
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

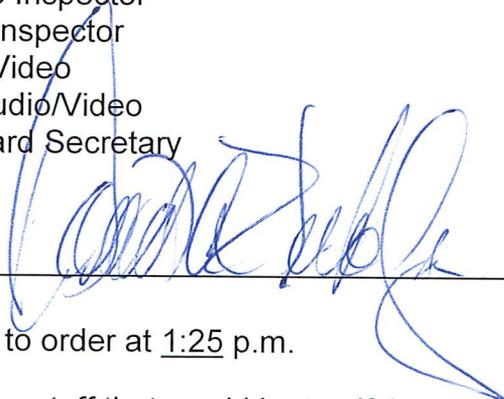
January 9, 2023 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney
Mr. Denzil Sykes, Code Compliance Manager
Mr. Mark A. Jones, Field Supervisor
Mr. Mark Bostwick, Code Inspector
Mr. John Stenson, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by:  _____ Special Magistrate

The meeting was called to order at 1:25 p.m.

Mr. Vukelja requested the staff that would be testifying to stand and be sworn.

Mrs. Reno swore in members of the staff who will be testifying.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance.

CASE # 5 - SMG 01-23-06 – Ornita Haynes is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **717 Tennessee St (Parcel # 5238-38-00-2580)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/19/2022.

Compliance 1-6-2023

New Cases:

Mr. Vukelja called case number #1

CASE # 1 - SMG 01-23-01 - TC Strategies LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Rose Ave (Parcel # 5338-70-00-0140)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/17/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 2 - SMG 01-23-02 - Willie Keith Williams & Cornelius John Henry is cited for failure to correct violations of The Land Development Code, Art. 2 Sec. 2.H.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Wildwood St (Parcel # 5212-01-00-0180)**. Violation(s) – Multiple vehicles parked on a vacant lot, outside storage, landscaping, inoperable vehicles. First Notified – 10/10/2022.

Willie and Julia Williams sworn in

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

Julia Williams testified to having push back with a neighbor and the need to get a survey, advised everything on that property is the neighbors. **Mr. Vukelja** advised if everything in that box referring to the screen shot from the property appraisers web site, is gone the next time then she is done with him, and she will be in compliance. **Mrs. Williams** advised the only thing left is the blue truck that is functional, and the RV comes and goes every morning and the blue tent. Respondent was advised to let the city know what items and vehicles are not hers and let the owners of the vehicles know they cannot park on her property. **Mrs. Williams** advised she was given the number to someone who work with the Code department to help with the homeless person who has relocated on her property.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 3 - SMG 01-23-04 - Cynthia B LLOYD Per Rep & Willie Mae LLOYD Estate & Dorothy Hann is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Gibson St (Parcel # 5238-19-00-0050)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/29/2022.

No Respondent

Inspector Bostwick testified to the status of the case. Advised he had contact with Cynthia Lloyd January 5 2023 and met with the cleanup person saying everything would be done this Thursday, requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 4 - SMG 01-23-05 - Sofia Azor is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Oak St (Parcel # 5238-36-09-0150)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/4/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 6 - SMG 01-23-07 - Rosa P Gibson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Indiana St (Parcel # 5238-38-00-1340)**. Violation(s) – Overgrown vacant lot. First Notified – 9/24/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 7 - SMG 01-23-08 - Rosa P Gibson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Kentucky St (Parcel # 5238-38-00-1350)**. Violation(s) – Vehicles parked on vacant lot, trash and debris, landscaping. First Notified – 9/24/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 8 - SMG 01-23-09 - Theresa C Dinkins LE is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **626 Fremont Ave**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/20/2022.

No Respondent

Inspector Bostwick testified to the status of the case, no contact with the owner, recently found the owner is deceased requested a finding of non-compliance and compliance by the next cut off.

