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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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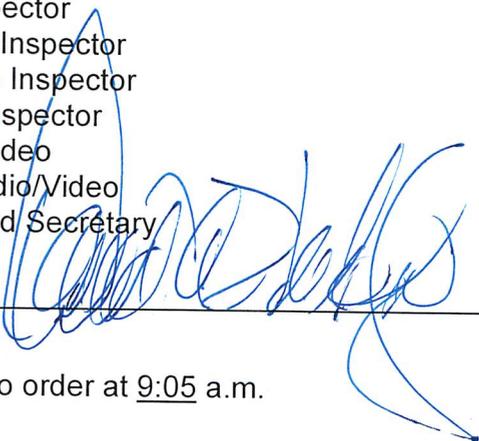
## June 13, 2023 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

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

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

The meeting was called to order at 9:05 a.m.

Mr. Vukelja approved the May 9, 2023 meeting minutes.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno called the following cases in compliance.

**CASE # 1 - SMG 06-23-147 - Brooke Cleaners LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D, at 133 Main St. Violation(s) – Debris, hole in exterior wall, dirt & grime on west wall, missing and broken electrical covers/face plates and lack of landscaping. First Notified – 6/27/2022.

**Compliance 6/6/23**

**CASE # 12 - SMG 06-23-156 - Dayton 1 Enterprise LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7 ) City Code Ch. 90 Sec. 90-297, at 1901 N Atlantic Ave. Violation(s) – Unpermitted wall, damaged/missing gutters, no Business Tax Receipt. First Notified – 2/24/2023.

**Compliance 6/8/23**

**CASE # 16 - SMG 06-23-160 - S R Oleander LLC & S R Tulane LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.4.j; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at 2550 Tulane Ave. Violation(s) – Dilapidated trash enclosure, junk vehicles. First Notified – 3/1/2023.

**Compliance 6/7/23**

**CASE # 19 - SMG 06-23-166 - Ojoyo LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC )City Code Ch. 26 Sec. 26-294 and Ch.90 Sec. 90-297, at 321 Pelican Ave. Violation(s) – Lack of Business Tax Receipt, and Rental license and Inspection. First Notified – 2/4/2023.

**Compliance 5/25/23**

**CASE # 29 - SMG 05-23-117 - Ann E Edwards Life Estate** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13, 304.13.1, 304.13.2, 304.14, 305.1, 305.3, 306.1, 504.1, 605.1, 605.2, 702.4.), at 552 Foote Ct 554 Apt 6. Violation(s) – No Business Tax Receipt, windows need repaired, correct glazing material, operable windows, need correct screens, install ceiling in stairwell, strap plumbing piping, install correct outlets and plates, all appliances need to work, no emergency egress in one bedroom, no smoke detectors, stained ceilings, roof leak. First Notified – 1/23/2023.

**Mrs. Reno** announced the wish for an order to dismiss.

**Mr. Jackson** confirmed this was to be part of an order and confirmed the way it was cited did not notice the correct party because of the life estate. The tenant is deceased, and the city needs to notice properly and would currently like to dismiss this proceeding and vacate the non-compliance order.

**DISPOSITION:** Based on the city's representation, ordered to dismiss this proceeding, and vacate the order of noncompliance.

**CASE # 35 - SMG 03-23-76 - Brandon Wilson** 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 Birch St (Parcel # 5237-25-02-0050). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 1/11/2023.

**Compliance 6/12/23**

**Announced LR-1 being pulled per applicants request and confirmed the city will reschedule.**

## **Announced MB-1&2 Case type should be LR-1 & LR-2**

Mrs. Reno swore in the staff members testifying.

Mr. Vukelja called case #26 first.

**CASE # 26 - 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** appeared for respondent.

**Inspector Yates** testified that he has made contact and progress and requested to amend to the September cut off.

**Jessica Gow** advised that they believe that the permit will be issued in October based on the sea turtle review timing, and when work can start would be November after the season. Happy to provide updates on the permitting process and make sure the site continues to be up kept if appropriate.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 6, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 27 - SMG 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.

**Jessica Gow** appeared for respondent.

**Inspector Yates** testified that he has made contact and progress and requested to amend to the September cut off.

**Jessica Gow** same situation as before.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 6, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 38- SMG 04-23-105 - Sig Global FLP** 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 304.6), at 509 E Intl Speedway Blvd. Violation(s) – Failure to repair damage retaining walls, failure to remove dead vegetation, failure to remove all trash and or debris. First Notified – 3/21/2022.

