
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

July 11, 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. James Bissa, 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

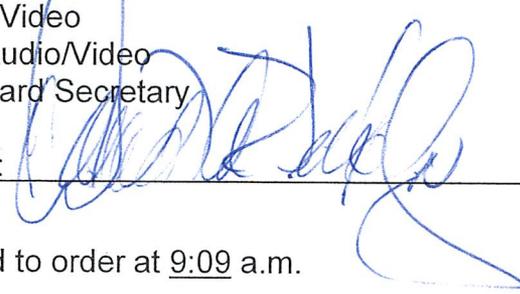
Mr. John Stenson, Code Inspector

Mr. 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 9:09 a.m.

Mr. Vukelja approved the June 13, 2023 meeting minutes.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno called the following cases in compliance.

CASE # 2 - SMG 07-23-169 - San Juan LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.2, 302.1, 304.1, 304.2, 304.4, 305.3, 305.6, 504.1, 605.1), at 120 Marion St - 530 Foote. Violation(s) – Wood rot on exterior of building, open electric box, loose wiring around building, peeling paint, exposed wood, paint, ceiling damage, porch door does not close, install correct door hardware, kitchen sink does not drain. First Notified – 4/14/2023.

Compliance 7/10/23

CASE # 4 - SMG 07-23-174 - Gary & Claire Wildner - LE is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294 & City Code Ch. 90 Sec. 90-297, at 442 Zelda Blvd. Violation(s) – Unlicensed rental property. First Notified – 4/24/2023.

Compliance 7/5/23

CASE # 5 - SMG 07-23-181 - Stefano Meijinhos 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 302.8), at 307 N Caroline St. Violation(s) – Outside storage, junk vehicle, parking in yard. First Notified – 5/8/2023.

Compliance 7/5/23

CASE # 33 - 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.

Compliance 6/30/23

CASE # 44 - 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.

Compliance 7/10/23

Mrs. Reno swore in the staff members testifying.

Mr. Vukelja called case #21 first.

CASE # 21 - 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.

Carol Raymond, Ellen Bellis & Ed Peterson sworn in

Mr. Vukelja advised he had not gotten to this matter, and after speaking with the city attorney he would make a decision on this sometime this week. At the last hearing he gave everyone the opportunity to present an additional summary and he was advised that the city had not received any such summary. If they want to do it, they have until Friday to do it and he will be making his decision next week.

Ms. Raymond advised she was very happy with the information that they presented as being totally covered and asked if anybody had looked to see if the newest information Mr. Peterson had provided was recorded in the courthouse. Mr. Vukelja responded that he did not know that information right now, but now that she mentioned it, they will look at it. Advised he will make a decision on the case next week.

DISPOSITION: Will rule next week

CASE # 29 - SMG 06-22-170 - ESH Daytona Beach LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.10), at 1216 N Atlantic Ave. Violation(s) – Dilapidated seawall, peeling paint, dilapidated steps. First Notified – 2/17/2022.

Brandon Byers Attorney and Ryan Solow sworn in

Inspector Yates testified to the status of the case had contact and progress and requested a compliance date for the October 4th cut off.

Attorney Beyers agreed.

DISPOSITION: Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **October 4, 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 # 36 - SMG 03-22-115 - Blue Daytona One, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.5, 304.6, 304.10, 304.12), at 103 S Ocean Ave. Violation(s) – Discolored and peeling paint, damaged concrete, rust, dirt & grime, dead vegetation. First Notified – 7/26/2021.

Compliance 7/11/23

CASE # 40 - 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.

Inspector Jean-Baptiste testified to the status of the case advised based on information received, there has been no progress from the city's perspective and regarding these three facilities with the retaining wall, no permits have been pulled, nothing has been done. The attorneys and the parties that be they are waiting to have the neighbors help with the payment of the wall. The case has been open for over a year and the city is asking to repair or remove it.

Attorney with Cobb Cole advised from his understanding, at the last hearing the magistrate requested they try to reach out to the neighbors and see if they would agree to a cost share. But they heard no response. They have a proposal, however, to actually fix the retaining wall and asked for 30 days to move forward with that proposal and start pulling the permit and fixing the wall. **Mr. Vukelja** asked what would happen in thirty days. The attorney replied they have the proposal, and they probably need to make sure it's significantly less than what was estimated. They probably need to finalize that contract and for the building permit.

Discussion on It being unknown if the adjoining property owners agree? If they do not agree they are going to have to determine if the retaining wall can be built where it's located.

Mr. Vukelja advised that he is satisfied the retaining wall is on the respondent's property, and believes they already have plans for it to be built and the question is when. And as far as the neighbors are concerned, he appreciates the efforts to try to accommodate them. Sympathy to the client because he thinks he's going above and beyond the call of duty to even contact the neighboring property owners, given the fact that they could be impacted by the repairs. However, it is time for the wall to be built.