Mr. Vukelja questioned the life estate and advised that he was not going to place an order against a dead person. Discussion on the life estate and the information obtained was

obtained via the property appraisers report **Mr. Vukelja** asked if we need an order anyway, **Mr. Jackson** stated the order would be entered and the requirements to enter the order pursuant to the statutory requirements to utilize the last individual listed on the property appraiser report.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 9 - SMG 01-23-10 - S. David Shaw & Lillie Mae Shaw is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Sunset Cir (Parcel # 5211-13-00-0040)**. Violation(s) – Parking vehicles on vacant lot unapproved surface, storage shed on vacant lot, trash and debris and landscaping. First Notified – 9/6/2022.

Mr. S. David Shaw sworn in **Mr. Shaw** disagreed with the violation and stated it is part of his homestead.

Inspector Bostwick testified to the status of the case, advised he spoke to Mr. Shaw and advised until the property is combined it remains in non-compliance, requested a finding of non-compliance and compliance by the next cut off. **Mr. Jackson** announced his credentials and reviewed some documents.

Mr. Vukelja discussed the need to obtain documents to show the property was combined and homesteaded, suggesting the respondent agree to a continuance.

Mr. Shaw agreed to the continuance and did not stipulate to non-compliance.

Discussion on what violations is left. Mr. Jackson advised that just to clarify the defendant did not bring the property into compliance.

DISPOSITION: Continue to the **February 14, 2023** hearing for the determination of compliance or non-compliance.

CASE # 10 - SMG 01-23-11 - Petra North Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Mason Ave (Parcel # 5212-00-00-0040)**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/27/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 11 - SMG 01-23-14 - Suzanne M Jones LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.14, 305.3, 305.6, 504.1, 309.1, 604.3), at **307 S Grandview Ave & 311 Unit 11**. Violation(s) – Interior floor damage, plumbing, insects, electrical equipment, cabinet doors, holes in walls, ceiling in hallway, peeling paint. First Notified – 6/21/2022.

Suzanne Jones sworn in agreed to non-compliance.

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 12 - SMG 01-23-16 - Joseph E Abichaker & Jouhaina R Attaya is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **McGee St (Parcel # 5238-21-00-0280)**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 8/23/2022.

Inspector advised property in Compliance 1-6-2023.

CASE # 13 - SMG 01-23-17 - RG Mueller Properties 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 304.14), at **740 N Grandview Ave (Parcel # 5305-01-41-0160)**. Violation(s) – Commercial property maintenance (dead tree), missing screens. First Notified – 10/3/2022.

Ralph Gary Mueller sworn in agreed to non-compliance.

Inspector Stenson requested compliance by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 14 - SMG 01-23-18 - Paul W & Beatrice I Zivitski 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), at **840 N Halifax Ave**. Violation(s) – Outside storage, exterior staining/paint. First Notified – 9/1/2022.

No Respondent

Inspector Stenson testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 15 - SMG 01-23-19 - David Parag 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 302.3), at **818 N Halifax Ave**. Violation(s) – Unmaintained landscaping, damaged driveway. First Notified – 8/23/2022.

David Parag sworn in stated he had been very sick, he has done a lot but still needs more time. He has another hospital appointment and once he gets released, he thinks it will get better.

Inspector Stenson present for the case

Mr. Vukelja discussed the property and the time needed with Mr. Parag.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 16 - SMG 01-23-21 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1950)**. Violation(s) – Overgrown landscaping, grass, weeds, shrubbery, trash & debris. First Notified – 8/24/2022. **Bryan Grant** sworn in agreed to the violations.

Inspector Garcia requested compliance by the next cut off.

Mr. Grant requested the case be dismissed or the compliance time be increased significantly. **Mr. Grand** advised he is in the process of transferring the property to Food Brings Hope for low income housing and its being overseen by ICI homes. Part of that project will include the clearing of the land for the building and that should conclude within the next 60 to 90 days. **Mr. Vukelja** asked for more history. **Mr. Grant** advised it he inherited the property and does not have the time or resources to keep it up and when approached to turn it over to charity it seems prudent to do so. **Mr. Vukelja** asked about the next case #17 and confirmed the two cases are in the same situation. Still listed as the owner, now in the process of engineering and environmental study done and should be closing after that. ICI homes is aware of the violation. **Inspector Garcia** advised he was requesting compliance by next cut off.

