and clear which did make it look better..

**DISPOSITION:** Continue to the determination of a compliance date to the **February 8, 2022** hearing.

Mr. Vukelja discussed having a clearer picture in 30 days on where they stand for these administrative applications they have made. Advised them to tend to and take care of what they can until the next meeting.

**CASE # 8 - SMG 01-22-13 - Journey Holdings FL LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at **506 Main St.** Violation(s) – **Exterior surfaces, paint fading and peeling, including back of building.** First Notified – 5/25/2021.

Ashley Gilbert sworn Manager agreed to non-compliance

Field Supervisor Mark Jones requested compliance next cut off and discussed the property needed to be painted.

Ms. Gilbert advised they pressure washed it and they are spending 400,000 dollars and pulled permits already and the work starts in July and the property will be completely gutted and doing the brick the walls putting in the stairs from the front an elevator inside.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

Mr. Vukelja advised the respondent to discuss what accommodations the city might be willing to consider if they are doing a major renovation and the current work starts looking counterproductive. Ms. Gilbert agreed and stated she did not want to do a whole bunch of work to it when she was about to knock it all out.

**CASE # 9 - SMG 01-22-14 - Journey Holdings FL LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at **508**

**Main St. Violation(s) – Exterior surfaces, paint fading and peeling, including back of building.** First Notified – 5/25/2021.

**Ashley Gilbert** sworn Manager agreed to non-compliance  
**Field Supervisor Mark Jones** requested compliance next cut off and discussed the

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 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 01-22-22 - Pelican Bay Golf Club LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.6), at **550 Sea Duck Cir.** Violation(s) – **Site appearance standards, commercial property maintenance, vacant structure and land, exterior wall staining.** First Notified – 10/4/2021.

**No Respondent**

**Inspector Stenson** testified to the status of the case, had minimal contact with property manager requested compliance next cut off

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 22 - SMG 01-22-31 - Luke Childs Jr.** 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 304.2,304.7), at **509 S Martin Luther King Blvd.** Violation(s) – **Damaged roof, rotted wood, peeling paint, overgrown landscaping.** First Notified – 6/23/2021.

**Luke Childs Jr. and Sabrina Montgomery sworn in agreed to the violations**

**Inspector Kirk** requested compliance by next cut off.

**Sabrina Montgomery** requested 60day due to being able to work on getting the wood for the roof, she stated she had help with the painting.

**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 # 24 - SMG 01-22-34 - Luke Childs** 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 **Fulton St (Parcel #5338-70-00-0270).** Violation(s) – **Overgrown vacant lot, trash & debris.** First Notified – 9/20/2021.

**Luke Childs Jr. and Sabrina Montgomery agreed to the violations**

**Inspector Garcia** requested compliance by next cut off.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 26 - SMG 01-22-36 - Geo Cummings** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **Henry Butts Dr (Parcel # 5339-80-01-0120)**. Violation(s) – **Overgrown grass & weeds, overgrowth along the fence and palm trees.** First Notified – 8/9/2021.

**Mrs. Daniels sworn (Daughter) agreed to non-compliance**  
**Inspector Garcia** requested compliance by next cut off.  
**Mrs. Daniels requested the March cut off so she could find someone to do the work.**

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 33 - SMG 01-22-47 - 540 B LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.1.A; Art. 6 Sec. 6.19.B; Art. 3 Sec. 3.3; Art. 4 Sec. 4.S.1; Art. 6 Sec. 6.18.D; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 302.8) City Code Ch. 44 Sec. 44-111.a; City Code Ch. 78 Sec. 78-112.a, at **N Beach St (Parcel # 5338-25-03-0070)**. Violation(s) – **Restriction on outside activities and uses, property maintenance, standard development approval, permits for site use, site restoration, sanitation, accessory structure without primary structure, prohibited storage, surfacing, abutment maintenance.** First Notified – 8/21/2021.

