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# City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

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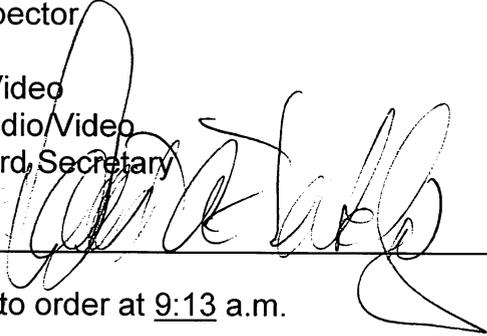
## February 14, 2023 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Assistant City Attorney  
Mr. Denzil Sykes, Code Compliance Manager  
Mr. Mark A. Jones, Field Supervisor  
Mr. John Stenson, Code Inspector  
Mr. Mark Bostwick, Code Inspector  
Mr. Roosevelt Butler, Code Inspector  
Mr. Daniel Garcia, Code Inspector  
Ms. Sara Kirk, Code Inspector  
Mr. Kevin Yates, Code Inspector  
Mr. Clearvens Jean-Baptiste Inspector  
Mr. Steve Alderman Inspector  
Mr. Curtis Wiggins  
Mr. Joe Graves, Audio/Video  
Mr. Xavier Campbell, Audio/Video  
Ms. Kimberly Reno, Board Secretary

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

The meeting was called to order at 9:13 a.m.

Mr. Vukelja approved the January 9<sup>th</sup> and January 10<sup>th</sup> 2023 meeting minutes.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno called the following cases in compliance.

**CASE # 8 - SMG 02-23-43 - Wayne R Woolf** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2), at 200 Francis Parkman Pl. Violation(s) – Dilapidated fence, landscaping, dirt and grime. First Notified – 9/7/2022.

**Compliance 2/8/23**

**CASE # 13 - SMG 02-23-49 - Kathy P, William H & Michele E Bittorf** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **S Grandview Ave (Parcel # 5309-02-01-0243)**. Violation(s) – **Dilapidated fence**. First Notified – 8/18/2022.

**Compliance 2/2/23**

**CASE # 16 - SMG 02-23-52 - Affordable Cribs LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at Garden St (Parcel # 5338-84-00-0160). Violation(s) – Overgrown grass, weeds, trash & debris. First Notified – 9/15/2022.

**Compliance 2/2/23**

**CASE # 20 - SMG 02-23-56 - LPLH Property Holdings LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at N Halifax Ave (Parcel # 5305-15-04-0021). Violation(s) – Overgrown grass, weeds, trash & debris. First Notified – 9/22/2022.

**Compliance 2/13/23**

**CASE # 27 - 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.

**Compliance 2/10/23**

**CASE # 33 - SMG 01-23-05 - Sofia Azor** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Oak St (Parcel # 5238-36-09-0150). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/4/2022.

**Compliance 2/8/23**

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

**Mr. Vukelja called case LR-1**

### **LR-1**

**SMG 07-18-76 - Sana Inc. - 864 Orange Ave** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G Violation(s) – Window signage more than 25% covered. First Notified – 4/20/2018. **Order Imposing Fine/Lien effective October 4, 2018. \$200.00 a day to a maximum of \$20,000.00 Compliance = January 4, 2023. \$20,000.00 plus \$24.00 recording fees plus \$4,099.59 = \$24,123.59**

George Mikhail sworn in

Manager Denzil Sykes advised an agreement was met and recommended to the special magistrate a reduction from 24,123.59 to \$4,000.00.

Mr. Vukelja asked if the amount was acceptable and Mr. Mikhaeil agreed it was.

**DISPOSITION:** Based on the Stipulation of the parties the Special Magistrate ruled the fine be reduced from the current amount to the sum of \$4,000.00 payable in 30days, if not paid within 30 days, the amount of the original fine and lien remains in place. If he has a problem with that date he can contact the city attorney and he can work with him. Upon payment the fine and lien will be canceled.

