
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

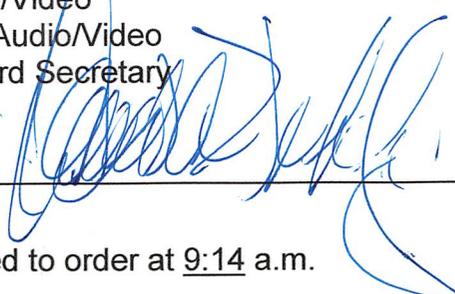
November 8, 2022 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney
Mr. Denzil Sykes, Neighborhood Services Manager
Mr. Mark A. Jones, Field Supervisor
Mr. John Stenson, Code Inspector
Mr. Mark Bostwick, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Clearvens Jean-Baptiste Inspector
Mr. Tom Clig, Code Inspector
Mr. Steve Alderman, Code Inspector
Mr. Clifford Recanzone
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by:  _____ Special Magistrate

The meeting was called to order at 9:14 a.m.

Mr. Vukelja reviewed and approved the September 13, 2022, minutes.

Mrs. Barnes announced the following cases in compliance

CASE # 24 - SMG 11-22-322 - Rodin Group LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 305.3), at 304 Maple St Apt 1. Violation(s) – Dirt & Grime, defective plumbing, defective and unsanitary interior surfaces. First Notified – 1/25/2022.

Compliance 11/7/2022

Department of Justice

November 11, 1963

November 11, 1963

Mr. Tolson

Mr. DeLoach

Mr. Mohr

Mr. Bishop

Mr. Casper

Mr. Callahan

Mr. Conrad

Mr. Felt

Mr. Gale

Mr. Rosen

Mr. Sullivan

Mr. Tavel

Mr. Trotter

Tele. Room

Miss Holmes

Miss Gandy

[Handwritten signature]

Special Agent in Charge

Federal Bureau of Investigation

Washington, D.C. 20535

Enclosure

Very truly yours,

J. Edgar Hoover

Director

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CASE # 27 - SMG 11-22-312 - Allen B & Philip Williams 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 Wildwood St (Parcel # 5212-01-00-0160). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/9/2022.

Compliance 11/7/2022

CASE # 32 - SMG 10-22-293 - Craig J. Lubitski 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 Redwood St (Parcel # 5212-01-00-1090). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 8/22/2022.

Compliance 11/7/2022

Staff sworn

Ms. Barnes confirmed for Mr. Vukelja the next cut off would be January 4, 2023

Mr. Vukelja discussed the process for the 1st 34 cases which are new cases and if they agree they are in non-compliance they will be giving them until the cutoff date being 60 days out January 4, 2023, to come into compliance.

Called case number 1

New Cases:

CASE # 1 - SMG 11-22-324 - MHC Carriage Cove LLC c/o Equity Property Tax Group is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.2), at 5 Carriage Cove Way. Violation(s) – Unsafe structure and equipment (pump house). First Notified – 12/14/2021.

Mike Kelly Esq agreed to non-compliance.

Inspector Stenson advised compliance next cutoff.

Mr. Kelly requested to the February cut off **February 8, 2023**, due to a completion date of the structure near the end of January 22nd.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by **February 8, 2023**, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 3

CASE # 3 - SMG 11-22-316 - The Condos at Georgetown Lake COA is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.1, at 1600 Big Tree Rd. Violation(s) – No Permit for sidewalk from office to parking lot. First Notified – 6/13/2022.

Mr. Mosley sworn in, stated she was the property manager and agreed to the violations.

Mr. Vukelja asked Inspector Clig how much time should be reasonably be required to come into compliance, **Inspector Clig** stated next cut off. Mr. Vukelja advised that was January 4, 2023, and Mr. Mosley agreed.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by **January 4, 2023** or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 4

CASE # 4 - SMG 10-22-296 - James C. Hilson Sr. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 1012 S Ridgewood Ave. Violation(s) – Failure to maintain exterior wood siding and dirt & grime.

First Notified – 6/19/2021.

James Hillson Sr. sworn in and agreed to non-compliance.

Mr. Vukelja asked Inspector Clig how much time should be reasonably be required to come into compliance, **Inspector Clig** stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Hillson Sr.** agreed.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance by **January 4, 2023** or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 7

CASE # 7 - 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.

Mathew Hynes sworn in, stated he worked for the property owners and agreed to the violations.

Mr. Vukelja asked Inspector Alderman how much time should be reasonably be required to come into compliance, I

Inspector Alderman requested 5day to get all electrical hazards fixed and the balance due by January 4th. **Mr. Vukelja** asked what does the respondent say to that? **Mr. Hynes** agreed to get that done.

Discussion on the date being a Sunday so the following Monday would be 6 days the 14th. **Mr. Vukelja** found the respondent in non-compliance.

Mr. Jackson stated to make clear for the record that request was due to life safety issues.

Mr. Vukelja asked Inspector Alderman if they were electrical issues in general and **Mr. Alderman** referred to the car wash structure, advising it was condemned by the building department as well.

Nobody knows where the power sources are, the meters are still on. So, yes, it's that is the main one.

The secondary electrical issues are the exterior electrical socket covers on all three of the separate structures. **Mr. Jackson** added, there appears to be transients or homeless utilizing it. **Mr. Hynes**

advised they were going to have the car wash boarded up and then after the hurricane, it got condemned because more damage was done to it. So now they must have it either fixed up or demolished, which they still waiting for the boss to tell him what he wants to do there.

Discussion on whether it was going to be boarded up and then demolished or fixed up.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance as to all the **electrical issues** by **November 14th** or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter. And further order that all **remaining violation** come into compliance by **January 4th, 2023** or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 8

CASE # 8 - 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.

Mrs. Jolin sworn in, stated she was the property manager and agreed to the violations.

Mr. Vukelja asked Inspector Jean-Baptiste how much time should be reasonably be required to come into compliance, **Inspector Jean-Baptiste** stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Ms. Jolin** agreed advising she thought that's feasible. They should be pulling the permit to start this week.

Inspector Jean-Baptiste requested contact information and for the respondent to maintain communication keeping him updated on the case and provided Ms. Jolin with his card at which time she advised she would call him this evening.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 13

CASE # 13 - 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.

Mr. Joe Catenaci sworn in and asked what his relationship was **Mr. Catenaci** replied he does the maintenance for them. **Mr. Jackson** asked if they authorized him to speak on their behalf. **Mr. Catenaci** replied yes, sir. **Mr. Jackson** asked if that was in writing, they are relying on his sworn statement. **Mr. Catenaci** stated on the phone. **Mr. Catenaci** agreed to the violations.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Catenaci** agreed.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Catenaci** agreed.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #14

CASE # 14 - 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 in side of building. First Notified – 5/12/2022.

Mr. Catenaci previously sworn.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Catenaci** agreed.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 17

CASE # 17 - SMG 11-22-330 - Stuart J & Barbara H Doliner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at 1155 N Halifax Ave. Violation(s) – Overgrown Landscaping. First Notified – 9/17/2021.

Ms. Doliner sworn in and referred to the monitor showing the next hearing date as January 10th, 2022, not 2023. Notified I.T Joe. Then agreed to the violations.

Discussion on her having a landscaping company however everyone likes to dump on her property.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Ms. Doliner** agreed stating she would be in compliance by November 15th this year

Disposition: **Mr. Vukelja** found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #15 zoom

CASE # 15 - 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. **Herbert Kawesch** sworn in and agreed to the violations.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023.