**Jessica Gow** appeared for respondent.

**Inspector Jean-Baptiste** testified to the status and referred to Mrs. Gow

**Jessica Gow** received a repair proposal of \$30,000 for the retaining wall from CCI construction. They reached out to all of the adjoining property owners that abut the wall, reminding the wall kind of helps their property, not the respondents. So they do not want to remove it and damage their property. So far they had one resident reach out and ask to set up a time to discuss what to do moving forward with them. Hoping to hear back from more in the next week or so and the plan is to coordinate with them on the cost of repair and scope and see what can be done.

**Mr. Vukelja** asked who was going to purpose a compliance date.

**Jessica Gow** advised that they believe they will have heard back from the residents who will answer them within the next 30 days. and then to get the permitting process done maybe a bit longer. Requested 60 days if acceptable.

**Inspector Jean-Baptiste** advised that as far as the city is concerned with the compliance date recommended is the August cut off. it is a matter of getting the wall repaired. From the respondents perspective it is a matter of making sure the neighbors and them com into an agreement. The city's part is just as long as it's repaired.

Discussion on why they need the neighbors concent and the letters went out 2weeks ago.

**DISPOSITION:** Continue to the **July 11, 2023** hearing to establish a compliance date.

**CASE # 39 - SMG 04-23-106 - Sig Global FLP** 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 304.6), at 220 S Wild Olive Ave. Violation(s) – Failure to repair damaged retaining walls, failure to remove dead vegetation, failure to remove all trash and debris. First Notified – 3/21/2022.

**Jessica Gow** appeared for respondent.

**Inspector Jean-Baptiste** same owner and property for both **cases #39 and #40** as the previous case.

**Mr. Vukelja** advised that if all three cases are the same circumstancem then he will do the same thing and continue all three to the July 11, 2023 meeting to see what response they have gotten from the property owners and then hoefully make an intelligent decision then.

**DISPOSITION:** Continue to the **July 11, 2023** hearing to establish a compliance date.

**CASE # 40 - 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.

**Same as above**

**DISPOSITION:** Continue to the **July 11, 2023** hearing to establish a compliance date.

**CASE # 28 - 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. Hughes** appeared via zoom on behalf of the respondent. (Inaudible) get engineer to submit proposals. Had conversations with them, he had spoken with them, but none made contact with the city. **Mr. Hughes** stated this is a difficult case and did not make any progress. He was hoping Mr. Aversano was going to be addressing this issue and outlining his efforts.

**Supervisor Jones** testified that he had not had contact from the owner or attorney and no progress identified, going on since 2020.

**Mr. Vukelja** asked what the holdup was.

**Mr. Hughes** advised they need an engineer to submit a proposal to the city of Daytona Beach, does not have the funds to do that.

**Mr. Jones** requested compliance by September cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 6, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 51 - 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** testified that since the last hearing, he found out that the property owner has been working with the city and the city wishes to vacat the fine lien and request an amended order with the progress report.

**Mr. Vukelja** question the request..

Inspector Recanzone advised that he had an 8 page report that was submitted.

**Mrs Worsham** confirmed that she had submitted the plans and they were under review. And ready to build. Advising they think by the end of the month, the engineer will have worked through the eight pages and have another set of plans to be submitted. And once those are approved they will get the permit.

**DISPOSITION:** Vacate the April 13, 2023 order imposing Fine Lien and continue to the September 12, 2023 meeting to establish a compliance date.

**CASE # 2 - SMG 06-23-148 - Pro Development USA LLC**

is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.12.B; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.1, 304.2, 304.6, 304.7, 304.13, 304.13.1, 304.13.2, 304.16, 605.1, 704.2) City Code Ch. 90 Sec. 90-297, at 934 S Ridgewood Ave. Violation(s) – Interior surfaces, dirt & grime, peeling paint, smoke detectors, unpermitted hvac, damaged interior doors and frames, rotted areas of soffit and fascia, unmaintained landscaping, graffiti, dilapidated roof, outside storage, wood rot, windows that wont open, dilapidated exterior patio, broken louver, dilapidated exterior doors, dilapidated shed, no Business Tax Receipt. First Notified – 2/15/2023.

**Daniel Castillo** sworn (contractor) hired Engineer. Agreed to violations.

**Mr. Jackson** asked what Mr. Castillo's relationship is to the property.

**Daniel Castillo** advised he is the contractor who hired the engineer. They are planning to do the drawings this month to submit for permit. Sent an email to Inspector Yates with the timeline. And the intention is to pull the permit and then do the work.