Mr. Grant stated he drove by the lots today and agreed with the trash specifically is unacceptable and does have a call out to sanitation waste pro to collect the trash. **Mr. Jackson** advised the city does not have any information on the program that is why the city is asking for the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja advised he cannot just ignore the violation. Right now, he is still responsible for the property. **Mr. Jackson** advised the owner to keep code in the loop.

CASE # 17 - SMG 01-23-22 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1940)**. Violation(s) – Overgrown landscaping, grass, weeds, shrubbery, trash & debris. First Notified – 8/24/2022.

Mr. Vukelja stated. Case # 17 is the exact same situation, based upon the testimony of both our Inspector and the respondent regarding case #17

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 18 - SMG 01-23-24 - Lowell E & Kristin I Lingo is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4) City Code Ch. 78 Sec. 78-112, at **Valencia Ave (Parcel # 5239-08-00-0100)**. Violation(s) – Unmaintained vacant lot. First Notified – 4/11/2022.

Lowell Lingo sworn in and did not agree to non-compliance.

Inspector Garcia testified to the status of the case, advised he had no contact and had to post the property.

Mr. Lingo advised that the notice did not come from the post office until last Friday. And needed clarification on what needed to be done. **Mr. Jackson** and **Inspector Garcia** and **Mr. Vukelja** assisted with what maintenance was needed on a vacant lot.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 19 - SMG 01-23-25 - Marion O & Margaret Duggans 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 304.1, 304.2) City Code Ch. 78 Sec. 78-112, at **525 Wallace St.** Violation(s) – No building permit for shed, damaged exterior surface. First Notified – 8/5/2022.

Marion Duggans sworn in agreed to the violations.

Inspector Garcia testified to the status of the case requested compliance by the February cut off.

Mr. Duggans advised he only had painting left and should be done by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 20 - SMG 01-23-30 - St Johns Revoc Living Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.10, 304.15, 305.3, 309.1, 504.1, 605.1), at **425 Auburn Dr Apt. 3.** Violation(s) – Dirt and grime, peeling paint, dilapidated balcony, loose toilet, fixtures missing globes, infestation, and door seal. First Notified – 7/20/2022.

Donald Kane sworn in agreed to the violations.

Inspector Yates requested compliance by the next cut off.

Mr. Kane asked for more time advised the tenant is troublesome and going through the eviction process. He was able to get the plumbing fixed. The tenant is not cooperating with them and leaves garbage in the home and has roaches.

Mr. Vukelja confirmed the items mentioned and asked if anyone objected to 60 days. no objections.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

Mr. Kane asked for **Inspector Yates** to accompany him to the property to emphasize to fix the inside they need the tenant to cooperate.

CASE # 21 - SMG 01-23-31 - Nesco Assoc LL C is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D, at **614 Main St.** Violation(s) – Dirt and grime on exterior awning. First Notified – 5/12/2022.

sworn in agreed to the violations.

Inspector Yates requested compliance by the May cut off since he has now contracted the work out.

Tom Guest advised Sunstate awning says 16 weeks and haven't contracted them but have the proposal and want to get approval first.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 3, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

Mr. Vukelja advised he wants the fully signed contract to be given to the Inspector.

CASE # 22 - SMG 01-23-32 - Myara Properties II LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2 S Atlantic Ave.** Violation(s) – No permit for fence installation. First Notified – 5/12/2022.

Liraz Assayag sworn in advised her affiliation to the property, stated she is the GM of (inaudible) who owns Myara Properties II LLC

Mr. Jackson stated he is okay with that. **Mr. Vukelja** found the property in non compliance.

Inspector Yates requested compliance by the February cut off advised the paperwork has been submitted for the permit.