Mr. Kawesch advised that he has it under contract to start November 17th and the contractor says it'll take 90 days from permitting till completion. **Mr. Vukelja** asked when is the contractor scheduled to start and has, he already obtained whatever permits are required? **Mr. Kawesch** advised no. **Mr. Vukelja** questioned what the city thought of the suggestion that a minimum of 90 days is required. **Mr. Vukelja** acknowledged he didn't know the extent of the work. Inspector Yates stated it is quite extensive, but due to the lack of progress up until now, the city would be hesitant to go past a February cutoff. **Mr. Kawesch** asked if at the February cutoff, if he shown sufficient work progress rather than completion, can they hold over until completion is allowed or occurred.

There was discussion on a compliance date. **Inspector Yates** advised if we did the January meeting, he would then have all his permits in place and then they would know exactly how long the work was going to take him. **Mr. Vukelja** stated that is a very generous extension to determine a compliance date and urged that the respondent better have the permits in hand and have construction well underway by then. And whatever additional time may reasonably be required, they will be happy to look at it.

Disposition: **Mr. Vukelja** found the respondent in non-compliance and continued the determination of a compliance date to the January 10, 2023, meeting.

Called case # 19

CASE # 19 - SMG 11-22-309 - Charles W Mecklem TR & Amelia J Mecklem TR & Charles W Mecklem Revoc TR is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at 572 Foote Ct. Violation(s) – Unmaintained landscaping. First Notified – 4/11/2022.

Mr. Charles Mecklem sworn in stated it was in non-compliance. **Mr. Vukelja** ask the inspector how much time should reasonably be required for the respondent to come into compliance? **Inspector Jones** stated next cut off. And **Mr. Mecklem** asked if you could ask what non-compliance was? **Mr. Jones** advised the fence and the tires the edging and referred to the photos as of yesterday. **Mr. Vukelja** stated they had plenty of time to figure that out.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #16

CASE # 16 - 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 affiliation is managing partner and agreed to the violations.

Mr. Vukelja asked Inspector Yates how much time should be reasonably be required to come into compliance, Inspector Yates stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Smith** agreed.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 20

CASE # 20 - 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.

Karin Drosche sworn in (daughter) agreed to the violations.

Mr. Vukelja asked Inspector Jones how much time should be reasonably be required to come into compliance, Inspector Jones stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Ms. Drosche** agreed.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 21

CASE # 21 - 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.

Melody Hanson sworn in Property manager agreed to the violations.

Mr. Vukelja asked Inspector Jones how much time should be reasonably be required to come into compliance, Inspector Jones stated next cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Ms. Hanson** advised the unit was under two feet of water during Hurricane Ian and now been gutted, so the drywall has been removed, the wet insulation has been removed, new walls have been put in, cabinets are on order. Hopefully this rain doesn't hit that area again, that's coming up. Originally, they were told that 30 to 60 days they would be able to get in compliance with that. It's just there's a lot going out there because they had 46 units go under water. Agreed to compliance but bearing that if something reoccurs with this new storm coming. Discussion on the current progress. **Mr. Vukelja** advised the

respondent to stay in touch with the inspector and let them know of any hiccups along the way, and they will certainly take that into consideration.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 23

CASE # 23 - SMG 11-22-321 - Enforcers MC Clubhouse Daytona LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.19.B; City Code Ch. 90-297, at 619 W Intl Speedway Blvd. Violation(s) – No Business License, not conforming to approved site plan and no permit for shed and signage. First Notified – 1/31/2022.

Joel Wiener representing Enforcers Motorcycle Club, and owner **Richard Sessa** sworn in **Mr. Wiener** asked about the status of the general contractor who was going to be there, his truck broke down, being allowed to appear via phone. **Mr. Vukelja** stated if they need him. **Mr. Vukelja** asked if they agreed to the violation and the **Mr. Wiener** stated not all of them but acknowledged some of them did.

Mr. Vukelja asked **Inspector Jones** how much time should be reasonably be required to come into compliance, **Inspector Jones** stated next cut off. **Mr. Wiener** asked if he might address you and as for the number of reasons why, it may be impossible, they will get started but it's there are a number of (no excuses), but a number of reasons why this can't be started. **Mr. Wiener** advised first, he has been reading a bunch of articles in a Daytona Press, which he subscribes to, and what he would like to do is make a point. He thinks there's a misnomer about motorcycle clubs in particular, this motorcycle club. **Mr. Sessa** established the club in the year 2000, and he's a retired police commander for Riviera Beach PD. There are about 46 chapters all over the United States, and there's one in Toronto. And for the record. He wanted to point out that this motorcycle club is not made up of thugs, hooligans or represent the one-percenters that we hear about all the time. Contrary to this, the Enforcers motorcycle club members consist of law enforcement, current and retired and military people current and the goal of this club is charitable, they are a 501 c seven organization, they are a social club organized for the purpose of themselves, plus conducting charities. So, what he was trying to say is the bottom line is this club is in Daytona Beach as they are in the treasure Coast and many of the parts of Florida and around the United States to benefit the local community, and that's what this club is for. They are a nonprofit organization, as he said, a 501c7. One of the problems is there's a requirement to get a business tax license, whatever the call receipt. And if they can't get that they can't get further permits. Under Florida Statutes, if a club does not, if this is a social club and they do not do business with the general public, they don't sell anything to the general public and they should not be required to have this business license. As an example, there's a shed and correct him if he is wrong, the shed was built and there needs to be a permit and he tried to get a permit and has an email from a Shannon Dembala stating and he quotes (because he really tried to do this back in February 2022 and this caused some delays) "Thank you for submitting your application for business tax receipt. At this time, we're unable to approve the application due to the site work for the property has not been completed". They can't complete the property unless they get the business permits. And then they were told that the general contract and himself (he can get him on the line for sworn testimony) that up to two months ago when he tried to do this, he was told he cannot get a permit for that shed because they don't have a business license, which they don't need. So, the two departments are not talking to each other. He talked to the city attorney the other day, if they could somehow get together, they want to be compliant. **Mr. Sessa** is a resident of Daytona Beach, he loves Daytona Beach, doesn't want to leave Daytona Beach. And what they want to do is get together and figure out how they are going to get these permits without the business license, because then they can't do anything based on what that department is telling them. Yesterday the general contractor went to the permit department to see if he could reopen the permits and was told they are closed he would have to refile and understanding that and not arguing it and the contractor will go refile. So, to answer the question, by the January cutoff, they are going to get those

permits. They are going to start the work and they can go from there. But the problem remains with the business tax receipt.

Mr. Vukelja stated he just heard him say he can't get the permits without the business tax receipt.

Mr. Wiener advised that is what they are told, and that's the point.

Mr. Sessa added when he looked at purchasing this storage building, he went to the city first in the permitting department, and they said yes, they could have showed them on the site plan where it would be and had to be x amount of feet, ten feet from each boundary line of the property where we wanted to put it. They made sure it was 12 just to be safe. Paid a \$450 impact and to open a permit and was told once the shed was delivered and anchored down to come back and they would have an inspector come out and check. It was delivered, anchored down, went back to the city. Then they told them they can't do it they need the business license so that's back to where it started.

Discussion occurred between the attorneys and Mr. Vukelja on working through the confusion with permits and licensing that code does not have that authority.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 6

CASE # 6 - 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.

