
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

January 10, 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. John Stenson, Code Inspector

Mr. Mark Bostwick, Code Inspector

Mr. Roosevelt Butler, Code Inspector

Mr. Daniel Garcia, Code Inspector

Ms. Sara Kirk, Code Inspector

Mr. Kevin Yates, Code Inspector

Mr. Clearvens Jean-Baptiste Inspector

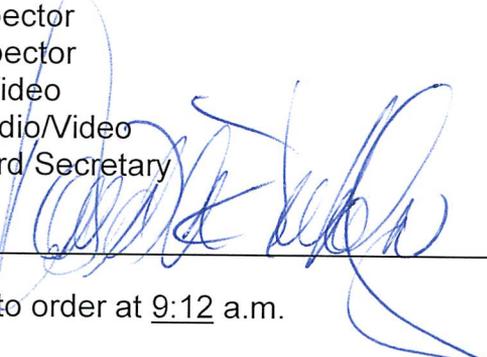
Mr. Cliff Recanzone Inspector

Mr. Steve Alderman 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 9:12 a.m.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno advised that there were no announcements.

Mr. Vukelja advised the cases would be called by the list given that had parties present and in the room.

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

Mr. Vukelja called case #2

CASE # 2 - SMG 09-21-247 - Jonathan Worsham III, Allison Worsham, Patrick Worsham is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4, 302.5, 308.1), at **N Charles St (Parcel # 5338-44-02-0010)**. Violation(s) – Vacant land, sanitation, weeds, rodent harborage, rubbish and garbage, storage of building materials, no permit. First Notified – 6/9/2021.

Allison Worsham and Mike Harding sworn in

Mike Harding testified to the status of the property and addressed the individual violations. When Mr. Vukelja asked about the projected site plan

Mr. Harding advised according to the city its going to take them until March to see the site plan and testified to the status of the case and advised they won't have a site plan until after March.

Mr. Vukelja asked once they have the site permit what does that mean?

Mr. Harding stated that the site permit will then allow them to enter the site, start to erect the building and make the improvements inside the property. One of the issues appears to be the wall, planning, zoning, and engineering wants the wall to stay. The code says that they must have an opaque buffer between this site and the adjacent right of way. They understand that the wall needs to stay. However if planning says the wall has to go and be replaced with a fence, the past site plan that was submitted to the city, they had proposed an eight foot fence with the green slats in the fence. Comment came back from the city saying, no fence is allowed and no slots are allowed. Once they get the permit in March, they can begin construction on the building and bring this site into a usable state.

Mr. Vukelja asked what will bring them into compliance with the current notice of violation?

Inspector Recanzone advised once they have the BT or return it to a vacant lot. When they get the actual license to do the business on the property, then they will be in compliance and will no longer be a vacant lot.

Inspector Recanzone advised that he talked to zoning yesterday and there was no contact with zoning since September 26th. They are the ones overseeing the site plan.

Mr. Harding said there must be some miscommunications they have been in direct contact with hem and just submitted another site plan because he personally spoke to them on the phone on Friday to make sure the site plan that we were presenting was going to meet their requirement. The eliminated one of the buildings, centered it more between the setbacks. Showed a 30 foot driveway showed 24 foot access inside the property nine by 20 parking spots.

Mr. Vukelja asked what the sanitation issue is Inspector advised all the outside storage on the property without the license. Vacant land has things taking place on the vacant land. Weeds are growing up past the wall.

Mr. Jackson advised it appears stuff has been done, whether if it's been since September, that we have no reason to doubt they're under oath. Need clarification of where we are. The real question is what stages of a true timeline, how long should it take? Its not incompliance until everything is complete and they don't have a true timeline.

Property is secure and signs up for no trespassing and conversation on what to expect in the next 30 days to have the site plan review and another round of comments. And rodent problems rubbish and garbage.

Discussion on rezoning being done and still in the site plan approval process and the no permit issue won't be resolved until the construction is started and building permit in hand and finaled. Mr. Vukelja ordered as followed.

DISPOSITION: Continue to the **March 14, 2023** hearing for progress report & determine a compliance date, further ordered to continue to secure keep clean and maintained.

Called case number #7

CASE # 7 - SMG 09-22-267 - Ann E. Edwards & Daytona Universal Trucking, Inc is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **550 Foote Ct.** Violation(s) – **Outside storage, unsanitary condition.** First Notified – 6/25/2022.