**Discussing Case 33 and 34 together**

**Pete Zahn** sworn and retained by 540 B LLC

Stated they are scheduled for team meeting for site plan review process as to both properties and through that process will be reviewing all these items that are all under the site plan review for parking for landscape for the resurfacing, advised that will take a while for site plans going to be at least a month. Takes them a month to get their stuff together. Mr. Zahn stated construction time period six to nine months to be a total time to actually have a point where it could be inspected and say that it is in compliance. Requested a continuance like before, they go into TRT next week and see what the period is going to be.

**Field Supervisor Jones** testified to the status of the case and requested vehicle be kept off the property until this is approved. Agreed to continue until next month.

**Captain Lee** sworn in and testified to the property being a problem and this creating blight and reducing the quality of life for enjoyment in that area.

**Mr. Zahn** discussed future development on the land and how to resolve this going through TRT site plan and requested three months at least.

**Inspector Jones** stated other businesses and at least 100 vehicles have been utilizing this property.

Mr. Vukelja stated for the respondent to bring updates on current events and administrative processes they are going thru, and also going to hear what if any relief the property owner may be looking for, the vehicles that are on the property, he is going to have to make a determination and he wants to at least be satisfied that waltz and whoever else is on notice that the decision that may be made is that all those vehicles have to be removed and Mr.

Vukelja will hear that as well at the next month's hearing as well anybody else who wants to try to give some extenuating circumstances as to why the vehicles should remain.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to provide a progress report **February 8, 2022**.

**CASE # 34 - SMG 01-22-48 - 540 B LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.1.A; Art. 6 Sec. 6.19.B; Art. 3 Sec. 3.3; Art. 4 Sec. 4.S.1; Art. 6 Sec. 6.18.D; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 302.8) City Code Ch. 44 Sec. 44-111.a; City Code Ch. 78 Sec. 78-112.a, at **Bungalow St (Parcel # 5338-25-03-0050)**. Violation(s) – **Restriction on outside activities and uses, property maintenance, standard development approval, permits for site use, site restoration, sanitation, accessory structure without primary structure, prohibited storage, surfacing, abutment maintenance**. First Notified – 8/21/2021.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to provide a progress report **February 8, 2022**.

**CASE # 36 - 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), welting pulling out of front window, damaged exterior rear door, interior sanitation, ventilation, lighting, plumbing repairs, electrical wiring standards**. First Notified – 9/22/2021.

**Antwon Gandy** sworn in tenant at 502 violation occurred at his venue

**Mr. Jackson** stated the respondent is not speaking on his behalf of the owner and only on the violations as a witness per Mr. Vukelja.

**Inspector Jones** testified to the status of the case stating there is numerous plumbing, electrical and ventilation issues and very concerned about the wiring that is a safety hazard. One sink is busted and no permits have been pulled for the corrections and allowed no access.

**Mr. Gandy** stated the door and frame has been replaced and the light fixtures have been covered. Stated he is just not going to use the plugs until he can get an electrician and he will need 60 days for the plumbing.

**Inspector Jones** asked for compliance in 30 days and would like to see a permit pulled for the electrical work because that is a life safety issue and would like to ask for 10 days. **Mr.**

**Jackson** asked what the facility is used for and Mr. Jones stated a Hookah pub and a place where people assemble and gather.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 2, 2022** and further order the respondent make the property available for inspection by the city within the next ten days failing either of those two things be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**Mrs. Francis King** asked to hear cases 37, 38 and 39 together for the discussion.

**CASE # 37 - 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.

**CASE # 38 - 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.

**CASE # 39 - 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.

**Mrs. Francis King** sworn in part owner.

**Inspector Jones** testified to the status of the case and stated a site plan needs to be completed if they are going to keep the asphalt or remove the asphalt and bring the property back to its natural state (site restoration)

**Mrs. Francis King** had vehicles removed

**Captain Lee** discussed the property and stated they did a good job of clearing up most of the vehicles, it's just the asphalt removal the concrete removal and the restoration of the vegetation or if they plan to put in the use they need to come and apply for and do what's required when they go through that TRT process whatever the city recommends.