Arthur Swaun appeared via zoom sworn in accountant for the respondent and agreed to the violations **Mr. Vukelja** asked Inspector Alderman how much time should be reasonably be required to come into compliance, Inspector Alderman stated January cut off. Mr. Vukelja advised that was January 4, 2023, and Mr. Swaun agreed.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 33

CASE # 33 - 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.

Sean Harvin (son) sworn in and agreed to some of the violations. Discussion on the vehicle having tag, registration and insurance and was operable until the hurricane. Advised that area was a lake Mrs. Harvin is waiting for to FEMA reimbursement.

Mr. Vukelja asked Inspector Bostwick how much time should be reasonably be required to come into compliance, Inspector Bostwick stated January cut off. **Mr. Vukelja** advised that was January 4, 2023, and **Mr. Harvin** agreed. Discussion on trash and debris that it is an ongoing maintenance issue.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 34

CASE # 34 - 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.

Mr. Harvin previously sworn and agreed to the violations.

Discussion on the reason for the RV being on the property. Mr. Harvin stated it was being used during the time for building, to use as an office, a restroom, security post. Question on what building and when they start construction. **Mr. Harvin** stated as soon as possible. They were about to start last month until the storm came. Inspector Bostwick advised they can't have an RV on a vacant lot and any vehicles on vacant lot. Discussion on what all needs to be cut and cleaned up on the property.

Disposition: Mr. Vukelja found the respondent in non-compliance and ordered the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #35

CASE # 35 - SMG 07-22-220 - 801-905 S. Atlantic LP % Fenix Group of Companies 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, 304.7, 304.10, 304.13), at 634 Lenox Ave. Violation(s) – Roof damage, peeling paint, dirt and grime, broken window, damaged stairway, overgrown landscaping. First Notified – 2/17/2022.

Corey Brown Attorney for the owner

Inspector Bostwick testified to the status of the case stated he has been in contact with the owner, permit was approved on October 26, 2022. Demolition is in progress and requested to amend to the next cut off.

Mr. Brown stated that was Acceptable.

Disposition: Mr. Vukelja ordered that based on the inspector's report and stipulation of council, he will amend the current amended order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #36

CASE # 36 - 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 Manager in person

Marlene Kirian for Harbour Beach Resort zoom.

Michael Hall president of the association

Ms. Kirian started with a progress report stating they were here in July, and they were told to apply for permits to start the DC wall. The association entered a contract in August, and those permits were sought shortly after, she was not sure if they have been issued yet. **Mr. Petralia** might be able to say if they have been issued, but they have been applied for. **Mr. Petralia** stated the permits have a pending status at this time, he has personally followed up with the city regarding the permit as well as the contractor. They do have a signed contract with the commencement date for the project currently. They would just seek an extension until they can begin the project, and once they begin the project, he would be happy to come back and report that they are making progress, he advised he brought the submitted permit that its pending and brought the engineering contract as well as the contract between them and the contractors in case anybody wanted to view it. **Mr. Vukelja** asked, once the permits issued, do they have an idea as to how long the work is going to take? **Mr. Petralia** advised three months. **Mr. Vukelja** asked if that was going to take care of everything that the respondent, is allegedly in noncompliance on.

Mrs. Kirian stated she didn't know if that three months would be delayed because of Hurricane Ian and whether they'll be able to get the supplies. But they still project that once they start, it will take three months to complete. Discussion on the work not starting until March due to contractor's availability and the scope of the work being concrete restoration and doing both knee walls all the way down that run into both the north and south parking lots. Doing the fencing all the way around. Confirmed Ace Enterprises and the timing would be March, April and May of next year. Copy of the contract to the city. Requesting a progress report to confirm all is still on board to get started in March and haven't suffered any more damage that would cause us to revisit what was planned on doing.

Disposition: Mr. Vukelja continued for a progress report and the determination of a compliance date to the January 10, 2023, meeting.

Called case # 46

CASE # 46 - 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.

Jerry McKin sworn in

Inspector Butler testified to the status of the case stating the contractor has started work and suggested amending to the January cut off. **Mr. Vukelja** advised the city was inclined to give the respondent until January 4th, 2023, what did he think?

Mr. Mckin advised they will give it the best shot and it looked like they were on schedule for that.

Disposition: Mr. Vukelja ordered that based on the inspector's report and stipulation of respondent, he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 48

CASE # 48 - 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.

Attorney Barry Hughes appeared via zoom.

Inspector Yates advised the status of the case and he had contact with the owner since the last hearing. Due to additional issues caused by Hurricane Ian requested to amend to the January cut off.

Mr. Hughes advised that is probably optimistic because they are dealing with a seawall issue at this point and with the hurricane, he thinks it would be more of a status update. He advised they have been in contact with a contractor to look at the seawall and evaluate the seawall and his referred to the wall not needing to be completely replaced (prior to Ian) just needed to be shored up. But with hurricane Ian and what's going to happen within the next couple of days, that may be optimistic, but he doesn't think it's a bad idea to set up for the January hearing.

Discussion on the January hearing being a progress report due to a significant demand for contractors who are qualified to work on seawalls based on what's going on the beach as they speak stating a progress report would be appropriate.

Discussion on the case being open since February 2022, Mr. Hughes discussed the number of violations and cleanup issues between all the properties owned by Arben Properties also Tima Properties, including the cases they have brought into compliance and that they are not ignoring the city. The seawall is a big issue, and they don't think they need to replace it they just need to build up on it.

Mr. Vukelja continued to the January 10, 2023, meeting in the status of Imposition of a fine. And doing that is because between now and January 10, 2023 he is hoping they are going to be able to demonstrate that the client has made a reasonable effort to locate a contractor to do the necessary work, as opposed to just sitting there idly letting time go by, and as long as he is satisfied that the respondent is making a good faith effort to find a contractor to get the job done then he will certainly consider the additional time because he is mindful that no matter how much time may have passed already he can't ignore the fact that the act of God that being hurricane Ian has to be taken into consideration. Stated he is mindful of the fact of the circumstances that have intervened, but what he wants to hear from the respondent is they either have a contractor lined up and ready to go. And referred to a case just dealt with saying that respondent did locate and had one lined up for the beginning of 2023. So, he will want to know what efforts the respondent has gone to either locate or get under contract to get this work done.

Disposition: Mr. Vukelja continued the determination of the imposition of a fine to the January 10, 2023, meeting.

Case # 49 - Discussion on this case being the same situation and adjoining properties different parcel, the city requested the same action for this case.

CASE # 49 - 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.

Disposition: Mr. Vukelja continued the determination of the imposition of a fine to the January 10, 2023, meeting.

Called case # 71 as Mr. Hughes was also handling that case as well.

Mr. Jackson advised they have previously and asked to continue as they have not resolved the things that they needed to determine to see where they go next.

CASE # 71 - 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.

Mr. Jackson advised there are some things that the city wanted to look into to verify with various divisions of the city that is not competed, so they said it at the last meeting, continuing to this meeting thinking that would happen but they've had numerous intervening situations that leave them now needing to have some additional time to remedy everything. As to the meetings the city recognizes that there were some changes in the city that may have affected the things that Mr. Hughes was bringing up as his concerns about the history. And the city wanted to be fair in the consideration regarding those issues.

Mr. Jackson requested to continue to the January cut off and hopefully the city would have the answers and maybe it may be much more favorable to Mr. Klenk.
Discussion on a compliance date or continuing as is.