Called lien review #2

## LR-2

**CEB 08-07-183 - Harvey Finley (US Reposeess Trust) - 919 Kingston Ave** is cited for failure to correct violations of The Land Development Code, Article 18, Section 7 Violation(s) – Outside storage; residential appearance standards. First Notified – 5/14/2007. **2<sup>nd</sup> Order Imposing Fine/Lien effective September 13, 2007. Balance \$6,822.72 Compliance = December 15, 2022. \$6,822.72 plus interest \$2,647.82 = \$9,470.54**

**Danica Latic** sworn in

**Manager Denzil Sykes** advised an agreement was made and recommended to the special magistrate a reduction from \$9,470.54 to \$1,500.00.

**Mr. Vukelja** asked if the amount was acceptable, and Ms. Latic agreed it was.

**DISPOSITION:** Based on the Stipulation of the parties the Special Magistrate ruled the fine be reduced from the current amount to the sum of \$1,500.00 payable in 30days, if not paid within 30 days, the amount of the original fine and lien remains in place. If she has a problem with that date, she can contact the city attorney and he can work with him. Upon payment the fine and lien will be canceled.

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

**Inspector Garcia** testified to the status of the case advising the property was sold and requested to amend the current compliance date to the next cut off to add the new owner. Some discussion on what was completed and what still needs to be done.

**DISPOSITION:** The Special Magistrate ruled to amend the case to add the new owner FBH Community Inc with the understanding the new party has agreed to come into compliance, amended the current compliance date until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

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

**Mr. Vukelja** called case #22 advised he was adopting the stipulations of the parties, and this is the same as the previous case.

**DISPOSITION:** The Special Magistrate ruled to amend the case to add the new owner FBH Community Inc with the understanding the new party has agreed to come into compliance, amended the current compliance date until **March 8, 2023** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**Called case number #39**

**CASE # 39 - SMG 09-22-256 - 2000 Atlantic LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D.; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, and 304.10), at 2100 N Atlantic Ave. Violation(s) – Dilapidated seawall, damaged steps, and peeling paint. First Notified – 2/22/2022.

**Jessica Gow** for respondent

**Inspector Yates** testified to the status of the case advising submitted permit waiting for comments from the city.

Discussion on the case status being an interim thing and not being able to set a compliance date yet. The inspector is looking to allow to the april cut off for work to get started. Inspector advised he cant set the final compliance date until after they get approval of the permit in case something did happen.

**Mr. Vukelja** asked what is expected to have done by the April 5<sup>th</sup> cut off. Inspector Yates stated he would be expecting that the permit will be approved and work will actually start because they said they plan to be able to finish within six months and that was midway through last month.

**Scott Miller sworn appeared via zoom** advised the machine is on site and begin removing debris. Unknown how long the permit will take and will take 90 days and will

**Mr. Vukelja** discussed continuing to April 11, 2023 hopeful permit will be in hand and construction started and a better ideal of when compliance will be.

**DISPOSITION:** Continue to the **April 11, 2023** hearing for the Imposition of a Fine.

**CASE # 40 - SMG 09-22-257 - 2000 Atlantic LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.10), at N Atlantic Ave (Parcel # 4225-05-01-0060). Violation(s) – Dilapidated seawall, damaged steps, and peeling paint. First Notified – 3/7/2022.

**Inspector Yates** testified to the status of the case advising

**Scott Miller** appearing via zoom previously sworn

Inspector advised thia is the same case as above and

**Mr. Vukelja** order the same

**DISPOSITION:** Continue to the **April 11, 2023** hearing for the Imposition of a Fine.

**CASE # 23 - 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.

**Att Barry Hughes** on behalf of the respondents

**Michael Aversano** appeared via zoom.

Mark Jones testified that he has not had contact and no progress no submittals to planning requested a \$250 a day fine to a maximum of \$20,000 dollars.