**Mrs. King** advised she would do whatever the city says. She plans to remove the asphalt take up all the concrete and leveling it, stated that she has a buyer but stated she has to take care of this anyway. And asked for 60-90 days

**Mr. Jones** requested 60 days and Mrs. King agreed.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 45 - 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 buliding permit, overgrown grass, hedges, shrubs and trees, dirt and grime, damaged concrete, damage wood.** First Notified – 8/5/2021.

**Mr. Xavier Gill** sworn in agreed to violations

**Inspector Jean-Baptise** requested compliance next cut and stated a lot of work happened without a permit and at least apply for the permit and start the process going and we would be agreeable to the next cut off.

**Mr. Gill** paid for the roof September 22<sup>nd</sup> and they had no material. Last week they are putting him on the schedule for next week for next week and hopefully apply for the permit next week.

**DISPOSITION:** found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 54 - SMG 01-22-68 - SIG Global Family Limited Partnership** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b.ii, at **S Coates St (Parcel # 5309-02-02-0092)**. Violation(s) – **Unpermitted parking of vehicles and trailers.** First Notified – 10/15/2021.

**Eddie Hennessey** sworn in they are an investment group that owns the streamline hotel and all the adjacent properties, and the parking lot is the issues. They bought two and a half acres and combined them and it is all for the hotel, the hotel occupancy has 240 rooftop and 45 hotel rooms and 70 at the bar and restaurant and he hotel has 28 parking spots. Cleaned up demolished buildings waiting on DOT.

**Mr. Vukelja** asked what he is doing to alleviate this violation

**Mr. Hennessey** stated he would ask for a variance for the use of the lots he has purchased. For his hotel parking

**Mr. Jackson** commented on the unpermitted use of the event parking during the special events is what the violation is about.

**DISPOSITION:** Found the respondent was in non-compliance and found the respondent is now in compliance, not finding irreparable or irreversible, and not ordering a will fine.

**CASE # 55 - SMG 01-22-69 - SIG Global Family Limited Partnership** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b.ii, at **709 E. International Speedway Blvd.** Violation(s) – **Unpermitted parking of vehicles and trailers.** First Notified – 10/15/2021.

**DISPOSITION:** Found the respondent was in non-compliance and found the respondent is now in compliance, not finding irreparable or irreversible, and not ordering a will fine.

**CASE # 57 - 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 Riley** sworn and agreed to violation

**Inspector Jean-Baptise requested to compliance by next cut off**

**Kelly Riley** request extra time do to family illness and she does the work herself and she asked for March.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 59 - SMG 01-22-74 - Christopher R Mason** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.2, 304.4, 304.5, 304.6 ), at **319 5th Ave.** Violation(s) – **Peeling and faded paint, dirt and grime, dirty walls and fascia boards, damaged concrete, dirty driveway and stairs.** First Notified – 10/1/2021.

**Mr. Mason** sworn in via Zoom agreed to violations

**Inspector Jean-Baptise requested to compliance by next cut off**

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

## **LR-1**

**SMG 02-19-27 - 218 Kingston Ave. William B. Parnell** 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, 304.3), **Violation(s)** – Maintenance Code - broken fencing, outside storage, missing address. First Notified – 11/14/2018. **Order Imposing Fine/Lien effective March 7, 2019. \$100.00 a day to a maximum of \$15,000. Compliance = November 19, 2020. \$15,000.00, \$24.00 recording fees = \$15,024.00.**

## **LR-2**

**CEB 02-15-10 - 218 Kingston Ave. William B. Parnell** is cited for failure to correct violations of The Land Development Code, Art. 18 Sec. 7, 7.3, and 7.3.1; Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 302.8); City Code Sec. 90-297, Violation(s) – **Junk vehicles, outside storage, failure to obtain business tax receipt (BTR)** First Notified – 9/15/2014. **Order Imposing**

**Fine/Lien effective April 9, 2015. \$250.00 a day to a maximum of \$15,000. Compliance = November 19, 2020. \$15,000.00, \$24.00 recording fees = \$15,024.00.**

**Mr. Simon** sworn in advised when he purchased the property the owner at the time was supposed to handle the liens and had an addendum when he purchased stating the lien would be taken care of. Discussion on the property having changed hands a couple of times and the liens went unpaid. The property value was estimated at between 130,000 and 140,000 thousand dollars.