Disposition: Mr. Vukelja ordered that based on stipulation of council for the city of Daytona Beach and the respondent he will continue the determination of the compliance or noncompliance and the determination of a compliance date to the January 10, 2023, meeting.

Called Case # 76

CASE # 76 - 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.

Mr. Barry Hughes appearing for the respondent current owners Emil Dotel & Miriam Aversano. Gave testimony advising progress of the property needing parking area and the purchase was made without knowledge of the violation. As a result of that, the title insurer has agreed to cover the cost of the parking area, understanding that they're going to have an engineer. They have met with the appropriate personnel with the city Daytona Beach

With the attorney of the title insurer by zoom and it is his belief that the title insurer is attempting to get an engineer to do the proposed engineering, submit the plans to the city. The city has indicated that it's going to take them about six months once the plans are submitted. Mr. Hughes stated that he does not believe the plans have been submitted and that is the status right now.

Mr. Vukelja asked the attorney's what he is doing with this. **Mr. Hughes** advised that another status conference in January. Mr. Jackson and Mr. Jones also agreed that a continuance in January is what they recommend as well, and **Field Supervisor. Jones** advised a project has been filed with city.

Disposition: Mr. Vukelja ordered based on stipulation of council continued for a progress report to the January 10, 2023, meeting.

Called Case # 76

CASE # 51 - 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.

Attorney Brent Kimball advised the clients to have been in communication with Inspector Yates. They were waiting for a report on the garage, it has come in and they updated the inspector Yates, and the contact Natasha has spoken directly with Mr. Yates and sent photographs of painting that undertaken. There under contract with a GC to begin the work on the garage itself. As far as concrete work, there is still going to wind up being likely \$1,000,000 plus project for any kind of structural issues. the owner's association, the board and his client, the former developer, are going to have to work together to figure out how that's going to work, stating but that's really not his (the magistrates) headache, fortunately for him. Progress has been made and communication is strong and as far as cosmetics and advised he believes Mr. Yates can confirm.

Inspector Yates advised he has had contact, but he was not aware the engineers report had been delivered, that's the last piece of the puzzle that they are waiting on so they can get a timeline together. Inspector Yates requested to amend to the January hearing one last time for a progress report and then to set a final completion date where they should have their full construction schedule. Mr. Kimble agreed.

Disposition: Mr. Vukelja ordered based on stipulation of the parties continued to the January 10, 2023, meeting for a progress report and hopefully establishing a compliance date.

Mr. Vukelja stated that he would be interested in seeing the construction timeline when it comes to deciding on this compliance date.

Called case # 52

CASE # 52 - 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 sworn in advising they are under contract with the engineers and has the signed contract with them and has an update they were given by them for the city stating they are under contract, have been on site several times. They have prepared the specification and bid documents. Once the construction documents are complete, they're soliciting the bids. This will be the third go at a permit application. They have done it twice before but feels like they are 100% on track now. **Mr. Vukelja** asked if they had provided the information to the city and Mrs. Bridges advised she saw him pull up this past week and she came out to speak to him about it and let him know the day before the engineers had been there. She believed the engineering firm had been in touch with the city.

Inspector Yates testified that since the last hearing, they have had contact and there has been some progress in the form of work being contracted out. Inspector Yates requested to amend to the January hearing to allow a compliance date to be set because it's sort of the same thing, the works going out for bids, so they should know when we come back in January exactly when it'll be done.

Mr. Jackson requested a copy of the contract and Mr. Yates confirmed he did already have one.

Disposition: Mr. Vukelja ordered based on stipulation of the parties continued to the January 10, 2023, meeting for a progress report and hopefully establishing a compliance date.

Mr. Vukelja ask for clarification on what will be happening between now and January 10, 2023.

Inspector Yates advised that they should get the work out for bid, hire a contractor and that contractor should give the timeline for the work. Mr. Vukelja advised that he would be anxious to see the timeline.

Called case # 53

CASE # 53 - SMG 06-22-166 - Mark A & Julie L Wallschaefer 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.

Attorney Corey Brown representing the property owners. Introduced **Mr. Steven Kuhn** with Dredging and Marine consultants was sworn in.

Inspector Yates testified to the status of the case. Since the last hearing he has had contact and unfortunately, there hasn't been a lot of progress due to the hurricane that caused extensive additional damage and requested to amend to the January hearing. The seawall has been 50% to 75% ripped down in the last hurricane, before it was just cracks and breaks and now it's been totally removed.

Inspector Yates advised the city is looking for them to say whether they're going to rehab the wall or they're going to totally remove it. Mr. Vukelja asked what the city is looking for by January 10th.

Inspector Yates would like a timeline with the contractor to let him know when he's going to have his work completed. And since they have already hired the firm, he sees no reason why that can't happen.

Mr. Vukelja asked what the scope of work entailed, is it just building a seawall and backfilling all that referring to a picture (Sand and vegetation that was removed behind the seawall). Discussion on the original violation and the new damage and new construction (new house). Referred to the engineer.

Mr. Kuhn testified starting discussion with the problem and issues of getting permits.

And it being relevant to the timeline moving forward. Mr. Kuhn advised problem has been a statewide issue, in that they really have a direct contravention between the way that the state CL permitting office and municipalities have been interpreting regulations. Basically, the way that the state has been interpreting it is there only not allowed to do anything with these seawall structures, especially if there's a dune system behind it. Mr. Vukelja asked why does the state have anything to say if the seawalls are above the mean high-water line? Mr. Kuhn advised its seaward of the coastal construction patrol line, they have complete control over what they allow and cannot allow for construction on that side of the line. Mr. Vukelja questioned Jurisdiction doesn't end at the seawall? Mr. Kuhn stated no, it's further back, and advised there have been a number of meetings with the state lieutenant governor, then with the state, all that and now there are now emergency orders coming down the pipe to expedite and smooth out this permitting process and they are able to start moving forward again. And at this point, especially given the damage to the dune, they we're pretty confident that they will actually be able to completely remove the existing wall and then construct a new properly engineered seawall. Mr. Vukelja asked if the storm breaks the seawall, or does it just undermine the seawall? Mr. Kuhn responded that

in this case, the wall was already badly damaged before the storm, split and cracked and pushing down and there was a big dune that was right behind it like the inspector mentioned it was covered with vegetation, and now the dune is gone and now they have a big scarp. What they would do in this case is probably like mentioned, sort of a backfill once the wall was constructed. Mr. Vukelja questioned what was allowed? Mr. Kuhn stated there's regulation that governs that and it has to be a beach quality type sand. Discussion on how much fill to use and how high it should or can be. And it was noted that the emergency orders are still kind of being finalized this way. Mr. Kuhn added they will probably restore it to the elevation that was there before the storm. Mr. Jackson questioned what the current storm will do to the status on this case and what will be looked at in January. Mr. Kuhn advised he feels that there will be additional damage and they will lose more material. Mr. Jackson advised that in January, the city would be reevaluating where they are pretty much again.

Disposition: Mr. Vukelja ordered to continue to the January 10, 2023, meeting for a progress report and timeline going forward.

Called case # 54

CASE # 54 - SMG 08-21-236 - Vishnu LTD & MMA Shantoshi is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.1, 304.7, 304.13, 308.1, 304.10, 605.1), at 1000 N Atlantic Ave. Violation(s) – Unmaintained landscaping, dilapidated pool shed, general conditions of exterior structure, dilapidated roof, missing and broken windows, trash and debris, dilapidated stairs, balconies and rails, exposed wiring. First Notified – 5/30/2020.