**Inspector Yates** testified that it was an old retirement home.

**Mr. Vukelja** advised that the property is on a main corridor and the absentee owner situation.

**Inspector Yates** requested compliance by next cut off stating the property was in terrible shape and that nothing had been done until about a week ago when Mr. Castillo was hired, and it has life safety issues. Missing smoke detectors, tremendous amount of unpermitted electrical work, unpermitted HVAC work, broken doors, broken hatchway.

**Mr. Vukelja**, 1he is only interested in life safety, advised he was inclined to give him 60 days to get his permit, but only inclined to give until the next cut off to get all the life safety issues resolved.

**Inspector Yates** stated that specifically would be the unpermitted work and the missing and nonfunctional smoke detectors.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **July 5, 2023** to come into compliance with all life safety issues or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter and further order the remainder of the compliance be scheduled for the **August 8, 2023** to determine a compliance date.

**Daniel Castillo** advised they will hire an electrician for life safety and the owner is handling evictions.

**Mr. Jackson** clarified the specific life safety being the smoke detectors, the unpermitted HVAC, and windows that wont open, this is an occupied structure and the proper ingress, egress, multi units, also not rent until compliance.

**Mr. Yates** advised the water is currently shut off and needs to be turned back on.

**Mr. Vukelja** confirmed and reiterated the life safety violation and discussed handling tenants.

**CASE # 3 - SMG 06-23-149 - Be Good Developments LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2 304.15, 605.1), at 145 Orange Ave. Violation(s) – Work without permit, overgrown landscaping, trash and debris, broken light fixture, areas of rust, peeling paint, expired permits. First Notified – 8/13/2022.

**April Bassett & Jeremy Bassett & Joe Hopkins** sworn in agreed to violations.

**Inspector Yates** requested a progress report, they are in the middle of creating drawings and applying for permits to correct the issues. Until that's issued, it will be hard to nail down a compliance date. Confirmed to Mr. Vukelja, he wants the drawings and from there they can project the compliance date.

**Mr. Jackson** Asking for a finding of non-compliance and a progress report for the next meeting with the intent to submit a compliance date.

**Joe Hopkins testified** that this is a difficult case and they have met with the building official and the planning director, they have an expired site plan, and don't have a building permit. All violation inherited and plan to bring in compliance. The plan is to redevelop and make it a restaurant.

**Joe Hopkins** testified they worked out with staff they will get a building permit and proceed with the renovation. And at the same time, they will process a site plan concurrently. The site plan will be the long lead item, needing a survey.

**Inspector Yates** confirmed that compliance is not contingent on the site plan.

**DISPOSITION:** Respondent was found in Non-Compliance and case continue to the **July 11, 2023** hearing for a progress repost and to establish a compliance date.

**CASE # 4 - SMG 04-23-103 - David Clarke** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.5, 304.6), at 37 S Peninsula Dr. Violation(s) – Failure to repair damage concrete, failure to repair damaged retaining wall. First Notified – 2/2/2023.

**David Clarke** sworn in via zoom

**Mr. Vukelja** asked if the respondent agreed to the violation and Mr. Clake stated we delayed this to get a survey as to whether the wall in question was his. And it was determined that the west wall is owned by the city. It is shown on the Harvey street side that the sidewalk encroaches onto his land and the wall is his.

**Inspector Jean-Baptiste** testified to the status of the case advising they have applied for grants and they will be on their way to get permits for the wall to be prepared and based on the meeting staff is recommending to amend to the August cut off.

**David Clarke** testified that the grants require him to have two proposals or estimates to compare for eligibility. He has solicited through several other contractors and he is now waiting back for a second proposal estimate. Then it's a matter of the approval of the Historical Society approvals of the city for what is to be built and how.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **September 6, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 5 - SMG 06-23-150 - Michael A & Barbara M Thrower** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.2.B.19.J; Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.4, 302.7, 302.8, 304.2, 304.9, 308.1), at 562 W Intl Speedway Blvd. Violation(s) – Dirt & grime all exterior surfaces, failure to conduct vehicle service within enclosed structure, have vehicles parked or stored as a source for parts, trash & debris, damaged fence and wooden gate, inoperable/damaged boats & vehicles, holes in exterior wall, damaged canopy, damaged unpermitted rear wooden structure, damaged and rusted signs, exposed electrical wires, unmaintained landscaping. First Notified – 2/17/2023.

**No respondent**

**Inspector Jean-Baptiste** testified to the status of the case requested June cut off Communication with the property owner and he is doing his best along with a maintenance person that he has, unknown why he is not present.