Karen Drosche sworn in and advised she is the daughter of Ann E. Edwards. And Daytona Universal Trucking Inc bought the property from them.

Inspector Garcia advised the property is now in compliance as of January 5, 2023 and asked for a finding of non-compliance compliance for a will fine. **Mr. Jackson** confirmed the city has a finding of non-compliance already in this case.

Mr. Vukelja asked if the inspector was looking for a finding now of compliance, having previously determined it was in noncompliance and the imposition of a will fine.

The respondent advised it is in compliance and they can go after him because they own it now and after discussion on new ownership Ms. Drosche was advised to submit any deed paperwork she has.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to find the respondent now in compliance and for every future violation the respondent be returned to the special magistrate for consideration of a fine of up to \$5000 dollars for each repeated violation

CASE # 15 - SMG 11-22-325 - Ann E Edwards is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.12, 304.13, 304.14), at **552 Foote Ct & 554**. Violation(s) – Outside storage, landscaping, exterior surfaces, peeling paint and re-paint, dirt & grime, handrails and guards, windows & screens. First Notified – 8/9/2022.

Karen Drosche sworn in previously.

Supervisor Jones testified to the status of the case advised he has received an email from the grandson saying that they're going to try to make progress there has been little done to either building and requested a fine of \$100 a day to a cap of \$15,000.

Mrs. Drosche advised its all been worked on they have been repainted and the only things she knows was not done is the stairs, and its not really a stair it's a brace or emergency exit. And is pretty much saying its in compliance saying they have to get a contractor to pull the permit for the brace for the stairs.

Inspector Jones shared pictures of the property as of Thursday.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** failing that a fine in the amount of \$100 dollars per day will automatically go into **effect February 9, 2023** and continue to accrue each day thereafter until the property is in compliance or the amount of the fine reaches a maximum of \$15,000.

CASE # 11 - SMG 09-22-270 - Willie Gilmore is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.7, 304.13.2, 305.3,704.2) City Code Ch. 78 Sec. 78-43, at **605 S Martin Luther King Blvd**. Violation(s) – Dumpster enclosure installed w-out permit, damaged interior and exterior surfaces, leaky ceiling/damaged roof, missing smoke detectors and inoperable window. First Notified – 10/21/2021.

Juliette Parker and Willie Gilmore sworn in

Inspector Kirk testified to the status of the case and requested to amend to March cut off to give them time to repair the inside of the apartment.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 12 - SMG 09-22-271 - Crossroads of Daytona LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **110 Jean St.** Violation(s) – No permit for asphalt millings and expired demo permit. First Notified – 5/23/2022.

Colleen Miles sworn in

Inspector Kirk testified to the status of the case stated no progress no permit for the parking area and requested a fine in the amount of \$100 a day to a max of \$15,000

Ms. Miles advised that last they spoke she advised she was going to the Board of adjustment, and they had unanimous approval on each item that they requested waivers on. They submitted for final signoff.

Mr. Vukelja asked what they are going to the Board of adjustments for, and **Ms. Miles** stated they are going for variances to build this into a parking lot, she can show the final site plan variances to build this site into a parking lot and gotten signoff and hoping to have it permitted by Monday.

Inspector Kirk stated that this is an after the fact permit. There has been a permit under review since May 26th for the asphalt that was previously laid and after the fact permit was under review.

Mr. Vukelja asked for the next milestone. **Ms. Miles** stated she should have final signoff on Friday of a site plan which will allow them to submit an application for a permit, to pave it and curb it and landscape it and irrigation and should have a completely built out parking lot in less than four months. It will be graded, and then asphalt, concrete curbing and ground landscape and irrigation. In the next 30 days construction should be start on the site. Advised to send the inspector an email.

DISPOSITION: Continued to the February 14, 2023 hearing to determine what kind of compliance date is needed.

CASE # 13 - SMG 06-22-157 - Robert P Klenk is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 10 Sec. 10.2.B.2; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) City Code Ch. 90 Sec. 90-297, at **Marion St (Parcel # 5339-32-00-0010)**. Violation(s) – Parking on an unimproved surface, vacant parcel, no appropriate development permits (heavy equipment sales, rental, or storage) No Business License for the 2021-2022 licensing year. First Notified – 4/20/2022.