Attorney Jessica Gow reported that since the last meeting a few things have happened that are interesting. On the actual site itself, they've been working on the ocean side footings and the concrete to do some repair to the ocean side walls. On the regulatory side, they've been working with the city, at the end of September, the city passed a modification to their land development code to allow for variances in this zoning district before they were prohibited for setbacks. They passed that resolution with the intent that it would probably change the site plan a bit. They were working within the confines of the resolution before, now that they can ask for those modifications, the site plan was tweaked. It was sent back to the brand, which they announced last time, got approval. They are about ready to submit the corrected site plan to the city for process, so on the overall timeline that they've provided, the end date remains the same opening in October 2023 and in the middle phases. Inspector Yates testified that they continue to work and make progress and recommended to amend to the March cut off.

Disposition: Mr. Vukelja ordered to continue to the March 14, 2023, meeting for a progress report and establish a compliance date or revisit whatever existing compliance date there may have been and proceed from there.

Called case #58

CASE # 58 - 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.

Mr. Jim Cameron representing the owner sworn in testified that since the last meeting they talked with and working on developing this as a parking lot and in doing so they have met a couple of times with a staff member here, Jim Morris and Ken Thomas and others. Advised was recommended by Jim they get an engineer on this. They have contracted with Parker Mynchenberg who is designing this, and they are also contracted with Sliger & Associates for the survey of this property and waiting on them to complete their work so they can move forward.

Mrs. Barnes announced that someone was on zoom and asked that he state and spell his name. **Alan Filgueiras** sworn in property manager.

Discussion on the location and what the plans are.

Mr. Cameron advised that this was something, that was originally recommended by staff Jim Morris, he came to them with the idea and said, they (the city) are in vital need of parking in this area. Discussion of the vicinity of the location being near Ocean Deck.

Inspector Jean-Baptiste requested to amend to the January cut off. **Mr. Cameron** advised Yes, hopefully they could get that complied with and that they are just waiting on their engineers and surveys.

Mr. Vukelja asked when the engineer work would be in hand. Mr. Cameron advised hopefully they can get it done in January. Mr. Vukelja asked if Mr. Filgueiras wanted to be heard regarding the compliance date.

Mr. Filgueiras stated that he would be here for the January hearing.

Mr. Vukelja ruled and ordered a compliance date.

Disposition: Mr. Vukelja ordered the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Mr. Vukelja advised he knows they have a lot of work to do ahead, And waiting on stuff from third parties, so make sure they keep the inspector informed as to what's going on and make sure he keep him informed as to hiccups along the way so that if it turns out that January 4, 2023 turns out to be a little too ambitious, he knows what's going on because you don't want them to think you've dropped the ball and you're ignoring him, then just show up on the January 4th and say we aren't done.

Called case # 72

CASE # 72 - 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.

Willie Gilmore sworn in

Field Supervisor Mark Jones Testified to the status of the case stating they have had contact, made progress, they have submitted for their permit and recommended amending to the next cutoff.

Mr. Gilmore requested amending to the march cut off.

Discussion on the property being grandfathered in and him possibly not needing the permit for the construction on the garbage enclosure. **Mr. Vukelja** advised it sounded like that could be easily resolved between now and January 4th and this is dealing with paperwork.

Disposition: Mr. Vukelja amended the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 73

CASE # 73 - SMG 01-22-31 - Luke Childs Jr. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2,304.7), at 509 S Martin Luther King Blvd. Violation(s) – Damaged roof, rotted wood, peeling paint, overgrown landscaping. First Notified – 6/23/2021.

Luke Childs Jr. and Edward Montgomery sworn in

Field Supervisor Mark Jones testified to the status of the case, missed two appointments but does now have the permit extended until February. Stating he has a little bit of rotten wood on the building that they wouldn't approve, guess it came in the result of the hurricane. Requested the January cut off.

Mr. Montgomery advised it blew the gutter off, and he wouldn't pass it.

Disposition: Mr. Vukelja amended the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 75

CASE # 75 - 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.

Coleen Miles sworn in and stated to give a speedy update, she was engaged in July, submitted a site plan in September, going to the board of adjustment next week, and they hope to have final sign off in December.

Field Supervisor Mark Jones testified to the status of the case. Since last hearing he has had no contact, knew of no progress. **Ms. Miles** referred to having contact with Inspector Kirk who currently does not work in the department. **Mr. Jones** advised that if there has been information done the staff is fine, waiting until the January cutoff and requested more contact, and the information he is providing is from Inspector Kirk, who is now in the permit department, and this was her status as of last week. Discussion on the Board of adjustment meeting next week the 17th and them giving the variances in order to construct a compliant parking space. The next step was discussed being they submit the final sign off for one more review. And at least having final approval by January 4th. **Mr. Jackson** advised for the sake of Mrs. Miles, he didn't think the inspector necessarily misstated and that our report is a report of what happened since the last meeting and so he thinks he is indicating since the last meeting they haven't been contacted, even though there has been historic contact.

Disposition: Mr. Vukelja amended the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case #44

CASE # 44 - SMG 09-22-267 - Ann E. Edwards 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

Inspector Garcia testified to the status of the case, no progress, has had contact with the attorneys requested a fine in the amount of \$250 a day to a max of \$15,000.

Karen Drosche advised her mother use to own it and they sold it to the gentleman who has done all of the pallets. Discussion on who the current owner is and stated she had a quit claim deed and did not know if it had been recorded. The property was purchased by the gentlemen who was renting the property and he purchased it knowing that there's the fines as he was the one doing the noncompliance. It is going under Daytona Universal Trucking, Inc. at 542 Foote Ct. His name Erinoeert Zhutaj. September of 2022, and the case started in June. **Mr. Jackson** advised we would need to add him as a new owner. Discussion on the timeline and the quit claim deed done the day after the order was in place. Communication is with the owners, and it will go against both owners. **Mr. Vukelja** advised the respondent to do everything she can to get this thing brought into compliance, mention to the new property owner that right now Mrs. Edwards is on the hook for a fine and the special magistrate is feeling neglected and ignored. **Mr. Jackson** clarified that both owners will be responsible.

Disposition: Mr. Vukelja ordered a continuance to allow the new owner to be added and the determination of a fine to the January 10, 2023

Called a 20-minute break.11:18

Resumed meeting 11:56

CASE # 38 - SMG 09-21-247 - Jonathan Worsham III, Allison Worsham, Patrick Worsham is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4, 302.5, 308.1), at N Charles St (Parcel # 5338-44-02-0010). Violation(s) – Vacant land, sanitation, weeds, rodent harborage, rubbish and garbage, storage of building materials, no permit. First Notified – 6/9/2021.

Allison Worsham sworn in

Inspector Recanzone III testified to the status of the case advised he had talked to the zoning department they are in the process of merging the properties together. Once the properties are merged, they can approve the site plan. The site plan, complete date for all the stuff to be in was December 25th and then they can start construction on the site plan. After that they are looking for a February compliance date.

Mr. Vukelja asked what the respondent thought of the February 8th compliance date.