**Mr. Hughes** advised this is a case where they struggled to get an engineer to perform the work. His client purchased property while it was not in compliance.

1. The prior owner has paid off the noncompliance and negotiated down their lien, and it's the same noncompliance, so it's already been fined maxed out and paid.

2. They are still actively trying to bring the property in compliance, they previously hired Zahn Engineering don't know what happened to them. Tried to retain the services of Mr. Shamus Schroeder of Newkirk Engineering but was contacted and they are too busy.
3. Contacted Upham Engineering Roger Strcula left voice mails with Mr. Fitzgerald, and he will be doing the engineering work and that he is busy, but he will get there. So it is not entirely true that they haven't been in contact. They have a contractor who was retained, Mr. Aversano can verify that and does have the concrete company to do the work.

**Mr. Hughes** advised that they are trying to bring it into compliance, but it's already been fine to the max, capped out and paid on the same violation. This isn't a new violation from what was previously asserted against the property. photos show the property in good condition.

**Mr. Vukelja** asked for clarification on the violations being overgrowth, outside storage, junk vehicle parking, was previously cited and fined and paid? And when did that happen?

Cited back in 2019. The previous owner never came into compliance. and then closing and funds escrowed and subsequently paid to the city at a reduced amount, after they had a lien review. Asked Mr. Jackson to shed some light. Mr. Jackson discussed the property having violation and the new owners were aware and are still needing to bring the property into compliance.

**Mr. Hughes** advised that his clients were not aware of the violation. They were aware of the lien and that was escrowed. The client was not aware that the property was not in compliance. The title company is actually paying the cost associated with the engineering , the contracting and everything else to bring it into compliance. They are just trying to put those pieces together. The have been working with the title company to get them to cover it and determine who's responsible. **Mr. Aversano** advised that they took title September 2021. Discussion on not doing the Lien Review unless property is in compliance. To let the sale go through the city accepted and the special magistrate accepted the request for reduction and it was granted.

**Mr. Vukelja** asked how quickly can the client come into compliance? Mr. Hughes asked when he thought they would be able to get an engineer hired on this and move forward?

**Mr. Aversano** advised hopefully by the end of the month, once they get the engineer, they will have all the fees in place. And can submit it to the title company for payment. Once they pay, they can start all the work.

**Mr. Vukelja** advised that if they are going to be dealing with the title company the city is not going to stand on the sideline waiting for the outcome.

He stated he wants it in compliance. It was already found in non-compliance, a Lien was imposed, the lien was satisfied under circumstances that in hindsight perhaps they shouldn't have done it. Leaving in current status, Impose Fine and Continue to the March 14, 2023 meeting and at that point he wants to here concrete accomplishments toward getting this thing done and a compliance date. And does not want to hear it will get done as soon as the title company pays. It was said this is just messy enough to get a little benefit of doubt.

**DISPOSITION:** Continue to the **March 14, 2023** hearing for the Imposition of a Fine.

**CASE # 30 - 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** requested a continuance and **Mr. Hughes** did not object.

**DISPOSITION:** In accordance with the stipulation of the parties, the case is continued to the **March 14, 2023** hearing for the Imposition of a Fine.

**CASE # 42 - 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.

**Mr. Hughes** for respondent

Inspector Yates testified to the status of the case no contact no progress asking for a fine of \$100 a day to a maximum of \$25,000.

**Mr. Hughes** said he has not been working on this and advised the property is also up for sale. Getting a concrete person out and believe that they can correct it without rebuilding the seawall.

**Mr. Vukelja** asked what the current situation is, regarding companies and the ongoing situation on the beachside.

**Mr. Yates** advised they need to repair and paint the seawall.

**Mr. Hughes** suggested having the wall painted in 30 days and concrete work done in three months.

**DISPOSITION:** Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 3, 2023** to come into compliance failing that a fine in the amount of \$200 a day will go into effect and it will continue each day thereafter until the property is in compliance or the fine reaches a maximum of \$25,000.00.