Barry Hughes Attorney for the Respondent appeared via zoom does not agree to non-compliance.

Mr. Jackson testified to the status of the case and discussed the meetings they have had, and they did not reach an agreement with staff and requested to continue the case to the next hearing or set a special meeting just for this case.

Mr. Hughes Advised based on pass situations his client is grandfathered in and asked about the past cases about 10 years ago they were found in compliance.

Mr. Vukelja continued the case for February 14, 2023

DISPOSITION: Continue the determination of Compliance or Non-Compliance to the **February 14, 2022** hearing

CASE # 49 - SMG 09-22-239 - Arben Properties CO 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

304.2), at **N Atlantic Ave (Parcel # 5305-01-46-0170)**. Violation(s) – Peeling paint, and dilapidated seawall. First Notified – 2/18/2022.

Barry Hughes Attorney for the Respondent appeared via zoom.

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

Mr. Hughes agreed to the request to amend to the February hearing.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 50 - SMG 09-22-240 - Arben Properties CO 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 304.2), at **N Atlantic Ave (Parcel # 5305-01-46-0190)**. Violation(s) – Peeling paint, and dilapidated seawall. First Notified – 2/18/2022.

Barry Hughes Attorney for the Respondent appeared via zoom.

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

Mr. Hughes agreed to the request to amend to the February hearing.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 3 - SMG 10-21-285 - Cossi Investment LLC & Emil A. Dotel & Miriam P. Aversano is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.A; Art. 6 Sec. 6.2.H.4.C; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 302.8), at **612 George W Engram Blvd.** Violation(s) – Overgrowth, outside storage, junk vehicle, parking. First Notified – 9/21/2020.

Barry Hughes Attorney for the Respondent appeared via zoom.

Supervisor Jones testified saying he has talked to Mr. Hughes.

Mr. Hughes testified that he was working on getting the engineer and the attorney with the title company to coordinate with one another who has agreed to assume responsibility for bringing the property into compliance, which would require an asphalt parking area. Discussion with **Mr. Jones** concluded that a compliance date would be a way to show progress and to set a date for next month and see where they are. The engineer needs to submit plans and the city advised it would be 4 months out to review.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 14 - SMG 07-22-192 - Alfonso Emil Dotel & Miriam Palacios Aversano 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 305.3, 504.1, 604.3.1.1), at **536 Park Dr & 538**. Violation(s) – Unpermitted windows & plumbing, damaged interior surface, exposed electrical and defective plumbing. First Notified – 2/5/2022.

Elizabeth Robertucci (Assistant property manager) sworn in

Inspector Kirk testified to the status of the case and requested to amend to February cut off all they are waiting for is the final on the permit for the windows.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 18 - SMG 07-22-202 - Harbour Beach Resort Watson Association Management is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19. B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **701 S Atlantic Ave.** Violation(s) – Peeling paint, rust, and corrosion on seawall. First Notified – 2/17/2022.

Christopher Petralia Licensed Community Association Manager appeared in person.

Attorney Marlene Kirian and **Mike Hall** President of Harbour Beach Resort Association appeared via zoom.

Inspector Bostwick testified to the status of the case advised the permit was pulled and tentative start date of March the 3rd with a three month time frame to get the work done.

Mrs. Kirian confirm the permit and contract date of march 3rd with a 3 month time frame to get this done.

Mr. Petralia advised they have been in communication with inspector Bostwick provided all documentation that could be provided and requested an extension to the June cut off at least for a progress report to see where they are at and they have been given a three month project. Starting the beginning of March.

Discussion on all work that needs to be done.

DISPOSITION: Continued to the March 14, 2023 hearing for a progress report and commencement on construction to establish a compliance date.

CASE # 26 - SMG 03-22-115 - Blue Daytona One, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.5, 304.6, 304.10, 304.12), at **103 S Ocean Ave.** Violation(s) – Discolored and peeling paint, damaged concrete, rust, dirt & grime, dead vegetation. First Notified – 7/26/2021.

Daniel Mundrean sworn in

Inspector Jean-Baptiste testified to the status of the case and requested to amend to the April Cut off.