Mrs. Worsham advised that she didn't understand why they are still pushing for a compliance date. **Mr. Vukelja** advised that we have to have a compliance date. **Mrs. Worsham** discussed not understanding that all the things that they were in violation for have been resolved explaining, they have submitted the site plan and that is all that was required. They want to do more by adding the building. They were in violation of vacant land, and it is now zoned correctly, so the only other thing that they had to do was turn in a simple site plan showing that, the gate and everything was that the actual site is in compliance with the code. But when they turned it in, they have an office and a warehouse on there, so that's going to take longer, and stated how she does not understand why we're still trying to beat this compliance when the violations have been satisfied. They have met the minimum to not have to continue under the magistrate.

Discussion on what permit will put the case in compliance with. The current permit for the wall or the new permit which will encompass the wall.

Mr. Jackson acknowledged the inconvenience of coming to the meeting and the next date possibly being February. **Mr. Vukelja** ordered a Continuance to the January 10th meeting.

Disposition: **Mr. Vukelja** continued any determination of a compliance date until the January 10, 2023, meeting.

At that time, he is hoping to see a permit and then decide a compliance date. **Mr. Vukelja** asked if they can stipulate to a compliance date. **Mr. Vukelja** advised **Mrs. Worsham** at that point in time, she can re argue why she thinks they are already in compliance, or this is moot, he will be happy to hear her. Then advised the city staff if they are of the opinion that they're not going to be in compliance until somewhere down the road, he will be happy to hear them too. Then make a discission to what is going to happen.

Called case #56

CASE # 56 - 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.

Shelby Schubert sworn in property manage representing the owner

Inspector Yates testified to the status of the case had contact and additional issues due to hurricane Ian recommended amending to the January hearing to allow for the work to be completed.

Shelby Schubert agreed and advised that was great and already hired someone and they should be pulling the permit in the next couple of days

Disposition: **Mr. Vukelja** amended the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 57

CASE # 57 - 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.

Florence Henner sworn in

Inspector Yates testified to the status of the case advised had contact no progress and no change, requested a fine in the amount of \$100 a day to a maximum of \$15,000.

Ms. Henner advised that she inherited this when she purchased it and did not know until the beginning of the year and has been trying to get estimates and they have been from \$30,000 to \$60,000. If she takes the wall down for cheaper, she would be required to get a civil engineer to give her a drainage plan. She googled every civil engineer in Volusia County and not one has gotten back with her, she is on a fixed income and at a standstill. She has looked into demolition and has a company from Jacksonville called Jemco and they gave her a quote and to pull the permit to actually take the house down and the wall down. Ms. Henner advised she is trying to the best of her ability to get the loan to get that done and requested until the next hearing for them to at least get the permit. Coming with her husband did not work out. Mr. Vukelja asked why she was going to demolish it. she conveyed that the home would probably be fixable with \$100,000 and she does have it up for sale. Mr. Vukelja discussed the options she had provided and was going to continue the case for her to figure it out by January 10, 2023, and let him know and go from there and appear at the next hearing via zoom.

Disposition: Mr. Vukelja continued determination of a fine until the January 10, 2023, meeting.

Called case # 59

CASE # 59 - 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 agent for the owner

Inspector Jean-Baptiste testified to the status of the case had contact and progress permit under review and requested to amend to the January cut off.

Ms. Speer agreed

Disposition: Mr. Vukelja based upon stipulation of the parties amended the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023, or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 74

CASE # 74 - 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 sworn in assistant property manager for Michael Aversano

Field Supervisor Mark Jones 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 \$15,000.

Elizabeth Robertucci testified that at the latter part of September she presented the owners with two estimates, one from APCO up doing more property damage to the same building. They are waiting for them to come back and give new estimates on cost to finish. Mr. Vukelja asked what additional damaged occurred and she advised two more windows have been damaged and they are telling her they were like 30 days before they could do estimates. She was able to get Daytona window and glass to set her an appointment for this week to come out and redo their estimate. The only thing they are waiting for are the windows. **Mr. Jones** questioned the closed window from the bathroom would need to be permitted and questioned the ventilation wiring would possibly need a permit. Ms. Robertucci stated the electric was already there they just bought a fan and hooked it to the existing electric. **Mr. Vukelja** advised he will continue this until the January hearing, and she needed to get in touch with the inspector so that she was crystal clear about what has to be done as far as the window and ventilation that they are talking about and the wiring that took place. Mr. Vukelja is satisfied that work has been done but it's not completed and recognized the hurricane and window back log and advised her to have the permits she needs and has a contractor lined up, everything else done and the only thing needed to talk about is when she can expect to file the permit, advised not done until the final inspection has taken place.

Disposition: Mr. Vukelja continued determination of a fine until the January 10, 2023, meeting

Called case # 78

CASE # 78 - 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.

RT Hillery sworn in

Field Supervisor Jones testified to the status of the case has had contact and had additional damage, got the (inaudible) engineer report back and they are in the process of getting the site plan.

Mr. Vukelja asked about the progress from the beginning of the case. Mr. Jones advised they have cleaned up and been maintaining the property.

Mr. Hillery confirmed that they have submitted the site plans. And the city had to go through a hearing to change some of their rulings about churches and waited through about 6 or 7 months waiting for that. Stated they were told they are at the 11th hour, almost there, and just keep reporting back.

Field Supervisor Jones Because it was changing use, they had to go get a use variance from the city. It was a boy's home, and they are putting a church there and that has been approved about a month ago.

Mr. Hillery advised the permit is in que now that they have submitted the soil samples. Hoping for the January meeting that they have those dates and everything to move forward on the schedule.

Mr. Jackson stated they are doing a step-by-step development plan. Mr. Jones requested to amend to the January meeting for a date and completion of a site plan.

Disposition: Mr. Vukelja ordered a progress report at the January 10, 2023, meeting.

LR-1 - SMG 05-22-153 - Lofts of Seabreeze LLC - N Halifax Dr (Parcel # 5305-01-07-0140) 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) City Code Chapter 78 section 78-112, Violation(s) – Trash & debris on the vacant lot, overgrown grass and weeds. First Notified – 2/14/2022. Order Imposing Fine/Lien effective July 12, 2022. \$250.00 a day to a maximum of \$15,000. Compliance = August 11, 2022. \$7,500.00 = \$7,500.00.

Charles Lichtigman sworn in & Matthew Leeds sworn in

Mr. Sykes advised the parties that they have reached an agreement and agreed to waive the fine due to issues that occurred when they purchased the property and referred to the owners to explain if needed.

Disposition: Mr. Vukelja ordered the fine waived/released.

LR-3 SMG 08-21-214 - Theresa A Drahovsky (Kelsey Jolin) - 301 & 305 5th Ave is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7) Violation(s) – Damage perimeter wall. First Notified – 2/17/2021. Order Imposing Fine/Lien effective September 9, 2021. \$100.00 a day to a maximum of \$15,000. Compliance = September 21, 2022. \$15,000.00, \$24.00 recording fees = \$15,024.00.

Kelsey Jolin previously sworn

Mr. Sykes advised they met and agreed to recommend reducing the lien to \$5,000.

DISPOSITION: Mr. Vukelja ordered the fine reduced to the amount of \$5000.00 payable in 30 days.