**CASE # 43 - 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.

**Mr. Hughes** appearing on behalf of the respondent.

**Inspector Yates** requested the same disposition as the above case for the adjoining lot.

**DISPOSITION:** Based on the testimony of the inspector the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 3, 2023** to come into compliance failing that a fine in the amount of \$200 a day will go into effect and it will continue each day thereafter until the property is in compliance or the fine reaches a maximum of \$25,000.00.

**Mr. Vukelja** called case number # 31 as respondent from previous case # 23 was waiting on zoom.

**CASE # 31 - 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.

**Mr. Aversano** was previously sworn.

**Inspector Kirk** testified to the status of the case stated window permit approved and verification date of installation and recommended compliance date to March 8<sup>th</sup>. Mr. Aversano agreed.

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

**CASE # 46 - SMG 06-22-166 - Mark A & Julie L Wallschaeger** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 1700 N Atlantic Ave. Violation(s) – Dilapidated seawall and peeling paint. First Notified – 2/24/2022.

**Attorney Corey Brown** Storch Law Firm testified they are working through the application process of getting a permit with the Florida Department of Environmental Protection, gathering additional documents for FTP. There is a lot of damaged and they are looking to rebuild the seawall and backfill with sand. Mr. Brown advised that he is uncertain how long it's going to take to get the permit approved, they have an engineering firm, CRA Associates, and he is working with them on the permit and an engineer needs to be hired and repaired thereafter.

**Inspector Yates** asked for and confirmed with Mr. Brown that they have an emergency permit for the sand as well and sand has been added and conversation to the quality of sand that was used and Inspector Yates advised he would have to check on the color, but that is DPBR's permit to run and they will do the inspections. Inspector Yates requested to continue this case to the May 9, 2023 hearing.

**Mr. Vukelja** discussed hoping they will have the permits necessary; construction started and have a little clearer eye as to when we might be able to reasonably expect a compliance date.

**DISPOSITION:** Continue to the **May 9, 2023** hearing for progress report & determine a compliance date, further ordered to continue to secure keep clean and maintained.

**CASE # 45 - 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.

**Mr. Kimball**, attorney for the respondent started with the progress advising they had a meeting with Mr. Sykes and assistant city attorney Mr. Jackson. To go over, as well as his staff attempting to keep in touch with Mr. Yates to go over the progress and extreme repairs that are going to be needed for the garage.

**Mr. Vukelja** confirmed Mr. Sykes and Mr. Jackson were present. Mr. Kimball advised they talked about providing progress reports and staying in communication, sharing permits when they were obtained, sharing progress reports, new photographs that were obtained with both Mr. Yates and Mr. Jackson's office, if necessary. And having another meeting in April.

**Mr. Vukelja** asked what was going to happen in April.

**Mr. Kimball** advised that they were supposed to make significant progress, discussed 3 components, 1. Balcony repairs 2. Storm Damage 3. Garage. The garage, they hope that they will have boots on the ground. **Mr. Vukelja** questioned the Balcony repairs and **Mr. Kimball** advised they are stable, they have support, there isn't any kind of public concern that has been raised before. The garage is a public safety concern, and is currently closed, except for professionals, engineers, and people that need to do the analysis of what needs to be done.

**Mr. Vukelja** advised the concern for the garage seems to have been attended to and for balconies the need secured and fixed. Asked what to expect at the next meeting.

**Mr. Jackson** advised we need to add the Condo association as they own that portion of the property. **Mr. Jackson** asked for clarification that the units that need the balcony repairs are vacant and remain vacant throughout the case. **Inspector Yates** requested to come back in July and do another progress report and establish a formal compliance date.

**Mr. Vukelja** advised if repairs are made and those units are able to go back online before July 11, 2023 then we will figure out some mechanism for them to get together with the city and resolve it between yourselves and if you need him, he will make himself available. As you get them fixed and they are habitable he is not going to hold them up from getting back online and utilizing them. For progress report & determine a compliance date, further ordered to continue to secure keep clean and maintained.