**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 **July 5, 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 06-23-152 - Jacqueline Manning** 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 304.6, 308.1), at 368 Dr Mary M Bethune Blvd. Violation(s) – Failure to repair damaged wall, failure to remove exterior bricks and debris on site. First Notified – 2/9/2023.

**Roger Washington** sworn in Power of Attorney over the property and submitted a copy for the record. Agreed to the violations.

**Inspector Jean-Baptiste** testified to the status of the case and requested compliance by the July cut off.

**Mr. Washington** advised that they can't say they can be in compliance by then because they have been going through the bank, and the insurance company and they're the hold up, and also finding the general contractor. Been through three and have the fourth one now. Advised he has the emails between everyone and bank sold out to another bank who kept part of the money. Discussion on the wall that fell and debris that needs to be cleaned up.

**Inspector Jean-Baptiste** testified that the position with the city is the debris before another hurricane.

**Mr. Wahington** will find out with the contractor who will work once they resolve the money issue.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to remove debris by **July 5, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. and return **July 11, 2023** for a progress report and to determine a compliance date and further ordered to not rent, occupy, or utilize until compliance is achieved.

**CASE # 7 - SMG 06-23-153 - ASP Readychem LLC** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.B, at 611 Weber St. Violation(s) – Trailer and boat parked on vacant lot. First Notified – 3/20/2023.

**Inspector Bostwick Called case in compliance June 8, 2023.**

**CASE # 8 - SMG 06-23-154 - Abdulwahab FN AL Qatami** 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 School St (Parcel # 5339-83-02-0060). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 3/20/2023.

**No respondent**

**Inspector Bostwick** testified to the status of the case no contact with the owner.

**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 **July 5, 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 06-23-155 - Loch N Kop Inc** 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, 302.1, 302.2, 302.4, 302.8) City Code Ch. 78 Sec. 78-112, at Beach St (Parcel # 5338-05-00-0030). Violation(s) – Multiple vehicles parked on an unapproved surface on a vacant lot, trash & debris. First Notified – 3/21/2023.

**No respondent**

**Inspector Bostwick** testified to the status of the case, met the owner June 1<sup>st</sup> for the first time on the property.

**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 **July 5, 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 06-23-162 - Crystal I 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 Sec. 78-112, at **536 George St**. Violation(s) – **Overgrown vacant lot, trash and debris**. First Notified – 4/21/2023.

**No respondent**

**Inspector Bostwick** testified to the status of the case, no contact from the owner.

**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 **July 5, 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 06-23-164 - Alice M Younger** 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 704 S Segrave St (Parcel # 5339-68-00-0170). Violation(s) – Overgrown vacant lot. First Notified – 4/18/2023.

**No respondent**

**Inspector Bostwick** testified to the status of the case, no contact from the owner.

**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 **July 5, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day

**CASE # 13 - SMG 06-23-157 - St Johns Revoc Living Trust** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at 123 University Blvd. Violation(s) – Dilapidated retaining wall. First Notified – 3/13/2023.

**Donald Kane** sworn in owner/trustee agreed to violations and advised it's in compliance.

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

**Mr. Kane** advised the building department to do final inspection.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **July 5, 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 06-23-158 - George T Caffery** 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 302.7, 302.8, 304.7, 304.10, 304.13.2, 305.3, 305.4, 305.6, 504.1, 504.3) City Code Ch. 90 Sec. 90-297, Ch. 26 Sec. 26-294, at 312 N Hollywood Ave. Violation(s) – Unpermitted fencing, landscaping, outside storage, dilapidated stairs, damaged gutters, fascia boards, covered windows, interior walking surfaces, interior doors, plumbing fixtures, plumbing system hazards, no Business Tax Receipt, and the required Rental License and inspection. First Notified – 3/1/2023.

**George Caffery** sworn in agreed to violations.

**Inspector Stenson** testified requested next cut off.

**George Caffery** testified that he is working on the inspections and called and left a message with Ms. Barnes

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **July 5, 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 06-23-159 – Leonardo A Mossi** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 408 N Grandview Ave. Violation(s) – Unpermitted staircase construction. First Notified – 3/17/2023.

**Leonardo Mossi** sworn in agreed to the violations.

**Inspector Stenson** testified compliance by July cut off and **Mr. Mossi** agreed.

**Inspector Stenson** advised he needed to get the permit for the new staircase.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **July 5, 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 06-23-161 - Mary Jane Mathena & Elizabeth Jo Mathena** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.13), at 3011 Stanford Ave. Violation(s) – Exterior staining, boarded/broken windows. First Notified – 3/27/2023.