LR-4 - SMG 03-20-62 - BMS Holdings LLC (Mr. Spivey) - 821 George W Engram Blvd 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, 302.3, 302.4, 304.1.1, 304.2, 304.6, 304.7, 304.13.1, 304.13.2, 304.15, 308.1) Violation(s) – Abandoned unsecured building (open to transients), attractive nuisance, damaged roof, damaged windows, outside storage and trash, no yard maintenance, overgrown grass and noxious weeds, overgrowth onto city sidewalk, paint fading and peeling (including all exterior surfaces) and damaged plumbing. First Notified – 9/17/2019. Order Imposing Fine/Lien effective April 9, 2020. \$250.00 a day to a maximum of 15,000.00. Compliance = April 22, 2022. \$500.00 payment \$14,500.00, \$24.00 recording fees plus interest \$1,863.57 = \$16,387.57

Eric Spivey sworn in

Mr. Sykes advised they met and agreed to recommend reducing the lien to \$6,000.

DISPOSITION: Mr. Vukelja based on the stipulation of the parties ordered the fine/lien reduced to the amount of \$6,000.00 payable in 30 days.

LR-5 - SMG 03-20-63 - BMS Holdings LLC (Mr. Spivey) - 821 George W Engram Blvd (356 Garden St) is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 301.3, 302.1, 302.3, 304.2, 304.7) Violation(s) – Abandoned building, damaged roof, overgrown vegetation, grass and noxious weeds growing over into the City's right-of-way, outside storage, trash and debris. First Notified – 9/17/2019. Order Imposing Fine/Lien effective April 9, 2020. \$250.00 a day to a maximum of \$15,000.00. Compliance = April 22, 2022. \$500.00 payment \$14,500.00, \$24.00 recording fees plus interest \$1,863.57 = \$16,387.57

Eric Spivey sworn in

Mr. Sykes advised they met and agreed to recommend reducing the lien to \$6,000.

DISPOSITION: Mr. Vukelja based on the stipulation of the parties ordered the fine/lien reduced to the amount of \$6,000.00 payable in 30 days.

LR-6 - SMG 01-22-35 - Jessie Fowler - Cedar St (Parcel# 5339-84-00-0060) is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3(c); Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3) Violation(s) – Overgrown grass, weeds, trash & debris. First Notified – 9/30/2021. Order Imposing Fine/Lien effective February 8, 2022. \$250.00 a day to a maximum of \$15,000.00.

Compliance = September 7, 2022. \$15,000.00, \$24.00 recording fees plus interest \$ 347.45 = \$15,371.45.

Jessica Gow on behalf of the owner

Mr. Sykes advised they met and agreed to recommend waiving the fine/lien

DISPOSITION: Mr. Vukelja based on the stipulation of the parties ordered the fine/lien be waived and cancelled.

LR-2 SMG 12-19-293 - Lovely Group Investments Inc. (Darryl Lucas) - 600 W Intl Speedway Blvd

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, 302.4, 302.6, 302.7, 302.8, 304.1, 304.1.1, 304.2, 304.6, 304.8, 304.9, 304.13, 304.13.1, 104.13.2, 304.15, 305.1.1, 305.3, 306.1, 306.1.1, 308.1, 308.3.1, 503.1, 506.3, 604.3, 604.3.1, 60 Violation(s) – Commercial code violations damaged windows and doors, damaged driveways and parking - asphalt and concrete, outside storage, trash and debris, damaged landscaping, overgrown grass and weeds, paint fading and peeling including interior and exterior building and accessory structures, junk vehicles, exterior structure damage around the air conditioning in back, electrical hazards interior and exterior, bathroom door and missing lock, grease traps containment, grease build up all over the exterior of container. First Notified – 9/25/2019. Order Imposing Fine/Lien effective May 7, 2020. \$200.00 a day to a maximum of \$15,000. Compliance = September 23, 2022. \$15,000.00, \$24.00 recording fees plus Interest \$1,961.58 = \$16,985.58.

No respondent

It was not heard and that is not a disposition.

DISPOSITION: DENIED

Called case # 2

CASE # 2 - SMG 11-22-315 - Haoqun Liu is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at 1008 S Ridgewood Ave. Violation(s) – Failure to maintain sign. First Notified – 2/22/2022.

No Respondent

Inspector Clig requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 5

CASE # 5 - SMG 11-22-318 - Kumar Ranganathan 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 9

CASE # 9 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 10

CASE # 10 - SMG 11-22-313 - WW Commercial, LLLP 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 Wildwood St (Parcel # 5212-01-00-1960). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 8/22/2022.

No respondent

Inspector Garcia requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 11

CASE # 11 - SMG 11-22-314 - Alicia Shyra Kahn & Justin Shazard Kahn 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. 78-112, at North St (Parcel # 5338-68-00-0400). Violation(s) – Overgrown vacant lot. First Notified – 7/21/2022.

No respondent

Inspector Garcia testified the property is in compliance and requested noncompliance -compliance for a will fine.

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent was in noncompliance has since come into compliance, but for every future violation the respondent will be returned to the special magistrate for consideration of a fine of up to \$5,000.00 for each repeated violation.

Called case # 12

CASE # 12 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4,**

2023, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 18

CASE # 18 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 22

CASE # 22 - 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

Field Supervisor Jones requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 22

CASE # 25 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 26

CASE # 26 - SMG 11-22-311 - Nardi Anna 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 Ponce De Leon Blvd (Parcel # 5239-48-12-0020). Violation(s) – Overgrown vacant lot. First Notified – 8/11/2022.

No respondent

Inspector Bostwick requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 28

CASE # 28 - 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 # 5338-92-02-0211). Violation(s) – Overgrown vacant lot. First Notified – 8/4/2022.

No respondent

Inspector Bostwick requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 29

CASE # 29 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 30

CASE # 30 - 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 requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 31

CASE # 31 - 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 Victoria Park (Parcel # 5202-24-00-0001). Violation(s) – Overgrown retention pond. First Notified – 8/22/2022.

No respondent

Inspector Bostwick requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based on the report of the Inspector, found the Respondent in Non-Compliance and ordered the Respondent to come into Compliance by **January 4, 2023**, or be returned to the special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

Called case # 37

CASE # 37 - SMG 11-22-317 - Sig Global Family Limited Partnership is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.1(a),(b), at 709 E International Speedway Blvd. Violation(s) – Paid parking without permit. First Notified – 10/15/2022.

Mr. Jackson advised the city would be requesting to withdraw and will be refile with different charges.

Mr. Vukelja advised the minutes will reflect the has been withdrawn without prejudice to being amended by the city.

Mr. Jackson added the respondent was present and was informed it was being withdrawn.

Called case # 39

CASE # 39 - SMG 09-22-252 - Venkata P Chereddy is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D.; (Ref. FBC Supp. IPMC 304.2, and 304.10), at 735 Mason Ave. Violation(s) – Peeling paint , loose wires, missing windows, gutters and downspouts, damaged dumpster enclosure. First Notified – 6/23/2022.

No respondent

Inspector Alderman testified to the status of the case no contact no progress requested a fine in the amount of \$200 a day to a cap of \$20,000.

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

Called case # 40

CASE # 40 - 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 requested to amend to the January cut off.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 41

CASE # 41 - SMG 09-22-272 - DB Beach Investments 2 LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7) City Code Ch. 90-297, at 1303 N Atlantic Ave. Violation(s) – Parking encroaching onto the sidewalk, damaged gutters, lack of Business Tax Receipt. First Notified – 6/24/2022.

No respondent

Inspector Stenson testified to the status of the case had one call from the property owner, no progress requested a fine in the amount of \$100 a day to a maximum of \$15,000 as well as a onetime No BT fine for \$250.