Daniel Mundrean since the last meeting they sustained additional damage to the seawall, a loss of two parking spots in the north parking lot. Since then, they have had re-engineering done by DMC, submitted a new site plan and scope of work to the city for review and approval with the boundary survey. That was kicked back on the 28th with city comments that they have resubmitted to their engineer. As of this morning they do have a second subcontractor on file that's looking to do the work once the permit is pulled in a couple of weeks. They are two weeks out starting from that point forward, looking to finish up by the end of March. The first subcontractor on hand was looking at a March / April start date.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 29 - SMG 08-22-237 - DB 153 Corp 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 301.3, 302.2), at **S Ocean Ave (Parcel # 5309-06-00-0090)**. Violation(s) – Unmaintained vacant lot, parking on vacant lot, failure to maintain grading. First Notified – 5/10/2022.

Jim Cameron sworn in

Inspector Jean-Baptiste testified to the status of the case and requested to amend to the April cut off.

Jim Cameron testified they have been working with and partnered with Parker Mynchenberg and Associates and also Gus Iger for survey and making progress and agree to the April meeting.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 31 - SMG 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.

Mark McDonald sworn in

Mr. Vukelja asked if we were consolidation cases 31 through 38 for the purposes of this morning proceedings? Everyone agreed.

Inspector Jean-Baptiste testified to the status of the case advised progress and progressing along with the permits he has received.

Mark McDonald advised he is just waiting on a response from the city because they must report it to the county before they can combine them.

Mr. McDonald agreed to the April cut off and discussed the new damage and repairs going on since the last storms. And the lawsuit is finally over, and they can now proceed.

DISPOSITION: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 32 - SMG 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.

DISPOSITION: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 33 - 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 34 - 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 35 - SMG 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 36 - 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 37 - 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 38 - 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: Pursuant to the stipulation of the parties, we are consolidating cases 31 through 38 and will amend as to each of those cases our current orders of noncompliance to allow the respondent until April 5, 2023 to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 27 - SMG 11-22-323 - Ellen Rosenfeld trustee of the Virgil & Ellen Rosenfeld Family Trust is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.6), at **419 N Wild Olive Ave**. Violation(s) – Failure to clean dirt and grime off all exterior surfaces, failure to repair fading and discolored paint, failure to repair damage frame, failure to repair damage concrete above door frame. First Notified – 3/2/2022.

Kelsey Jolin property manager sworn in

Inspector Jean-Baptiste testified to the status of the case and progress is happening staff is requesting to amend to the March cut off.

Ms. Jolin agreed to the March cut off.

DISPOSITION: Based on the agreement of the parties the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 30 - SMG 07-22-195 - Daytona Lands 1 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 302.4, 302.4, 302.7, 304.2, 304.6, 304.10, 304.12, 304.13.2, 308.1, 304.14), at **161 E Intl Speedway Blvd & 155**. Violation(s) – Failure to repair entrance gate, failure to repair damaged wooden stairs, loose planks and rotten wood, failure to remove exterior storage, failure to repair discolored walls and peeling paint, failure to repair broken windows, failure to clean dirt and grime, failure to repair door screen enclosure, failure to repair windows, unmaintained landscaping. First Notified – 1/22/2022.

Dana Speer sworn in

Inspector Jean-Baptiste testified to the status of the case stating he had communication and progress and that they have obtained a permit and its currently under review, and the review is requesting for FPL disconnect the asbestos report, advised certain things that they have to do which they are in the process of doing and requested to amend to the March cut off.

Ms. Speer agreed to the March cut off.

DISPOSITION: Based on the agreement of the parties the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 40 - SMG 06-22-170 - ESH Daytona Beach 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 304.2, 304.10), at **1216 N Atlantic Ave.** Violation(s) – Dilapidated seawall, peeling paint, dilapidated steps. First Notified – 2/17/2022.

Attorney Jessica Gow and Ryan Solow sworn in

Inspector Yates stated he thought they were here for a progress report,

Mr. Vukelja reviewed the agenda confirming that it said Action to be taken was Impose Fine

Inspector Yates testified to the status of the case advising he had communication with the owner, and they do continue to move forward with the project and requested to amend to the April hearing.

Mr. Solow agreed to April cut off advised they are trying to get this done as quickly as possible and they are anticipating getting material, hopefully by the end of April and trying to wrap everything up by the end of the summer. If they can get it extended out further that would be great, but if its April then its April.

DISPOSITION: Continued to the March 14, 2023 hearing for a progress report and possibly determine a compliance date.

Break 10min.