**DISPOSITION:** Continue to the **July 11, 2023** meeting for progress report & determine a compliance date, further ordered to continue to secure keep clean and maintained in addition the garage is to remain closed and any room that needs balcony repairs are to remain closed and vacant.

**CASE # 1 - SMG 02-23-37 - Sig Global Family Ltd Partnership** 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 304.6) City Code Ch. 78 Sec. 78-112, at 216 S Wild Olive Ave. Violation(s) – Failure to repair damage retaining walls, failure to remove dead vegetation, failure to remove all trash and debris. First Notified – 3/21/2022.

**No Respondent**

**Inspector Jean-Baptiste** testified to the status of the case April 27<sup>th</sup> had a meeting on site no progress or further contact and requested compliance next cut off.

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

**CASE # 2 - SMG 02-23-38 - Andre Rondeau & Odette Perreault** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.10, 304.12, 304.13, 304.15, 305.3, 309.4, 604.3.1.1), at 705 N Wild Olive Ave. Violation(s) – Damaged gutters, broken windows, damaged exterior doors, damaged interior surfaces(walls/ceilings), infestation, electrical wiring, dilapidated stair landing, dilapidated handrails. First Notified – 8/15/2022.

**Austin Shields** Sworn in and is POA. **Mr. Shields** was found in noncompliance and agreed to compliance next cut off.

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

**CASE # 3 - SMG 02-23-39 - Jonathan I & Debbie C Rotstein** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.9), at 117 Michigan Ave. Violation(s) – Dilapidated Awning. First Notified – 9/12/2022.

Mr. Rotstein advised that there are a couple of problems as always, the first problem is this notice of hearing is directed to Debbie Rotstein also, she hasn't been a property owner there since 2008. So, the notice is deficient on its face as it relates to the awning issue. The awning has blown away in three different hurricanes the (canvas) and looked up the violation. according to the violation it is not dilapidated, the canvas is gone. clarified that the canvas has not been repaired since this notice of violation has gone out.

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

**CASE # 4 - SMG 02-23-40 - Indigo Lakes Golf Club 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, 302.2), at 312 Indigo Dr & 400. Violation(s) – Overgrown culverts and drainage. First Notified – 11/17/2022.

**Edward Peterson, Helen Bellas & Carol Raymond** sworn in

**Mr. Vukelja** asked if they had any objections to being found in non-compliance. Mr. Butler advised that there should be compliance at the next cut-off.

**Mr. Butler** stated that after investigation of this situation, as you can see from the pictures, he met with Mr. Peterson and met with the homeowners. They have information showing it belongs to the golf course and he has information that it belongs to the homeowners. All parties have surveys to show whose property it is.

**Mr. Sykes** advised a few months ago the city engineering department did go out and they kicked it back over to code enforcement, letting us know that it was not a city piece of property. and the Property Appraisers site does show up as Indigo Lakes Golf Club. When they met with Mr. Peters on his survey, what he showed them was on the plat there was what seemed like it was some type of agreement, more so than ownership, that the homeowners were going to maintain parts of that property.

**Mr. Vukelja** asked for the surveys to be left with the attorney and he said he would review them and then issue the order. He would either confirm indigo lakes is in non-compliance and determine threshold of liability and then if determined they are responsible for this, then have another meeting, at which point he will schedule them for the next meeting, at which point they can be heard on how much time it should take them to come into compliance. The order will be completed after a future meeting.

Mr. Peterson confirmed that he was the General Manager of Indigo Lakes Golf Club.

**CASE # 5 - SMG 02-23-57 - SPT Wah Wedgewood LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 603.1), at 1717 Mason Ave Bldg 300 Apt 322. Violation(s) – Ceiling leak and dilapidated AC casing. First Notified – 10/17/2022.

Chassidy Duran, property director agreed to the violations.