DISPOSITION: Noting the absence of the respondent and based on the photographs presented and the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **October 6, 2022**, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance and further finding the respondent the sum of the \$250 for failure to obtain the business tax receipt.

Called case # 42

CASE # 42 - SMG 08-22-233 - Marchaletta A Corbitt is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6.19.A.3, at 768 Indiana St (Parcel # 5238-38-00-0750). Violation(s) – Parking on grass, outside storage. First Notified – 10/4/2021.

No respondent

Inspector Garcia testified to the status of the case had one contact with the property owner, no progress and reminded the Special Magistrate she was given an extra month. requested a fine in the amount of \$250 a day to a maximum of \$15,000.

DISPOSITION: Noting the absence of the respondent and based on the photographs presented and the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **October 6, 2022**, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

Called case # 43

CASE # 43 - SMG 09-22-262 - Asp Ready Chem LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 301.3,302.1, 302.4) City Code Ch. 78 Sec. 78-112, at Orange Ave (Parcel # 5339-79-00-0430). Violation(s) – Overgrown grass and weeds, debris. First Notified – 6/27/2022.

No respondent

Inspector Garcia testified to the status of the case had no contact with the property owner, no progress, requested a fine in the amount of \$250 a day to a maximum of \$15,000.

DISPOSITION: Noting the absence of the respondent and based on the photographs presented and the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective **October 6, 2022**, until the fine reaches a maximum of \$15,000.00 or the property comes into Compliance.

Called case # 45

CASE # 45 - SMG 08-21-229 - Roslyn Page is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 304.2, 304.7), at 555 Oak St Apt # 3. Violation(s) – Parking on an unapproved surface, peeling paint, roof and fascia damage. First Notified – 10/13/2020.

No respondent

Inspector Butler testified to the status of the case has had contact who has hired a civil engineer, Mr. Peter Zahn. Had contact with Mr. Peter Zahn, he advised the site plan will be completed sometime this week, which allows them to pull the permit. requested to amend to the January cut off.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 47

CASE # 47 - 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 has had contact, parking lot still needs addressed, the owner has received a boundary site survey which will allow them to pull the permit, staff requested to amend to the January cut off.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 50

CASE # 50 - 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 has had contact, but due to additional damage by the hurricane, staff requested to amend to the January cut off for a progress report and determination of a compliance date.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will continue the progress report and the determination of a compliance date for the January 10, 2023, meeting.

Called case # 55

CASE # 55 - SMG 09-22-244 - Gregory Andriotis is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D.; (Ref. FBC Supp. IPMC 304.2, and 304.10), at 1237 N Atlantic Ave. Violation(s) – Peeling paint, areas of rust a door and garage door , missing and damaged siding, dilapidated porch rail. First Notified – 3/2/2022.

No respondent

Inspector Yates testified to the status of the case had no contact with the property owner, minimal progress, requested a fine in the amount of \$100 a day to a maximum of \$15,000.

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

Called case # 60

CASE # 60 - 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.

No respondent

Mr. Jackson reminded the Special Magistrate this is the property they're all continuous lots and taking them as a whole Case# 61 through 67.

Inspector Jean-Baptiste testified that he has been in contact with the owner and the other city departments informing him that everything is progressing and requested to amend to the January Cutoff.

Compliance is the parking site plan and combining all the parcels.

Mr. Vukelja advised the purpose of his ruling; he is consolidating cases 60 through 67 as they all deal with the same respondent and contiguous property.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 61

CASE # 61 - SMG 01-22-61 - Boardwalk at Daytona Development LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.6, 308.1) City Code Ch. 90 Sec. 90-297, at N Atlantic Ave (Parcel # 5304-01-06-0020). Violation(s) – Permits, no approved parking plan, unapproved parking surface, damaged fence, discolored paint, trash and debris, dirt and grime. First Notified – 6/24/2021.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 62

CASE # 62 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 63

CASE # 63 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 64

CASE # 64 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 65

CASE # 65 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 66

CASE # 66 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 67

CASE # 67 - 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.

No respondent

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 68

CASE # 68 - SMG 01-22-73 - Sandals US LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.4.S.1; Art. 6 Sec.6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.6, 304.2, 304.6, 304.9, 308.1), at 151 S Atlantic Ave. Violation(s) – No established parking master plan, dirt and grime, rust, damaged canopy/overhang,

exterior storage, trash & debris, faded paint on fascia boards, dirty stairs, peeling paint, parking on grass/vacant lot, unmaintained landscaping. First Notified – 9/24/2021.

Inspector Jean-Baptiste advised case in compliance as of November 4, 2022.

Called case # 69

CASE # 69 - 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 advising they are progressing in terms that they have secured a development order with the building department. They are getting all the permits that are required. Requested to amend to the January cutoff.

Disposition: Mr. Vukelja ordered that based on the inspector's report he will amend the current order of noncompliance to allow the respondent to come into compliance by January 4, 2023 or be returned to the Special Magistrate for consideration of a fine of up to \$1000 per day thereafter.

Called case # 70

CASE # 70 - SMG 09-22-247 - Eric Mayer is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art.9, Sec.9.2 A(Ref. FBC Supp. IPMC 301.3, 302.1, 302.8, 304.2, 304.6,304.7), at 20 S Grandview Ave. Violation(s) – failure to remove dirt and grime, failure to repair damaged fascia board, failure to remove unlicensed and inoperable vehicles, failure to repair damaged and discolored stairs, failure to repair damaged wooden gate, failure to repair broken window, failure to repair any damaged or loose bricks, unmaintained landscaping. First Notified – 12/10/2021.

No respondent

Inspector Jean-Baptiste testified to the status of the case had no contact with the property owner, no progress, requested a fine in the amount of \$100 a day to a maximum of \$10,000.

DISPOSITION: Noting the absence of the respondent and based on the photographs presented and the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$100.00 per day, effective **October 6, 2022**, until the fine reaches a maximum of \$10,000.00 or the property comes into Compliance.

Called case # 77

CASE # 77 - SMG 01-22-15 - 504 Main Street D B INC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; Art. 6 Sec. 6.2.H.7; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7, 304.2, 304.6, 304.8, 304.10, 304.15), at 504 Main St. Violation(s) – No sign permit, damaged exterior surfaces, damaged parking lot asphalt, second floor door open, missing staircase second floor. First Notified – 5/21/2021.

No respondent

Field Supervisor Jones testified to the status of the case had no contact with the property owner or his representative, no progress, requested a fine in the amount of \$250 a day to a maximum of \$20,000.

Discussion on what was supposed to happen since the last hearing. Mr. Jones listed them, and Mr. Vukelja requested his minutes and reviewed them.

DISPOSITION: Noting the absence of the respondent and based on the photographs presented and the testimony of the inspector Mr. Vukelja imposed a fine in the amount of \$250.00 per day, effective

November 3, 2022, until the fine reaches a maximum of \$20,000.00 or the property comes into Compliance.

Mr. Vukelja asked about case # 38. Quick discussion on questions Mrs. Worsham had if the magistrate was missing any information. Mr. Sykes stated no but they would run it down.

Mr. Jackson confirmed that he was not, and at the last meeting she had pointed out some things that in terms of some communication issues that appeared to be internal, and that was acknowledged.

The meeting was adjourned at approximately 1:20 PM