Resume 10:35

Recall #30

CASE # 30 - SMG 07-22-195 - Daytona Lands 1

Inspector Jean-Baptiste testified to the Property will be demolished on March 20th and would like to change the request to amend from the March cut off and to amend to the April cut off.

Mr. Vukelja withdrew the previous order establishing a March compliance date and now order the respondent to come into compliance by **April 5, 2023** or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 41 - SMG 09-22-256 - 2000 Atlantic 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 304.2, and 304.10), at **2100 N Atlantic Ave.** Violation(s) – Dilapidated seawall, damaged steps, and peeling paint. First Notified – 2/22/2022.

Attorney Jessica Gow present for the respondent

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

Ms. Gow agreed to the February cut off advised she thinks the property owners owe Kevin some information and timeline, so they will work with him in the next month to get that.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come

into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 42 - SMG 09-22-257 - 2000 Atlantic 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, 304.10), at **N Atlantic Ave (Parcel # 4225-05-01-0060)**. Violation(s) – Dilapidated seawall, damaged steps, and peeling paint. First Notified – 3/7/2022.

Attorney Jessica Gow present for the respondent

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

Ms. Gow agreed to the February cut off.

DISPOSITION: Based on the stipulation of the parties the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 46 - SMG 11-22-329 - 609 Walnut St LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 302.3, 304.7, 304.8, 304.13, 304.14, 304.15), at **505 S Palmetto Ave**. Violation(s) – Area of rust, wood rot, damaged soffit, fascia, unmaintained landscaping, landscaping debris, dilapidated parking lot, dilapidated planter box, broken decorative lattice, missing door handle, unpermitted demo at steps, expired permits, torn or missing screens. First Notified – 7/20/2022.

Sean Smith sworn in appeared via zoom and agreed to the February cut off.

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

DISPOSITION: Based on the agreement of the parties the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 52 - SMG 09-22-278 - Daytona Beach Resort 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 304.10), at **2700 N Atlantic Ave**. Violation(s) – Damaged columns, dilapidated balcony, peeling paint, damaged, cracked, or broken concrete on exterior and interior of parking garage, dirt, and grime. First Notified – 11/6/2021.

Brent Kimball Counsel appeared via zoom testified that his point of contact with his client had positive thing to say about working with Inspector Yates. And discussed the progress and communications. Cosmetic repairs balcony repair issue where a contractor has been obtained.

Inspector Yates testified to the status of the case stated they have made some progress on the balcony repairs, this hearing they were supposed to have dates for the repairs and the other items. Inspector Yates advised he has no dates, and they don't even have a date when they're going to give him a date for the repairs to be completed and requested a February compliance date.

Mr. Kimball asked to discuss the dates for dates comment. And wants to know what dates the inspector was referring to.

Mr. Vukelja asked How far does he anticipate it's going to be necessary for his client to come into compliance?

Mr. Kimball stated his clients retained a contractor to fix the balcony repairs that was sent to Mr. Yates. They have a letter that he could display on zoom that is also been sent to Mr. Yates confirming they were retained. They've given a date of the June.

Mr. Vukelja stated to the inspector that he indicated there are multiple compliance dates that need to be discussed. **Inspector Yates** advised that the garage hasn't been mentioned. The parking garage being the major issue and not having a date for that at all.

Mr. Vukelja asked for the topics they need to deal with as far as the compliance dates. Garage, and a balcony. **Inspector Yates** confirmed they are the dilapidated balcony and the damaged, cracked, and broken concrete on the interior and exterior of the parking garage.

Discussion on what dates they are needing if they are broken down into multiple compliance dates giving the various tasks.

Inspector Yates advised that by this meeting they were supposed to have dates for the completion of all work, and they do not.

DISPOSITION: Continued to the February 14, 2023 meeting to address compliance date.

Mr. Vukelja advised Mr. Kimball he is going to require that he get in touch with Mr. Yates to address several subtopics so they can arrive at an ultimate compliance date. On February 14, 2023 he wants to know what the city thinks these various compliance dates ought to be and what Mr. Kimball is proposing these various compliance dates ought to be. Mr. Vukelja advised he will have another 30 days. and at that point in time, he will determine a compliance date, or he will determine interim compliance dates for the various things that have to be done.

CASE # 51 - SMG 09-22-279 - Americano Beach Resort Assoc 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 304.2), at **1260 N Atlantic Ave.** Violation(s) – Peeling paint, and dilapidated seawall. First Notified – 2/19/2022.