Ms. Assayag agreed and advised the only thing that held this one up was a survey.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 23 - SMG 01-23-34 - LPJ LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec 90-297, at **200 Hepburn St.** Violation(s) – No Business tax receipt. First Notified – 8/18/2022.

Leroy Edwards sworn in advised he is the owner. And did not agree to non-compliance.

Inspector Yates testified to the status of the case requested a finding of non-compliance compliance by the February cut off.

Mr. Edwards showed inspections and BT licenses and showed Inspector Yates the forms.

Inspector yates stated that he needed to check the system and make sure they are in the system and once he verifies the information he may be in compliance as of today.

Mr. Edwards will send them via email to the Inspector as well.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 24 - SMG 01-23-35 - The Center For Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10), at **135 Orange Ave.** Violation(s) – Peeling paint, dirt and grime, broken windows, graffiti, outside storage, broken exterior cladding, cracks and breaks in building exterior, dilapidated rear steps, overgrown landscaping, rotted wood, dilapidated blinds, and unmaintained interior. First Notified – 9/23/2022.

No Respondent

Inspector Yates testified to the status of the case requested compliance by the next cut off.

Mr. Jackson asked to add they secure to city standards.

DISPOSITION: Respondent was found in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** and further order that the respondent secure the property to city standards within 10 days from today's date or the respondent will be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 25 - SMG 01-23-36 - 123 W Gardiner LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at **605 S Ridgewood Ave.** Violation(s) – Sign no longer directing to a business. First Notified – 8/26/2022.

Tina Hay is the owner sworn in and agreed to the violations.

Inspector Yates testified to the status of the case requested compliance by the February cut off.

Ms. Hay advised she was about to bury her daughter and asked for mor time.

Mr. Vukelja asked if March 8th was a little more amenable, and Ms. Hay agreed and asked if she could just remove the signs they slide out, she was told she had to cut down a cement block.

Mr. Vukelja advised he would continue the matter to give her more time to learn what she needs to and figure out her plan.

DISPOSITION: Continue to the **February 14, 2023** hearing for the determination of compliance or non-compliance.

Lien Reviews:

LR-1

SMG 02-20-21 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) 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, 308.1) Violation(s) – Fence and debris. First Notified – 10/23/2019. Order Imposing Fine/Lien effective March 11, 2020. \$50.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00 – tax proceeds \$1342.21 = \$13,657.79 plus Interest \$1,545.05 = \$15,226.84.

Jerimiah Kitchel sworn in and present via Zoom. Discussed the parcel he needs to sell in Deland which is encumbered by the previous owner by name.

Mr. Jackson discussed the city stand on the request and indicated that a total of \$1500 for both cases \$750 each to complete a partial release.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$750.00 dollars and ordered a partial release of lien review 1 and 2 can be obtained by paying in the amount of \$750 to satisfy each of those liens, and that is for a partial release of parcel id #7001-03-06-0130 with the intent the lien remain in place as to Crystal I LLC payable in 30 days.

LR-2

SMG 05-22-148 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) is cited for failure to correct violations of the L- and Development Code, Art. 6 Sec. 6.2.H.7.A; City Code Chapter 78 Section 78-112. Violation(s) – Overgrown lot, parking on the vacant lot. First Notified – 6/24/2021. Order Imposing Fine/Lien effective July 12, 2022. \$250.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00 and Interest \$197.97. = \$15,221.97
Jerimiah Kitchel sworn in and present via Zoom.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$750.00 dollars and ordered a partial release.

LR-3

SMG 10-21-296 - Isabelle C Rocco - 305 N Paul Revere Dr. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2) Violation(s) – Peeling paint. First Notified – 7/27/2021. Order Imposing Fine/Lien effective November 11, 2021. \$100.00 a day to a maximum of \$10,000.00, recording cost \$24.00 and interest \$ 136.19. Compliance = June 16, 2022. = \$10,160.19

Mr. Sykes code compliance manager advised that Mrs. Isabelle Rocco have agreed to a reduction to \$1000.00.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$1,000.00 dollars and ordered it be paid in 30 days.