**DISPOSITION:** Mr. Vukelja discussed the original violations and reduced them both to \$3000.00 each payable in 30days or fine reverts to the original amount.

**CASE # 30 - 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.

**Mr. Gay sworn in agreed to the violations**

**Inspector Garcia** requested compliance next cut off and advised he needed to apply for the permit or remove the concrete and that permits was looking for more information from him.

**DISPOSITION:** Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 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 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 signaged, broken light fixture, cracked exterior wall, trash & debris, unused sign bracket**. First Notified – 5/20/2021.

**No Respondent**

**Inspector Kirk** testified to the status of the case, had contact with the owner and requested compliance next cut off.

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 19 - SMG 01-22-27 - ASP-READYCHEM LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.14), at **701 Magnolia Ave**. Violation(s) – **Damaged fence, peeling paint, outside storage, overgrown yard, missing insect screens**. First Notified – 9/14/2021.

**No Respondent**

**Inspector Kirk** testified to the status of the case had no contact with the owner and requested compliance next cut off.

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 21 - 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.

**No Respondent**

**Inspector Kirk** testified to the status of the case has had contact with the owner and requested compliance next cut off.

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 23 - SMG 01-22-33 - Russell J Dukes** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.15.7.c. at **116 Anita Ave.** Violation(s) – **Removal of large oak tree.** First Notified – 11/17/2021.

**No Respondent**

**Inspector Kirk** testified to the status of the case Complaint driven case for the removal of a large oak tree no permit on file no arborist report. Inspector Garcia spoke to a worker on site and informed them what they needed and nothing was provided. Irreparable/Irreversible requested a fine of \$500 dollars also seeking mitigation of at least one oak tree of with at least four inches diameter be replanted. Mr. Vukelja asked if anyone knows if there was any reason, did it pose any threat? Inspector Garcia stated they did not think they needed a permit.

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found it irreparable/irreversible and fined the respondent the sum of \$2500.00 further order at least one oak tree be replanted by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 3 - SMG 01-22-03 - Petronas Internatl LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **930 Lewis Dr.** Violation(s) – **Overgrown landscaping.** First Notified – 7/22/2021.

**No Respondent**

**Inspector Butler** testified to the status of the case no contact requested compliance next cut off

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 4 - SMG 01-22-06 - Jonathon H Glugover & Amanda E Mackey** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.3), at **1301 S Peninsula Dr**. Violation(s) – **Dirt and grime on home, exposed paint, no premises identification**. First Notified – 10/5/2021.

**No Respondent**

**Inspector Bostwick** testified to the status of the case has had contact with the owner requested compliance next cut off

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 14 - SMG 01-22-21 - Pelican Bay Sport LLC** 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, 304.6, 308.1, and 605.1), at **110 Goshawk Dr (Parcel # 6201-00-00-0032)**. Violation(s) – **Commercial property maintenance, exterior property areas, accessory structures, rubbish and garbage accumulation, electrical equipment installation**. First Notified – 4/8/2021.

**Mr. Jackson** stated had communication with the respondent and the requested to continue and the city agreed.

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

**CASE # 25 - SMG 01-22-35 - Jessie Fowler** 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 **Cedar St (Parcel# 5339-84-00-0060)**. Violation(s) – **Overgrown grass, weeds, trash& debris**. First Notified – 9/30/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 27 - SMG 01-22-38 - Walmart Stores East LP Property Tax Dept No. 4522-00** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.(c), at **Julia St (Parcel # 5238-12-00-0330)**. Violation(s) – **Unmaintained vacant lot**. First Notified – 10/25/2021.

**No Respondent**

**Inspector Garcia** testified to the status of the case has had contact with the owner requested compliance next cut off

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 28 - SMG 01-22-40 - Seabreeze A1A LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.1.A.B, at **N Grandview Ave (Parcel # 5305-01-39-0130)**. Violation(s) – **Parking vehicles on vacant lot without permit**. First Notified – 10/15/2021.