No Respondent

Inspector Yates testified to the status of the case some progress and contact and requested the February cut off for plans to be finalized. They already had engineers in place from before the last storm, and already redrawn up the plans and they should have a complete timeline to me, with permits being able to start to be pulled in February.

DISPOSITION: Continued to the February 14, 2023 meeting for a timeline to determine a compliance date.

CASE # 53 - SMG 07-22-210 - Ocean Winds Condo Assoc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2101 N Atlantic Ave.** Violation(s) – Unpermitted concrete work to building. First Notified – 12/29/2021.

Susan Bridges HOA Board sworn in and testified advised they have all bids and now in the process of starting the project. And can pick the contractor within the next 10 days, and stated they will pick one that can start relatively quickly.

Inspector Yates testified to the status of the case and requested the April cut off.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 54 - SMG 06-22-166 - Mark A & Julie L Wallschaeger 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 304.2), at **1700 N Atlantic Ave.** Violation(s) – **Dilapidated seawall and peeling paint.** First Notified – 2/24/2022.

Cory Brown counsel for respondent advised they hired an engineer, made an application to the state for a permit to replace the seawall.

Discussion on where the house was located just north of Seaview.

Mr. Brown advised that they have a permit to bring some sand in to shore it up on a temporary basis until they can get the permit for the seawall.

Inspector Yates testified to the status of the case and requested the February 14, 2023 meeting for a timeline and possibly establishing a compliance date.

CASE # 55 - SMG 07-22-214 - Florence Henner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.13), at **108 Flower Dr.** Violation(s) – Dilapidated wall, outside storage, broken window, peeling paint, dirt and grime. First Notified – 1/28/2022.

Mrs. Henner attempted to attend but unable to connect to zoom.

Inspector Yates testified to the status of the case and requested to amend to the February 14, 2023 cut off.

DISPOSITION: Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter

CASE # 57 - SMG 01-22-12 - 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. Rt Hillery sworn in and testified that since last time they got everything cleaned up at the site, all the way around the building. They are just waiting on the site plan with the city.

Supervisor Jones testified to the status and requested to amend the case to the next hearing for a progress report to find out where they stand with the survey/site plan.

DISPOSITION: Continued to the February 14, 2023 meeting for an update one where they are on the site plan, advised he expects by then it will have been submitted and maybe Mr. Hillery will have received comments back from the city. Continue to maintain the property through the process.

CASE # 56 - SMG 11-22-328 - Lorin & Herb Kawesch is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 304.2, 304.6, 304.10, 304.12, 304.13.1), at **517 S Palmetto Ave & 515.** Violation(s) – Unpermitted structural work, unpermitted water heater install, unpermitted heater install, unpermitted structural bracing, dilapidated steps, peeling paint, rotted wood,

damaged stair rails, cracked sidewalk, broken window, dilapidated deck and rails, dirt, grime, areas of rust at AC unit. First Notified – 5/23/2022.

Mr. Herb Kawesch sworn in and gave a progress report advising they hired a company to take over the renovations. Countrywide property renovations they've submitted and gotten approved for permitting for the repair of the decking. Removed the grime and pressure washed and painted the house. They have worked with an engineer who's currently working to provide drawings for the repairs of the stairwell, and they have hired a surveyor to get the additional permits needed for the additional work to be done.

Mr. Vukelja asked if they were prepared to give a compliance date. **Mr. Kawesch** stated that there is extensive work to be done. **Mr. Vukelja** asked how long he envisions this project to take, best estimate?

Mr. Kawesch advised the estimate given by Countrywide was 90 days after the permits are in place, but they have to get Survey and Engineers drawings in. He was told that the engineer is working on the drawings and that the surveyor has been paid and they're just waiting for the survey to come in. **Mr. Vukelja** advised he will reschedule another discussion of this at the February 14th meeting hoping by then they will have more information and can be a little better able to address a compliance date. **Mr. Kawesch** asked for March and **Mr. Vukelja** agreed and advised him to have a lot of progress with he extra 30days. **Mr. Kawesch** advised he never got notification of today's hearing and asked to appear via zoom stating that would help them out a lot.

Inspector Yates testified to the status of the case and requested to amend to the February 14, 2023 cut off.