The attorney advised they information he received is within 30 days they would have finalized the proposal and probably submitted for the building permit. **Mr. Vukelja** asked what are the foreseeable milestones that he can think of? Discussion on Application and issuance of a permit, and how long it might take to construct the wall.

Mr. Vukelja ordered the respondent to return to next month's meeting and at that point, he is hoping to establish a compliance date. Expecting at a minimum by then that they will have submitted the application for a building permit, maybe even have it by then. If they can't say definitively how long, it's going to take before the wall is going to be built. Bring all the details including the start date, length of the wall so that they can try to take an educated stab at establishing a compliance date.

Inspector Jean-Baptiste stated the cases that this wall included.

Mr. Vukelja advised this would be a **global order to include cases 40, 41 and 42** and continue the determination as to those items until the August 8 meeting. But he will require the and at that point in time he'll be looking for an update from the respondent, and he's not going to order it, but will be expecting to see either a permit or at least a permit application that's out of their hands.

DISPOSITION: Continue to the **August 8, 2023** hearing to establish a compliance date.

CASE # 41 - 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.

DISPOSITION: Continue to the **August 8, 2023** hearing to establish a compliance date.

CASE # 42 - 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.

DISPOSITION: Continue to the **August 8, 2023** hearing to establish a compliance date.

Mr. Vukelja announced that cases one through 20 on the regular agenda are basically what he calls first timers your going to be asked if you agree if the violation existed as stated in the notice of violation provided and then talk about how much time you would reasonably require to come into compliance. Explained the process in more detail.

CASE # 1 - SMG 07-23-182 - 410 Pleasant St Trust dated 2/21/2019 is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294, at 410 Pleasant St. Violation(s) – No Rental License. First Notified – 4/14/2023.

No respondent

Inspector Garcia testified to the status of the case no contact no progress.

DISPOSITION: Noting the absence of the respondent based on the inspector's testimony and photos the 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 # 3 - SMG 07-23-173 - Herbert S.B. & Lorin Kawesch 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 302.8), at 327 N Caroline St. Violation(s) – Outside storage, junk vehicle. First Notified – 5/1/2023.

Mr. Kawesch sworn in **Mr. Vukelja** found the respondent in noncompliance.

Inspector Stenson confirmed and requested compliance next cut off.

Mr. Kawesch asked for confirmation on the only issue that there was, is a junk vehicle in that yard. **Inspector Stenson** confirmed that the outside storage was taken care of, and it was just the vehicle. **Mr. Kawesch** advised the vehicle was towed last night.

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 # 6 - SMG 07-23-183 - Atlantis of 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.B; 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, 302.9, 304.1, 304.3, 304.9, 308.1, 605.4 NFPA 1,11.1.5), at 2739 N Atlantic Ave. Violation(s) – Damaged trash containment structure, overgrown landscape, retainer wall (overgrowth & graffiti), trash and debris, missing soffit, damaged signs, electrical (extension cord). First Notified – 2/28/2023.

No Respondent

Inspector Alderman testified to the status of the case and requested a finding of noncompliance and the extension cord be removed in 5 days and be in compliance for the balance within the next 30 days to the next cut off.

Discussion on the property owner and the violations, including what was taken care of and what still needs to be completed.

DISPOSITION: Respondent was found in Non-Compliance and ordered to remove, bury, or properly reattach the electrical cable by **July 16, 2023**, or be returned to a subsequent hearing for consideration of the imposition of a fine of up to One Thousand Dollars (\$1,000.00) per day until the electrical cable violation is in compliance, or the fine reaches the maximum amount of (\$20,000.00). It is further ordered the Respondent must bring the remaining violations into compliance by **August 2, 2023**, or be returned to a subsequent hearing for consideration of a fine of up to \$1,000 per day until compliance is achieved, or the fine reaches the maximum of (\$20,000.00).

CASE # 28 - SMG 09-22-278 - Daytona Beach Resort LLC & Daytona Beach Resort and Conference Center Condominium Association, INC. 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.

Atty Brent Kimbal & Leann Wagner

Inspector Yates testified to the status of the case. Progress and contact. Requested to amend to the September cut off for another report to see how far they've gotten.

Mr. Jackson clarified the the case status with owners being added previously.

Mr. Kimbal reported progress working with the engineers and agreed to the September meeting.

DISPOSITION: Based upon the agreement of the parties, ordered to Continue to the **September 12, 2023** hearing for a progress report and possibly establish a compliance date.

CASE # 7 - SMG 07-23-184 - A.R. Green Irrevocable Family Trust dated 12/27/2012 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G; Art. 7 Sec. 7.2.N.7; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 304.3, 308.1), at 2745 N Atlantic Ave. Violation(s) – Missing address numbers, trash and debris, landscape maintenance. First Notified – 3/1/2023.

No respondent

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

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony, 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 # 8 - SMG 07-23-186 - Daytona Commons LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.6), at 1415 S Nova Rd. Violation(s) – Junk vehicles, failure to repair damaged sign post, dirt & grime, damaged concrete curbing. First Notified – 3/18/2023.