**Elizabeth Mathena** sworn in agreed to violations.

**Inspector Stenson** testified compliance by next cut off.

**Elizabeth Mathena** agreed to the compliance date of July 5, 2023

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **July 5, 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 06-23-165 - Waldemar Rucinski** is cited for failure to correct violations of The Land Development Code, 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 302.7) City Code Ch. 26 Sec. 26-294 and Ch.90 Sec. 90-297, at 342 Nautilus Ave. Violation(s) – Outside storage, parking in yard, damaged fencing, unlicensed rental property. First Notified – 4/13/2023.

**Waldemar Rucinski** sworn in agreed to the violations, removed he shed he was unaware it was illegal. He is evicting the tenants, the tenants contested, and he has court for the rental June 23<sup>rd</sup>.

**Inspector Stenson** testified advising compliance by the August cut off.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **August 2, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 20 - SMG 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.

**Eddy Peterson, Carol Raymond & Helen Belles** sworn in

**Inspector Butler** advised he has had contact with the property manager, no progress and requested a fine in the amount of \$250 a day to a max of \$20,000.

**Mr. Peterson** advised the property does not belong to the golf course and he has surveys to prove it, stated the culverts were specifically put in for that development, not for the golf course. And it's on all the private lots. They cannot go on private property, discussed liability, stating the

culverts are over 100ft away from the property line. Mr. Peterson advised the homeowner and the landscaping company for the HOA have always taken care of that.

Discussion on the meeting that took place to review the surveys.

**Mrs. Raymond** testified that yes, the Golf course took care of it until the golf course closed.

**Mr. Jackson** requested the parties to submit a one page, maybe summary of what their position is, and he would add it to those documents.

Mr. Vukelja asked that Mr. Jackson call once he got everything assembled and he would come down at some point and go through it again.

**DISPOSITION:** Continued to the **July 11, 2023** meeting.

**CASE # 21 - 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.

**Juliet Parker** sworn in

**Inspector Kirk** testified to the status of the case advising progress and contact waiting for permits and requested an August cut off for compliance.

Juliet Parker agreed to the August cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **August 2, 2023** or 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 05-23-120 - Dribble Housing Solutions LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; City Code Ch. 90 Sec. 90-297, at 707 Harvey Ave. Violation(s) – Work without permit. First Notified – 1/17/2023.

**No respondent**

**Inspector Wiggins** testified to the status of the case had contact with the owner, no progress and requested a fine in the amount of \$100 a day to a max of \$20,000.00.

**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 **June 8, 2023** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of \$20,000.

**CASE # 23 - SMG 05-23-121 - Rose Seewood** 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), at Model St (Parcel # 5338-98-01-0180). Violation(s) – Trash & debris, overgrown and unmaintained vacant lot. First Notified – 11/1/2022.

**No respondent**

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

**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 \$250 dollars per day will go into effect **June 8, 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 # 24 - SMG 05-23-141 - Agnes Frazier** 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 Georgia St (Parcel # 5238-38-00-3080). Violation(s) – Overgrown grass & weeds, trash and debris. First Notified – 12/28/2022.

**No respondent**

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

**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 \$250 dollars per day will go into effect **June 8, 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 # 25 - 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.

**Steve Weaver** sworn in & **Herb Kawesch** sworn in appeared via zoom, has architect on board.

**Steve Weaver** with Real Time Property Development Services. Permit submitted for stairs. Attempting to get a survey. Has handled the life safety issue by blocking off the stairs.

**Inspector Yates** advised he had no communications and requested a fine.

Discussion on keeping in touch with the inspector.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **August 2, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 30 - SMG 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 gave report and all comments in by end of month and move to permits.

Mr. Vukelja asked for a date from the inspector, based on what was being heard, when he would expect the respondent to have permits, and to give his best guess?

**Field Supervisor Jones** testified and advised he imagined they could be able to have permits by September. Looking at the different comments that have been going back and forth. If you look at the photos from yesterday, the property is not being maintained. The whole tarp has now gone away. The roof is visible they yard not mowed trash and debris and would like it to be compliant with those by next cut off. 60 days for permits

**DISPOSITION:** Continue to the **August 8, 2023** hearing for a progress report and to establish a compliance date. Further ordered to maintain property tarp, mow, debris removed and secure to city standard by July 5, 2023.

**CASE # 31 - SMG 04-23-99 - 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 304.6, 304.7, 304.8, 304.13, 304.14), at 506 N Halifax Ave. Violation(s) – Exterior staining, damaged roof, damaged lattice, broken inoperable windows/damaged screens. First Notified – 3/13/2023.