DISPOSITION: Continued to the March 14, 2023 meeting for a progress report and to establish a compliance date.

CASE # 1 - SMG 07-22-189 - Total Makeover Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **701 N Grandview Ave.** Violation(s) – Renovation without permits. First Notified – 5/2/2022.

No Respondent

Inspector Stenson testified to the status of the case including issuing another stop work order requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$200.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 4 - SMG 07-22-179 - MHP Daytona Air LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13, 305.3, 605.1, 704.1), at **620 Brentwood Dr.** Violation(s) – Overgrown landscaping, outdoor storage, dilapidated soffit, dilapidated doors, damaged internal walls, exposed wires and outdated fire extinguisher. First Notified – 2/28/2022.

No Respondent

Inspector Butler testified to the status of the case and requested to amend to the February cut off.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 5 - SMG 05-22-157 - Fai Hung & Hang Lou Lo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.7.c, at **582 Mason Ave.** Violation(s) – No right-of-way encroachment, parking spaces, stacking spaces and loading areas shall not encroach upon, no portion of any vehicle shall overhang the right-of-way any road, street, alley or walkway. First Notified – 9/27/2021.

No Respondent

Inspector butler testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$20,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 6 - SMG 10-22-308 - Edward G. Mayo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **Lane St (Parcel # 5338-66-00-0310).** Violation(s) – **Unmaintained vacant lot.** First Notified – 3/10/2022.

No Respondent

Inspector Garcia testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 8 - SMG 11-22-318 - Ranganathan Kumar is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4C.15, at **822 Forest Ln.** Violation(s) – Class A Motor Home parked in front of residence. First Notified – 8/2/2022.

No Respondent

Inspector Alderman testified to the status of the case and requested a fine in the amount of \$100 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$100.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 9 - SMG 10-22-300 - Dollar Daytona LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.C.4; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 308.3, 308.3.2), at **715 Mason Ave.** Violation(s) – No Required trash containment structure, remove all trash and debris. First Notified – 5/25/2022.

No Respondent

Inspector Alderman testified to the status of the case and requested continuance to the February cut off.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 10 - SMG 10-22-301 - William D McKnight and Kathryn A McKnight Co-Trustees of the William D McKnight Revocable Trust and the Kathryn A McKnight Revocable Trust.

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.2, 302.7, 304.1, 304.2, 304.4, 304.6, 304.8, 304.9, 304.15, 507.1, 603.1, 604.3, 604.3.1.1), at **790 N Nova Rd.** Violation(s) – No permits for accessory signs, unsecured and damaged car wash structure, damaged electrical covers (all structures), hazardous electrical power sources (both accessory structures), extension cord for ice machine, hanging wires (accessory structure), peeling paint (all structures), trash enclosure door damaged, trash and debris, siding damage (carwash, main building). First Notified – 7/28/2022.

No Respondent

Inspector Alderman testified to the status of the case and requested a fine in the amount of \$200 a day to a maximum of \$25,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$200.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$25,000.00 or the property comes in Compliance

CASE # 16 - SMG 11-22-319 - Housing Authority of Daytona Beach is cited for failure to

correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 305.6, 309.1, 504.1, 603.1, 604.3), at **155 Ontario Ct Bldg. 5, Apt 120.** Violation(s) – Inoperable A/C, defective dishwasher and plumbing, unsanitary interior surfaces, termite infestation, defective lighting outlets & broken interior doors. First Notified – 7/25/2022.

No Respondent

Inspector Kirk testified to the status of the case no contact and no progress and requested a fine in the amount of \$100 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$100.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 17 - SMG 11-22-320 - Figjam Holdings 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 301.3, 304.7), at **120 S Martin Luther King Blvd.** Violation(s) – Overgrown landscaping, damaged roof, and exterior, damaged fence, peeling paint, blighted property. First Notified – 11/29/2021.