**Inspector Butler** advised compliance next cut off.

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

**CASE # 6 - SMG 02-23-41 - Danial Marashi** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.18.D; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at Foote Ct (Parcel # 5339-23-02-0021). Violation(s) – Site appearance standards, site restoration, maintenance standards. First Notified – 9/6/2022.

**No Respondents**

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

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

**CASE # 9 - SMG 02-23-44 - House of God ETC INC c/o Thomas A Richardson** 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 School St (Parcel # 5339-83-02-0040). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 8/17/2022.

**No Respondents**

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

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

**CASE # 7 - SMG 02-23-42 - Kenneth Jacobs** 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. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 308.2.2), at 615 Clark St. Violation(s) – Refrigerator outside, unpermitted shed, RV and trailers on vacant lot, trash and debris. First Notified – 9/6/2022.

**No Respondents**

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

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

**CASE # 10 - SMG 02-23-45 - Seaview Surf Club LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at N Atlantic Ave (Parcel # 4236-01-06-0280). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 12/14/2022.

**No Respondents**

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

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

**CASE # 11 - SMG 02-23-46 - Cooper Mazie c/o Shirley Cooper Broxton** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.3, 304.13), at Whitehall St (Parcel # 5339-54-00-0090). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 11/16/2022.

**Bridgett Williams** (daughter), **Mr. Broxton Sr & Mr. Broxton Jr.** sworn in agreed to non-compliance then advised the property is in compliance.

**Inspector Bostwick** testified to the status of the case.

Discussion on compliance and it was advised if they are in compliance, they need to notify the inspector to come out and put the property in compliance.

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

**CASE # 12 - SMG 02-23-47 - Divine Deliverance Ministries INC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Fulton St (Parcel # 5338-70-00-0430). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 11/3/2022.

**No Respondents** no contact

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

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

**CASE # 14 - SMG 02-23-50 - Anders Migdalek LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.7) City Code Ch. 78-112, at S Atlantic Ave (Parcel # 5309-09-01-0020). Violation(s) – Overgrown grass, weeds, debris, damaged fence. First Notified – 6/25/2022.

**No Respondents**

**Inspector Garcia** testified to the status of the case had contact and they need to get a permit for the fence and requested compliance next cut off.

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

**CASE # 15 - SMG 02-23-51 - Kelly Rose, Kristen & Kimberly Rueda & Peggy Snider** 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 110.1, 301.1, 302.4), at 308 Kingston Ave. Violation(s) – Expired demo permit, overgrown grass & weeds, dilapidated fence. First Notified – 8/30/2022.

### **No Respondents**

**Inspector Garcia** testified to the status of the case had contact last week and requested compliance next cut off.

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

**CASE # 17 - SMG 02-23-53 - Bobbie Robinson** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.4.C.12; Art. 6 Sec 6.2.H.7.A; Art. 6 Sec. 6.19.A.3, at Garden St (Parcel # 5338-84-00-0150). Violation(s) – Outside storage (containers), parking on the grass. First Notified – 9/22/2022.

**Sahnetta Malcolm** (Daughter) and **Theresa McDonald** (cousin) sworn in stated they think they are in compliance.

**Inspector Garcia** testified to the status of the case had contact last week and requested compliance next cut off.

Discussion on what is aloud to be on someone's property and homestead law refers to taxes and such and it was advised, it does not mean you have an unrestricted right to leave whatever you want on your property. There are restrictions, especially when it comes to temporary things like containers, cars, things of that nature. Discuss the violation with the inspector to see if there are ways to come into compliance.

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

**CASE # 18 - SMG 02-23-54 - Oliver Ross Sr** 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.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4), at 641 Clark St (Parcel # 5339-52-00-0110). Violation(s) – Trash, debris, rubbish ad garbage on vacant lot, parking on grass, outside storage, overgrown grass. First Notified – 3/2/2022.