**Juying Krug** sworn in provided closing documents for the attorney to review.

**Mr. Vukelja** asked if **Mrs. Krug** was aware of the violations and she advised yes and has a contractor and already started repairs and pulling permits.

**Inspector Stenson** testified to the status of the case advised compliance next cut off.

Discussion on tenants, evictions and what needs to be done.

**DISPOSITION:** Continued to the July 11, 2023 meeting for a progress report and add the new owner Inose LLC.

**CASE # 32 - SMG 04-23-100 - Andre Rondeau & Odette Perreault** 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 304.6, 304.7, 304.10, 304.12, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 504.1, 504.3, 604.3, 605.4) City Code Ch. 26 Sec. 26-294 and Ch. 90 Sec. 90-297., at 209 Oakridge Blvd. Violation(s) – Outside storage, exterior walls, damaged roof, damaged stairs, damaged handrails, broken windows, windows painted shut, missing screens, dilapidated exterior doors, damaged interior surfaces, infestation, plumbing system general disrepair, plumbing system hazard, electrical system general hazard, electrical wiring, lack of required Business Tax Receipt, and Rental License and inspection. First Notified – 2/13/2023.

Further ordered to correct all safety issues within 10 days .

**Juying Krug** sworn in previously.

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

**DISPOSITION:** Continued to the July 11, 2023 meeting for a progress report and add the new owner Inose LLC.

**CASE # 33 - SMG 05-23-143 - GEA Seaside Investments Inc** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 308 N Peninsula Dr. Violation(s) – Unpermitted partial demolition. First Notified – 4/11/2023.

**No Respondent**

**Inspector Stenson** testified to the status of the case requested a fine in the amount of \$200 a day to a maximum of \$20,000.00.

**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 \$200 dollars per day will go into effect **June 8, 2023** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of \$20,000.

**CASE # 34 - SMG 01-23-10 - S. David Shaw & Lillie Mae Shaw** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at Sunset Cir (Parcel # 5211-13-00-0040). Violation(s) – Parking vehicles on vacant lot unapproved surface, storage shed on vacant lot, trash and debris and landscaping. First Notified – 9/6/2022.

**Mr. Shaw** sworn in

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

**Mr. Shaw** advised he is waiting for approval from the city.

**Inspector Bostwick** Mrs. Long was waiting to hear from Mr. Shaw. Once his paperwork is finished, she will submit his paperwork to the county, and clarified he is waiting for the county who will be the ones to approve the variance to combine his two parcels.

**DISPOSITION:** Continued to the July 11, 2023 meeting for a progress report.

**CASE # 36 - SMG 05-23-126 - MGB Real Estate Investment Corp** 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 Lockhart St (Parcel # 5239-06-29-0200). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 3/13/2023.

**No Respondent**

**Inspector Bostwick** testified to the status of the case requesting a fine in the amount of \$250 a day to a max of \$15,000.

**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 \$250 dollars per day will go into effect **June 8, 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 # 37 - 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 had contact and progress requested to amend to the September cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 6, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 41 - 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.

**No respondent**

**Inspector Jean-Baptiste** testified to the status of the case had contact and progress, working with Zaun Engineering, requested to amend to the August cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **August 2, 2023** or to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 42 - SMG 10-22-300 - Dollar Daytona LLC (Leonardo Kronfle)** 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.

**Inspector Alderman** called case **in compliance** as of **June 5, 2023**

**CASE # 43 - SMG 04-23-109 - Masonova Daytona LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 308.1, 308.2.2, 604.3.1), at 1021 Mason Ave. Violation(s) – Exposed electrical wires, junk vehicle storage, commercial truck storage, recycle storage, trash and debris, refrigerator storage, pallet storage, discarded furniture, loose metal roofing, hanging wire, damaged signs. First Notified – 2/8/2023.

**No Respondent**

**Inspector Alderman** testified to the status of the case, has had contact and progress, requested to amend to the July cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **July 5, 2023** or 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 05-23-127 - JEDAK Associates** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at 607 N Atlantic Ave. Violation(s) – Damaged/missing signs. First Notified – 3/2/2023.

**No Respondent**

**Inspector Alderman** testified to the status of the case has had contact and progress, requested to amend to the July cut off.

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

**CASE # 45- SMG 05-23-129 - Donald Moore** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19. A; Art. 6 Sec. 6.19. B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 604.3, 108.2.1), at 732 Mason Ave. Violation(s) – No permit (flat roof), peeling paint (overhang/fascia), rotted walls on accessory structure and main office, hazardous power meter and pole, damaged fencing. First Notified – 3/2/2023.