6. Adjournment

The meeting was adjourned at 2:53 PM

City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

January 9, 2023 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney
Mr. Denzil Sykes, Code Compliance Manager
Mr. Mark A. Jones, Field Supervisor
Mr. Mark Bostwick, Code Inspector
Mr. John Stenson, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by: _____ Special Magistrate

The meeting was called to order at 1:25 p.m.

Mr. Vukelja requested the staff that would be testifying to stand and be sworn.

Mrs. Reno swore in members of the staff who will be testifying.

Mr. Vukelja asked if there were any announcements.

Ms. Reno announced the following cases in compliance.

CASE # 5 - SMG 01-23-06 – Ornita Haynes is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **717 Tennessee St (Parcel # 5238-38-00-2580)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/19/2022.

Compliance 1-6-2023

New Cases:

Mr. Vukelja called case number #1

CASE # 1 - SMG 01-23-01 - TC Strategies LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Rose Ave (Parcel # 5338-70-00-0140)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/17/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 2 - SMG 01-23-02 - Willie Keith Williams & Cornelius John Henry is cited for failure to correct violations of The Land Development Code, Art. 2 Sec. 2.H.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Wildwood St (Parcel # 5212-01-00-0180)**. Violation(s) – Multiple vehicles parked on a vacant lot, outside storage, landscaping, inoperable vehicles. First Notified – 10/10/2022.

Willie and Julia Williams sworn in

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

Julia Williams testified to having push back with a neighbor and the need to get a survey, advised everything on that property is the neighbors. **Mr. Vukelja** advised if everything in that box referring to the screen shot from the property appraisers web site, is gone the next time then she is done with him, and she will be in compliance. **Mrs. Williams** advised the only thing left is the blue truck that is functional, and the RV comes and goes every morning and the blue tent. Respondent was advised to let the city know what items and vehicles are not hers and let the owners of the vehicles know they cannot park on her property. **Mrs. Williams** advised she was given the number to someone who work with the Code department to help with the homeless person who has relocated on her property.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 3 - SMG 01-23-04 - Cynthia B LLOYD Per Rep & Willie Mae LLOYD Estate & Dorothy Hann is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Gibson St (Parcel # 5238-19-00-0050)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/29/2022.

No Respondent

Inspector Bostwick testified to the status of the case. Advised he had contact with Cynthia Lloyd January 5, 2023 and met with the cleanup person saying everything would be done this Thursday, requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 4 - SMG 01-23-05 - Sofia Azor is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Oak St (Parcel # 5238-36-09-0150)**. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/4/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 6 - SMG 01-23-07 - Rosa P Gibson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Indiana St (Parcel # 5238-38-00-1340)**. Violation(s) – Overgrown vacant lot. First Notified – 9/24/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 7 - SMG 01-23-08 - Rosa P Gibson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Kentucky St (Parcel # 5238-38-00-1350)**. Violation(s) – Vehicles parked on vacant lot, trash and debris, landscaping. First Notified – 9/24/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 8 - SMG 01-23-09 - Theresa C Dinkins LE is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **626 Fremont Ave**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/20/2022.

No Respondent

Inspector Bostwick testified to the status of the case, no contact with the owner, recently found the owner is deceased requested a finding of non-compliance and compliance by the next cut off.

Mr. Vukelja questioned the life estate and advised that he was not going to place an order against a dead person. Discussion on the life estate and the information obtained was

obtained via the property appraisers report **Mr. Vukelja** asked if we need an order anyway, **Mr. Jackson** stated the order would be entered and the requirements to enter the order pursuant to the statutory requirements to utilize the last individual listed on the property appraiser report.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 9 - SMG 01-23-10 - S. David Shaw & Lillie Mae Shaw is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Sunset Cir (Parcel # 5211-13-00-0040)**. Violation(s) – Parking vehicles on vacant lot unapproved surface, storage shed on vacant lot, trash and debris and landscaping. First Notified – 9/6/2022.