**Oliver Ross Sr.** sworn in agreed to non-compliance.

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

**Mr. Ross** agreed and asked about the vagrants and what to do to avoid that. **Inspector Garcia** advised if he would clear the overgrowth in the back, that would open it up and it wouldn't allow the homeless people there.

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

**CASE # 19 - SMG 02-23-55 - Denton II LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.8.G; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.5, 302.7), at Niles St (Parcel # 5339-90-06-

0190). Violation(s) – Trash & debris, unsanitary condition, dilapidated fence, outside storage, parking on unapproved surfaces. First Notified – 1/24/2022.

**No Respondents**

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

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

**CASE # 24 - SMG 01-22-12 - Victory Temple of God INC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 304.6, 304.7, 304.8, 304.9, 304.13, 304.13.1, 304.13.2, 304.15, 308.1), at 1047 Madison Ave (Parcel # 5338-01-18-0065). Violation(s) – Lawn maintenance, paint fading and peeling, vacant unused and unsecured buildings, dilapidated buildings, including accessory structures & sports complex, overgrown lot, landscaping including the right of way, outside trash & debris, damaged doors and windows, broken glass, interior surfaces, roof damage, rotten wood. First Notified – 8/13/2021.

**Mr. RT Hillery** sworn in and gave the update stating they submitted everything for the site plan that the city has required them to submit, and they are just waiting on them to review it and give the final approval so they can get started on the building. Waiting on remarks.

How long after site plan and permits. And will get with the contractors for that information.

Discussion on the milestones to plan for.

**DISPOSITION:** Continue to the **March 14, 2023** hearing for progress report.

**CASE # 25 - 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** Property Manager

**Inspector Butler** testified to the status of the case requested a fine in the amount of \$100 a day to a max of \$15,000.

**Mr. Mckin** testified and discussed the reframing the whole inside and Castle electric had covid and they have permits for the electric.

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

**CASE # 26 - 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 Swan** sworn in accounting property manager.

**Inspector Alderman** testified to the status of the case requested to hear from Mr. Swan.

**Mr. Swan** testified that they are trying to find contractors to do the visit for estimate and have had several appointments that have been canceled and requested more time.

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

**CASE # 28 - SMG 01-23-18 - Paul W & Beatrice I Zivitski** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 840 N Halifax Ave. Violation(s) – Outside storage, exterior staining/paint. First Notified – 9/1/2022.

**No Respondent**

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

**DISPOSITION:** Noting the absence of the respondent Based on the testimony of the inspector the Special Magistrate ruled to fine the respondents in the amount of \$100 dollars per day will go into effect **February 9, 2023** and continue to accrue each day thereafter until the property is in compliance or the amount of the fine reaches a maximum of \$15,000.

**CASE # 29 - SMG 09-22-271 - Crossroads of Daytona LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 110 Jean St. Violation(s) – No permit for asphalt millings and expired demo permit. First Notified – 5/23/2022.

**Colleen Miles** sworn in

**Inspector Kirk** testified to the status of the case, had contact and progress and requested the April cut off.

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

**CASE # 32 - SMG 01-23-01 - TC Strategies LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Rose Ave (Parcel # 5338-70-00-0140). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 10/17/2022.

**No Respondents**

**Inspector Bostwick** testified to the status of the case. had contact and requested compliance next cut off.

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

**CASE # 34 - SMG 01-23-07 - Rosa P Gibson** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Indiana St (Parcel # 5238-38-00-1340). Violation(s) – Overgrown vacant lot. First Notified – 9/24/2022.

**Rosa Gibson** sworn in

**Inspector Bostwick** testified to the status of the case. no contact and requested a fine in the amount of \$250 to a max of \$15,000.

**Mrs. Gibson** advised she had several deaths in the family and had some extenuating circumstances going on. Advised she will hire somebody and if she can have more time.

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

**CASE # 35 - SMG 01-23-09 - Theresa C Dinkins LE** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at 626 Fremont Ave. Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/20/2022.