**No respondent**

**Inspector Alderman** testified to the status of the case, has had contact, no progress. Property is occupied, there has been no progress the siding done without a permit. The hazardous electrical has not been removed, which was given ten days to remove or fine, and the dilapidated structure has not been addressed. Fencing has not been repaired, no permits for hazardous, electrical or structure. Staff is requesting a fine of \$200 a day retroactive back to the ninth for hazardous electrical and \$100 per day to a cap of \$20,000. For the dilapidated structure.

**DISPOSITION:** Noting the absence of the respondent Based on the testimony of the inspector the Special Magistrate ruled to fine the respondent in the amount of \$200 dollars per day for the life safety violations and will go into effect **May 30, 2023** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of \$20,000. **And \$100 dollars per day will go into effect June 8, 2023** for the remaining violations and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of \$20,000.

**CASE # 46 - SMG 05-23-131 - Sirisha Gadiparti** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D, at 838 N Ridgewood Ave. Violation(s) – Damaged signs, damaged trash containment structure. First Notified – 2/23/2023.

**No respondent**

**Inspector Alderman** testified to the status of the case has had contact and no progress requested a fine in the amount of \$100 a day to a max of \$20,000.

**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 **June 8, 2023** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of \$20,000.

**CASE # 47 - SMG 05-23-134 - Pinchas & Eva Mamane** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19. A.4; Art. 6 Sec. 6.8.D; Art. 6 Sec. 6.8.F; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4, 302.7, 304.2, 304.7, 304.13, 608.1), at 818 N Ridgewood Ave. Violation(s) – Damaged sign, rusting perimeter poles, graffiti, loose metal roofing, trash & debris, loose/hanging wires, unmaintained landscape, multi-colored retainer walls, peeling paint, loose blocks, damaged wooden fence, damaged exterior door. First Notified – 3/6/2023.

**No respondent**

**Inspector Alderman** testified to the status of the case has had contact and progress requested to amend to the July cut off.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **July 5, 2023** or 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 05-23-135 - Pinchas & Eva Mamane** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at 830 N Beach St. Violation(s) – Advertising closed business. First Notified – 2/13/2023.

**No respondent**

**Inspector Alderman** testified to the status of the case has had contact and progress requested to amend to the July cut off.

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

**CASE # 49- SMG 05-23-136 - Stefan Liebe** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.2.B.28.e; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 308.1) City Code Ch. 90 Sec. 90-297, at 815 Mason Ave. Violation(s) – Hole in exterior wall, fading metal roofing, overgrown landscape, trash & debris, damaged unlicensed and wrecked vehicles, damaged fencing, obtain Business Tax Receipt. First Notified – 3/28/2023.

**Tish Kaiser & Neville Kaiser property managers** sworn in and testified they have a land contract signed by Mr. Stefan Liebe.

**Inspector Alderman** testified to the status of the case had contact with the property manager, and no progress. The deed has not been recorded with the county.

**Mr. Kaiser** testified stated he was the previous tenant and rented from Mr. Liebe, then they went into contract to purchase, and they also recorded with the clerk of court the agreement for deed.

**Mr. Jackson** reviewing new information.

**Mr. Kaiser** advised he is working with the tenant to get the property into compliance.

**Mr. Vukelja** asked **Mr. Kaiser** if he had authority to speak on behalf of Mr. Liebe, and Mr. Kaiser responded yes, they do have power of attorney. His wife is a real estate broker. Advised they emailed all the paperwork about a week ago. Stating they have an agreement to purchase that was put down into the circuit courts.

Discussion again on authority to speak, **Mr. Kaiser** advised he has the power of attorney that is notarized, agreement for deed, land contract. **Mrs. Kaiser** advised that the land contract allows them to be able to rent out the property. Mr. Kaiser questioned whether he had full or limited power of attorney.

**Mr. Jackson** questioned the affidavit of memorandum. Nothing on the document from Mr. Liebe.

**Mr. Vukelja** discussed how they are two tenants away from Mr. Liebe. And went through the list of violations.

**Inspector Alderman** advised the tenant is Gordan Somi All Country Truck Sales, his business is legitimate, but he does not have a business tax receipt who is out of Tennessee. He has been in contact with everyone except Mr. Liebe.

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

**CASE # 50 - SMG 05-23-138 - Lloyd Willie Mae Est % Cynthia B Lloyd** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.2, 304.3, 302.9), at 420 George W Engram Blvd. Violation(s) – Damaged fencing, graffiti, loose sheet metal fence cover, peeling paint, visible address number. First Notified – 2/15/2023.