Mr. S. David Shaw sworn in **Mr. Shaw** disagreed with the violation and stated it is part of his homestead.

Inspector Bostwick testified to the status of the case, advised he spoke to Mr. Shaw and advised until the property is combined it remains in non-compliance, requested a finding of non-compliance and compliance by the next cut off. **Mr. Jackson** announced his credentials and reviewed some documents.

Mr. Vukelja discussed the need to obtain documents to show the property was combined and homesteaded, suggesting the respondent agree to a continuance.

Mr. Shaw agreed to the continuance and did not stipulate to non-compliance.

Discussion on what violations is left. Mr. Jackson advised that just to clarify the defendant did not bring the property into compliance.

DISPOSITION: Continue to the **February 14, 2023** hearing for the determination of compliance or non-compliance.

CASE # 10 - SMG 01-23-11 - Petra North Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Mason Ave (Parcel # 5212-00-00-0040)**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/27/2022.

No Respondent

Inspector Bostwick testified to the status of the case requested compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 11 - SMG 01-23-14 - Suzanne M Jones LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.14, 305.3, 305.6, 504.1, 309.1, 604.3), at **307 S Grandview Ave & 311 Unit 11**. Violation(s) – Interior floor damage, plumbing, insects, electrical equipment, cabinet doors, holes in walls, ceiling in hallway, peeling paint. First Notified – 6/21/2022.

Suzanne Jones sworn in agreed to non-compliance.

Inspector Bostwick testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 12 - SMG 01-23-16 - Joseph E Abichaker & Juhaina R Attaya is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **McGee St (Parcel # 5238-21-00-0280)**. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 8/23/2022.

Inspector advised property in Compliance 1-6-2023.

CASE # 13 - SMG 01-23-17 - RG Mueller Properties 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 304.14), at **740 N Grandview Ave (Parcel # 5305-01-41-0160)**. Violation(s) – Commercial property maintenance (dead tree), missing screens. First Notified – 10/3/2022.

Ralph Gary Mueller sworn in agreed to non-compliance.

Inspector Stenson requested compliance by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 14 - SMG 01-23-18 - Paul W & Beatrice I Zivitski 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), at **840 N Halifax Ave**. Violation(s) – Outside storage, exterior staining/paint. First Notified – 9/1/2022.

No Respondent

Inspector Stenson testified to the status of the case requested a finding of non-compliance and compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 15 - SMG 01-23-19 - David Parag 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 302.3), at **818 N Halifax Ave**. Violation(s) – Unmaintained landscaping, damaged driveway. First Notified – 8/23/2022.

David Parag sworn in stated he had been very sick, he has done a lot but still needs more time. He has another hospital appointment and once he gets released, he thinks it will get better.

Inspector Stenson present for the case

Mr. Vukelja discussed the property and the time needed with Mr. Parag.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 16 - SMG 01-23-21 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1950)**. Violation(s) – Overgrown landscaping, grass, weeds, shrubbery, trash & debris. First Notified – 8/24/2022. **Bryan Grant** sworn in agreed to the violations.

Inspector Garcia requested compliance by the next cut off.

Mr. Grant requested the case be dismissed or the compliance time be increased significantly. **Mr. Grand** advised he is in the process of transferring the property to Food Brings Hope for low income housing and its being overseen by ICI homes. Part of that project will include the clearing of the land for the building and that should conclude within the next 60 to 90 days. **Mr. Vukelja** asked for more history. **Mr. Grant** advised it he inherited the property and does not have the time or resources to keep it up and when approached to turn it over to charity it seems prudent to do so. **Mr. Vukelja** asked about the next case #17 and confirmed the two cases are in the same situation. Still listed as the owner, now in the process of engineering and environmental study done and should be closing after that. ICI homes is aware of the violation. **Inspector Garcia** advised he was requesting compliance by next cut off.