**No Respondent**

**Inspector Bostwick** testified to the status of the case. no contact and requested a fine in the amount of \$250 to a max of \$15,000.

**DISPOSITION:** Noting the absence of the respondent Based on the testimony of the inspector the Special Magistrate ruled fine the respondents in the amount of \$250 dollars per day will go into effect **February 9, 2023** and continue to accrue each day thereafter until the property is in compliance or the amount of the fine reaches a maximum of \$15,000.

**CASE # 36 - SMG 01-23-11 - Petra North Inc** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Mason Ave (Parcel # 5212-00-00-0040). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 9/27/2022.

**No Respondents**

**Inspector Bostwick** testified to the status of the case. had contact and requested compliance next cut off.

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

**CASE # 37 - SMG 01-23-10 - S. David Shaw & Lillie Mae Shaw** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Sunset Cir (Parcel # 5211-13-00-0040). Violation(s) – Parking vehicles on vacant lot unapproved surface, storage shed on vacant lot, trash and debris and landscaping, First Notified – 9/6/2022.

**No Respondents**

**Inspector Bostwick** testified to the status of the case and advised the owner is requesting to combine both parcels so he can keep the accessory structure. had contact and requested compliance next cut off. Ms. Long advised that it is almost completed and could be done by the next cutoff.

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

**CASE # 38 - SMG 01-23-35 - The Center For Investments LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10 ), at 135 Orange Ave. Violation(s) – Peeling paint, dirt and grime, broken windows, graffiti, outside storage, broken exterior cladding, cracks and breaks in building exterior, dilapidated rear steps, overgrown landscaping, rotted wood, dilapidated blinds, and unmaintained interior. First Notified – 9/23/2022.

**No respondent**

Discussion on due process and Mr. Jackson advised and clarified we needed to give proper notice for this hearing and therefore just needed to amend to the next cut off.

**DISPOSITION:** Continue to the **March 14, 2023** hearing for progress report.

**CASE # 41 - SMG 11-22-329 - 609 Walnut St LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 302.3, 304.7, 304.8, 304.13, 304.14, 304.15), at 505 S Palmetto Ave. Violation(s) – Area of rust, wood rot, damaged soffit, fascia, unmaintained landscaping, landscaping debris, dilapidated parking lot, dilapidated planter box, broken decorative lattice, missing door handle, unpermitted demo at steps, expired permits, torn or missing screens. First Notified – 7/20/2022.

**Sean Smith** sworn in appeared via zoom.

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

**Mr. Smith** agreed.

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

**CASE # 44 - 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.

**Bryon Smith** sworn in and testified the wall was intact and a maintenance issue but since the storm hit, they had to design a new seawall. Proposal next week.

**Inspector Yates** advised the city is agreeable if they can provide some concrete information.

**Mr. Smith** advised all the things that are in the works, the entire 250 feet of seawall and that ties into the deck that sits above it, and a structural deck that holds the pool and has a contractor and engineer signed on and proposal coming.

By March 8<sup>th</sup> be signed with an engineering firm. Discussion on turtle season in May.

**DISPOSITION:** Continue to the **March 14, 2023** hearing for progress report.

**CASE # 47 - 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 and requested for the next cut off for the work to be complete.

**Mrs. Henner** advised she hired KDK concrete who was pulling the permit and advised it may take three weeks.

**Inspector Yates** advised they would amend the request to give them until the April cut off.

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

**CASE # 48 - SMG 09-22-275 - Daytona Beach Bella Vista** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D.; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at N Atlantic Ave (Parcel # 4225-03-02-0020). Violation(s) – Dilapidated seawall, peeling paint. First Notified – 2/22/2022.

**Shelby Schubert** sworn in

**Inspector Yates** testified to the status of the case and advised he would like to request the April cut off.

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

Meeting set up for Monday 10:30 am to review the Survey's

The meeting was adjourned at 11:52 PM