**No Respondent or Cynthia Lloyd**

**Inspector Alderman** testified to the status of the case he has had contact with the owner and the maintenance, Tyrone Bolton and the contractor that is going to fix the fence. Progress up to the fence repair and request to amend to the July cut off.

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

## **LR-1**

**SMG 02-18-28 - Anthony Reaves (Anthony Morrone)- 386 Jefferson St.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3; 605.2; 704.2); Art. 6 Sec. 6.19.A.4; (Ref. FBC Supp IPMC 302.1; 302.4; 304.2; 304.7; 304.13; 504.3); City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297. Violation(s) – Maintenance Code - Electric facilities - electrical system hazards; Electrical Equipment - receptacles, smoke alarms, protective treatment; Structural appearance standards; plumbing systems and fixtures; plumbing system hazards; roofs and drainage; failure to obtain Business Tax License (BTR); failure to obtain Rental License (RTL). First Notified – 9/20/2017. **Order Imposing Fine/Lien effective March 8, 2018. \$150.00 a day to a maximum of \$15,000.00 Compliance = April 10, 2023. \$15,000.00 plus \$24.00 recording fees and \$250.00 No (BTR) = \$15,274.00**

**DISPOSITION:** Pulled per applicant's request

## **LR-2**

**SMG 05-22-141 - Bin Zhang - 405 S Ridgewood Ave.** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.12), Violation(s) – Failure to maintain lawn (weeds), dirt & grime, mildew on exterior walls, peeling paint and faded paint on exterior walls, soffits & fascia area. First Notified – 2/23/2022. Order Imposing Fine/Lien effective July 12, 2022. \$100.00 a day to a maximum of \$15,000.00 Compliance = April 12, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

**Maximo Garcia, Duane Compo & Ron Cook** sworn in testimony given.

**Mr. Vukelja** asked if there were any discussion for resolution on the lien review.

**Inspector Clig** confirmed there was and they refused a reduction to \$7500.00.

**Mr. Vukelja** asked who brought the property into compliance. Reviewed some of the documents in the case.

**Mr. Garcia** testified that early in April before he bought the property, communication with the inspector advised the owner was in China, became a quadrapaligic and when he finished

cleaning up he called and thought he had finished and the home was in compliance. He didn't know there was a lien until he was selling it. If he knew he needed to have more communication with Mr. Clig he would have.

**Inspector Clig** advised he was never called for the final inspection.

**Mr. Garcia** advised that he put a new roof and gutters on the property.

**Mr. Compo and Mr. Cook** both testified to the amount of work on the home and the landscaping and how much nicer the neighborhood is.

**DISPOSITION:** Lien waived

### **LR-3**

#### **SMG 12-17-99 - Eva M. Wright and Michael Wright - 117 S. Martin Luther King**

**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 304.2), Violation(s) – Surfacing- potholes; protective treatment - paint and/or siding. First Notified – 9/23/2017. Order Imposing Fine/Lien effective April 5, 2018. \$200.00 a day to a maximum of \$20,000.00 Compliance = none \$15,000.00 plus \$24.00 recording fees Plus Interest \$5,378.25 = \$25,402.25

**Mrs. Wright** sworn in

**Field Supervisor Jones** advised that we did meet with Mr. and Mrs Wright and the agreement was to remove Mrs. Wright from the Liens by name and that Mr. Wright and the property remain encumbered by the lien.

**DISPOSITION:** Approved the stipulation of the parties and ordered a partial release by name only removing the name Eva Wright from the Lien.

### **LR-4**

#### **SMG 04-21-71 – Michael & Eva M Wright – 117 S Martin Luther King Blvd**

is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7, 304.12), Violation(s) – Damaged exterior, missing siding, damaged roof, dirt & grime, broken handrail, peeling paint. First Notified – 10/1/2020. Order Imposing Fine/Lien effective May 6, 2021. \$500.00 a day to a maximum of \$20,000.00 Compliance = none \$20,000.00 plus \$24.00 recording fees Plus Interest \$1,670.88 = \$21,694.88

**Mrs. Wright** sworn in previously

**DISPOSITION:** Approved the stipulation of the parties and ordered a partial release by name only removing the name Eva Wright from the Lien.

Discussion on a lien review for Ocean and Harvey that was pulled off the agenda do to paperwork not being submitted. Mr. Cameron and Mr. Handel brought a form to the hearing and advised the property is in compliance and does not know why they have not been put on the Agenda. Mr. Vukelja advised that either they will have worked this out before the July meeting or he would see him in July for the lien review.

## **6. Adjournment: 12:12 pm**