Mr. Grant stated he drove by the lots today and agreed with the trash specifically is unacceptable and does have a call out to sanitation waste pro to collect the trash. **Mr. Jackson** advised the city does not have any information on the program that is why the city is asking for the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Mr. Vukelja advised he cannot just ignore the violation. Right now, he is still responsible for the property. **Mr. Jackson** advised the owner to keep code in the loop.

CASE # 17 - SMG 01-23-22 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1940)**. Violation(s) – Overgrown landscaping, grass, weeds, shrubbery, trash & debris. First Notified – 8/24/2022.

Mr. Vukelja stated. Case # 17 is the exact same situation, based upon the testimony of both our Inspector and the respondent regarding case #17

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 18 - SMG 01-23-24 - Lowell E & Kristin I Lingo is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4) City Code Ch. 78 Sec. 78-112, at **Valencia Ave (Parcel # 5239-08-00-0100)**. Violation(s) – Unmaintained vacant lot. First Notified – 4/11/2022.

Lowell Lingo sworn in and did not agree to non-compliance.

Inspector Garcia testified to the status of the case, advised he had no contact and had to post the property.

Mr. Lingo advised that the notice did not come from the post office until last Friday. And needed clarification on what needed to be done. **Mr. Jackson** and **Inspector Garcia** and **Mr. Vukelja** assisted with what maintenance was needed on a vacant lot.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 19 - SMG 01-23-25 - Marion O & Margaret Duggans 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 304.1, 304.2) City Code Ch. 78 Sec. 78-112, at **525 Wallace St.** Violation(s) – No building permit for shed, damaged exterior surface. First Notified – 8/5/2022.

Marion Duggans sworn in agreed to the violations.

Inspector Garcia testified to the status of the case requested compliance by the February cut off.

Mr. Duggans advised he only had painting left and should be done by the next cut off.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 20 - SMG 01-23-30 - St Johns Revoc Living Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.10, 304.15, 305.3, 309.1, 504.1, 605.1), at **425 Auburn Dr Apt. 3.** Violation(s) – Dirt and grime, peeling paint, dilapidated balcony, loose toilet, fixtures missing globes, infestation, and door seal. First Notified – 7/20/2022.

Donald Kane sworn in agreed to the violations.

Inspector Yates requested compliance by the next cut off.

Mr. Kane asked for more time advised the tenant is troublesome and going through the eviction process. He was able to get the plumbing fixed. The tenant is not cooperating with them and leaves garbage in the home and has roaches.

Mr. Vukelja confirmed the items mentioned and asked if anyone objected to 60 days. no objections.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **March 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

Mr. Kane asked for **Inspector Yates** to accompany him to the property to emphasize to fix the inside they need the tenant to cooperate.

CASE # 21 - SMG 01-23-31 - Nesco Assoc LL C is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D, at **614 Main St.** Violation(s) – Dirt and grime on exterior awning. First Notified – 5/12/2022.

sworn in agreed to the violations.

Inspector Yates requested compliance by the May cut off since he has now contracted the work out.

Tom Guest advised Sunstate awning says 16 weeks and haven't contracted them but have the proposal and want to get approval first.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **May 3, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

Mr. Vukelja advised he wants the fully signed contract to be given to the Inspector.

CASE # 22 - SMG 01-23-32 - Myara Properties II LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2 S Atlantic Ave.** Violation(s) – No permit for fence installation. First Notified – 5/12/2022.

Liraz Assayag sworn in advised her affiliation to the property, stated she is the GM of (inaudible) who owns Myara Properties II LLC

Mr. Jackson stated he is okay with that. **Mr. Vukelja** found the property in non compliance.

Inspector Yates requested compliance by the February cut off advised the paperwork has been submitted for the permit.

Ms. Assayag agreed and advised the only thing that held this one up was a survey.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 23 - SMG 01-23-34 - LPJ LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec 90-297, at **200 Hepburn St.** Violation(s) – No Business tax receipt. First Notified – 8/18/2022.

Leroy Edwards sworn in advised he is the owner. And did not agree to non-compliance.

Inspector Yates testified to the status of the case requested a finding of non-compliance compliance by the February cut off.