**No Respondent**

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

**DISPOSITION:** Found the respondent was in non-compliance and found the respondent is now in compliance, and order that for every future violation the respondent be returned to the special magistrate for consideration of a fine up to \$5000.00 dollars for each occurrence and further find that the nature of the violation was such that it was irreparable and irreversible but am for going fine as to this violation only. .

**CASE # 29 - SMG 01-22-41 - Seabreeze A1A LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.1.A.B, at **530 N Grandview Ave (Parcel # 5305-01-39-0120)**. Violation(s) – **Parking vehicles on vacant lot without permit**. First Notified – 10/15/2021.

**No Respondent**

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

**DISPOSITION:** Found the respondent was in non-compliance and found the respondent is now in compliance, and order that for every future violation the respondent be returned to the special magistrate for consideration of a fine up to \$5000.00 dollars for each occurrence and further find that the nature of the violation was such that it was irreparable and irreversible but am for going fine as to this violation only. .

**CASE # 35 - SMG 01-22-49 - 500 Seabreeze LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.1; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13) City Code Ch. 78 Sec. 78-42, at **500 Seabreeze Blvd**. Violation(s) – **Approved site plan, outside activities (seating) not approved, placement of garbage containers, no permit for exterior fence, rotten/damaged exterior door frame**. First Notified – 9/20/2021.

**No Respondent**

**Supervisor Jones** testified to the status of the case requested compliance next cut off

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 40 - SMG 01-22-54 - GEA Seaside Investments Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.E.1; Art. 6 Sec. 6.10.E.2; Art. 6 Sec. 6.10.J.12; Art. 6 Sec. 6.10.J.7, at **428 N Peninsula Dr.** Violation(s) – **Large sign in yard.** First Notified – 9/1/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 41 - SMG 01-22-55 - 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, 302.4, 304.5, 304.6), at **21 S Peninsula Dr.** Violation(s) – **Trash and debris, damaged and loose bricks, damaged concrete and retaining walls, peeling & discolored paint, unmaintained landscaping.** First Notified – 9/21/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 42 - SMG 01-22-56 - GEA Seaside Investments Inc** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.10.E.1; Art.6 Sec. 6.10.J.7; Art.6 Sec. 6.10.J.12; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.6), at **433 N Peninsula Dr.** Violation(s) – **No buliding permit, large sign in yard, dirt and grime, damaged/cracked retaining walls, damaged and cracked walkway and stairs, peeling and discolored paint.** First Notified – 9/1/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 43 - SMG 01-22-57 - GEA Seaside Investments Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.E.1; Art.6 Sec. 6.10.G; Art. 6 Sec. 6.10.J.12; Art. 6 Sec. 6.10.J.7; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.6), at **330 N Peninsula Dr**. Violation(s) – **Large sign in yard, dirt and grime, damaged/cracked walls**. First Notified – 9/1/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 44 - SMG 01-22-58 - GEA Seaside Investments Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 6 Sec. 19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.4, 302.7, 304.1, 304.4, 304.5, 304.6, 304.10, 304.12, 304.13 ), at **25 S Peninsula Dr & 23**. Violation(s) – **Peeling & discolored paint, exterior storage, trash & debris, peeling shaker siting, unmaintained landscaping, damaged wood, boarded windows, damaged fascia board, damage concrete and retaining wall, rotting wood, uneven flooring, damaged stairs, damaged handrails, dirt and grime**. First Notified – 9/20/2021.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**Captain Lee advised the next eight cases are continuance lots that have the same dates and testimony.**

**Consolidating Case #46 thru #53 No respondent present**

**Inspector Jean-Baptiste** testified to the status of the case, had contact with the owner's representative Mark McDonald, and discussed the need to establish a use for the property requested compliance next cut off

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 46 - 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.

**DISPOSITION:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 47 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 48 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 49 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 50 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 51 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 52 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 53 - 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:** Noting the absence of the respondent, Based on the testimony of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 2, 2022** or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day

The meeting was adjourned at 12:20 PM