No Respondent

Inspector Kirk testified to the status of the case no contact no progress and requested a fine in the amount of \$100 a day to a maximum of \$20,000.00.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to impose a fine in the amount of \$100.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 19 - SMG 11-22-310 - 5T Wealth Partners LP is cited for failure to correct violations

of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **549 Park Dr.** Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 8/22/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 20 - SMG 10-22-282 - Alfredo Jose Louis Serrano 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 **501 Pine St (Parcel # 533892020211)**. Violation(s) – **Overgrown vacant lot**. First Notified – 8/4/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 21 - SMG 10-22-283 - Scott & Katherine M Osborne 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 **1226 North St**. Violation(s) – **Overgrown vacant lot with trash and debris**. First Notified – 8/25/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 22 - SMG 10-22-284 - Aaron Robert Mitchell 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 # 5338-97-08-0220)**. Violation(s) – **Overgrown vacant lot with trash and debris**. First Notified – 8/8/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 23 - SMG 10-22-291 - Oakview Estates of Daytona, 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), at **Daytona Beach (Parcel # 5202-24-00-0001)**. Violation(s) – **Overgrown retention pond**. First Notified – 8/22/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 24 - SMG 10-22-294 - Deborah Harvin 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, 302.8) City Code Ch. 78-112, at **Marion St (Parcel # 5339-49-00-0250)**. Violation(s) – Overgrown vacant lot with trash and debris and inoperable vehicles parked on vacant lot. First Notified – 8/3/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 25 - SMG 10-22-295 - Sean Harvin 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, 302.8) City Code Ch. 78-112, at **Marion St (Parcel # 5339-49-00-0240)**. Violation(s) – Recreational vehicle parked on vacant lot, trash and debris, overgrown landscaping. First Notified – 8/4/2022.

No Respondent

Inspector Bostwick testified to the status of the case and requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$15,000.00 or the property comes in Compliance.

CASE # 28 - SMG 10-22-303 - GEA Seaside Investments Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.6), at **311 N Hollywood Ave & 313**. Violation(s) – Failure to repair damaged fascia board, failure to remove dirt and grime off all exterior surfaces, failure to repair discolored and fading paint. First Notified – 2/16/2022.

No Respondent

Inspector Jean-Baptiste testified to the status of the case and requested a fine in the amount of \$200 a day to a maximum of \$20,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$200.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 39 - SMG 03-22-113 - Sandals US, LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.5, 304.6) City Code Ch. 90 Sec. 90-297., at **140 S Ocean Ave**. Violation(s) – Failure to obtain and maintain an established parking lot master

plan, trash and debris, damaged concrete wall, unmaintained landscaping, no Business Tax License for paid parking, failure to remove wood poles. First Notified – 10/27/2021.

No Respondent

Inspector Jean-Baptiste testified to the status of the case and requested to the April cut off.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **April 5, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 43 - SMG 09-22-276 - Joseph P Torch is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.10), at **1305 N Atlantic Ave.** Violation(s) – Dilapidated steps and balcony. First Notified – 3/26/2022.

No Respondent

Inspector Yates testified to the status of the case and requested to the March cut off.

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 44 - SMG 11-22-326 - Daytona Thunder LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3), at **820 Main St.** Violation(s) – Unpermitted stair install, blocked windows, interior surfaces, unpermitted HVAC. First Notified – 5/12/2022.

No Respondent

Inspector Yates testified to the status of the case no contact no progress and requested a fine in the amount of \$200 a day to a maximum of \$20,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$200.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 45 - SMG 11-22-327 - Daytona Thunder 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, 304.1), at **814 Main St.** Violation(s) – Areas of damaged paint & finish, hole inside of building. First Notified – 5/12/2022.

No Respondent

Inspector Yates testified to the status of the case no contact no progress and requested a fine in the amount of \$200 a day to a maximum of \$20,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$200.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$20,000.00 or the property comes in Compliance.

CASE # 47 - SMG 10-22-298 - Padmavati Three 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 304.1, 304.2), at **770 N Atlantic Ave.** Violation(s) – Peeling paint, dilapidated seawall, and steps. First Notified – 2/14/2022.

No Respondent

Inspector Yates testified to the status of the case no contact no progress and requested a fine in the amount of \$250 a day to a maximum of \$30,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector a fine was imposed in the amount of \$250.00 per day, effective **January 5, 2023** until the fine reaches a maximum of \$30,000.00 or the property comes in Compliance.

CASE # 48 - SMG 09-22-275 - Daytona Beach Bella Vista 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 304.2), at **N Atlantic Ave (Parcel # 4225-03-02-0020)**. Violation(s) – Dilapidated seawall, peeling paint. First Notified – 2/22/2022.

No Respondent

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

DISPOSITION: Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **February 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Discussion on the seawalls being able to be repaired and the coastal setbacks.

The meeting was adjourned at 11:32 AM