Mr. Edwards showed inspections and BT licenses and showed Inspector Yates the forms.

Inspector Yates stated that he needed to check the system and make sure they are in the system and once he verifies the information he may be in compliance as of today.

Mr. Edwards will send them via email to the Inspector as well.

DISPOSITION: Found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

CASE # 24 - SMG 01-23-35 - The Center For Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10), at **135 Orange Ave.** Violation(s) – Peeling paint, dirt and grime, broken windows, graffiti, outside storage, broken exterior cladding, cracks and breaks in building exterior, dilapidated rear steps, overgrown landscaping, rotted wood, dilapidated blinds, and unmaintained interior. First Notified – 9/23/2022.

No Respondent

Inspector Yates testified to the status of the case requested compliance by the next cut off.

Mr. Jackson asked to add they secure to city standards.

DISPOSITION: Respondent was found in Non-Compliance and ordered the Respondent to come into Compliance by **February 8, 2023** and further order that the respondent secure the property to city standards within 10 days from today's date or the respondent will be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 25 - SMG 01-23-36 - 123 W Gardiner LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at **605 S Ridgewood Ave.** Violation(s) – Sign no longer directing to a business. First Notified – 8/26/2022.

Tina Hay is the owner sworn in and agreed to the violations.

Inspector Yates testified to the status of the case requested compliance by the February cut off.

Ms. Hay advised she was about to bury her daughter and asked for mor time.

Mr. Vukelja asked if March 8th was a little more amenable, and Ms. Hay agreed and asked if she could just remove the signs they slide out, she was told she had to cut down a cement block.

Mr. Vukelja advised he would continue the matter to give her more time to learn what she needs to and figure out her plan.

DISPOSITION: Continue to the **February 14, 2023** hearing for the determination of compliance or non-compliance.

Lien Reviews:

LR-1

SMG 02-20-21 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) 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, 308.1) Violation(s) – Fence and debris. First Notified – 10/23/2019. Order Imposing Fine/Lien effective March 11, 2020. \$50.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00 – tax proceeds \$1342.21 = \$13,657.79 plus Interest \$1,545.05 = \$15,226.84.

Jerimiah Kitchel sworn in and present via Zoom. Discussed the parcel he needs to sell in Deland which is encumbered by the previous owner by name.

Mr. Jackson discussed the city stand on the request and indicated that a total of \$1500 for both cases \$750 each to complete a partial release.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$750.00 dollars and ordered a partial release of lien review 1 and 2 can be obtained by paying in the amount of \$750 to satisfy each of those liens, and that is for a partial release of parcel id #7001-03-06-0130 with the intent the lien remain in place as to Crystal I LLC payable in 30 days.

LR-2

SMG 05-22-148 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) is cited for failure to correct violations of the L- and Development Code, Art. 6 Sec. 6.2.H.7.A; City Code Chapter 78 Section 78-112. Violation(s) – Overgrown lot, parking on the vacant lot. First Notified – 6/24/2021. Order Imposing Fine/Lien effective July 12, 2022. \$250.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00 and Interest \$197.97. = \$15,221.97
Jerimiah Kitchel sworn in and present via Zoom.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$750.00 dollars and ordered a partial release.

LR-3

SMG 10-21-296 - Isabelle C Rocco - 305 N Paul Revere Dr. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2) Violation(s) – Peeling paint. First Notified – 7/27/2021. Order Imposing Fine/Lien effective November 11, 2021. \$100.00 a day to a maximum of \$10,000.00, recording cost \$24.00 and interest \$ 136.19. Compliance = June 16, 2022. = \$10,160.19

Mr. Sykes code compliance manager advised that Mrs. Isabelle Rocco have agreed to a reduction to \$1000.00.

DISPOSITION: Mr. Vukelja advised based on mutual agreement of the parties he agrees to reduce the lien to the amount of \$1,000.00 dollars and ordered it be paid in 30 days.

6. Adjournment

The meeting was adjourned at 2:53 PM