No respondent

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

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 # 9 - SMG 07-23-187 - Daytona Center LLC 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 302.1, 302.8, 304.2, 304.6), at 1002 W Intl Speedway Blvd. Violation(s) – Damaged signs. First Notified – 2/7/2023.

Dee Etlinger property manager sworn in agreed to violations.

Inspector Jean-Baptiste requested compliance by next cut off.

Ms. Etlinger advised she wont be able to have the signs done by August. She has a contract with a local sign vendor. Spoke this morning with them and they suggested 30 to 45 days and then allowing for permitting they should ask for 90days. First a survey then the permit.

DISPOSITION: Respondent was found in Non-Compliance and case continue to the **August 8, 2023** hearing for a progress repost and to establish a compliance date.

CASE # 10 - SMG 07-23-188 - Daytona Center LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.6, 304.8, 304.9), at 100 N Nova Rd. Violation(s) – Damaged signs, damaged ceiling tiles (store front #288),damaged exterior walls (holes), dirt and grime. First Notified – 2/6/2023.

Dee Etlinger previously sworn advised the only thing left is the sign, and one of her tenants would like to reuse the race way part of the sign, asked for 30days to find out if that tenant can get the information needed.

Mr. Vukelja gave 60 days for compliance.

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 # 11 - SMG 07-23-170 - J-Mak of Daytona Inc is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at 631 N Ridgewood Ave. Violation(s) – Trash and debris, unsanitary conditions, open exposed electrical boxes. First Notified – 3/15/2023.

Mr. Joseph Kmaid owner sworn agreed to the violations.

Inspector Kirk requested for non-compliance compliace.

Mr. Kmaid discussed the homeless situataion and options for fencing the property.

DISPOSITION: Respondent was found in Non-Compliance - Compliance **July 11, 2023**.

CASE # 12 - SMG 07-23-171 - Xaverius Proprietates Agris LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; City Code Ch. 26 Sec. 26-294 & City Code Ch. 90 Sec. 90-297, at 239 S Lanvale Ave. Violation(s) – Work without a permit (fence, gate and deck) no Rental License, no Business Tax Receipt. First Notified – 2/3/2023.

Javier Compos & Barbara Campos were sworn in. testified that they did not know it was an issue for the license for the rental until last night when they saw the letter. Mr. Campos testified when they originally purchased the house back in 22, it was a small deck and the just enlarged it and made it bigger. And then the fence went down in the hurricane and he and a neighbor put it back up and then the gate assuming is the same gate that goes with the fence because they don't have a front gate in the house. Mr. Vukelja stated they did there own repairs.

Inspector Kirk advised that she sees it a little differently. Regarding the fence, there's a before picture and there is no fence or gate, November 2020. The rental license application was submitted, and nothing has been done since then. This was a complaint case put in January 12th. No contact

Mr. Compos advised that when he bought the property in 2022 the house looked like the picture with the little gate and everything and the fence.

Mr. Jackson testified that permitting requirements or permitting defects stay with the land, so just because he purchased it with a permitting defect doesn't eliminate his requirement to obtain a permit. So, the fact is that there was no permit for the things that were there and even if he purchased it that way, now, what he did is purchased a defect that has to be remedied. The whole purpose of a permit is to ensure the safety and well-being of citizens and individuals.

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.

Mr. Vukelja advised the owner his intent on giving them time to straighten out the rental license and the business tax receipt. Working without a permit, maybe do some homework and figure out the history of the fence and if they want to challenge the city for being held liable for a predecessor's failure to obtain a permit, then they can come back with whatever extenuating circumstances they may want to present, and that he will take it into consideration.

Mr. Compos advised the rental license has been in the system and waiting for an inspection since last year.

CASE # 13 - SMG 07-23-189 - AJT Capital Group LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-297 and Ch. 26 Sec. 26-294, at 824 S Kettle Cir. Violation(s) – No rental license, No BTR. First Notified – 4/7/2023.

Andrew Teich sworn in agreed to the violations.

Inspector Kirk advised compliance next cut off.

Andrew Teich advised he has updated the address so he would get notice from now on. He has already started working on the violation. If an inspection is done and repairs are needed, will he have time for all of this before August 2nd?

Mr. Vukelja advised the process and to keep in touch with his inspector.

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 # 14 - SMG 07-23-190 - Oregon LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.14, 305.3, 305.6, 603.1, 604.3), at 713 Cedar St. Violation(s) – Broken & defective windows, missing window locks, missing screens, doors not weather-tight, inoperable appliances, missing interior doors, defective interior surface conditions that include (weak and unfinished subfloors, holes and cracks in walls and flooring), defective electrical. First Notified – 4/3/2023.

Daniel Weinchecker agent representative sworn in

Inspector Kirk requested compliance next cut off.

Mr. Weinchecker agreed.

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 # 15 - SMG 07-23-167 - Mohammed Abdullah Alsabah 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 S Martin Luther King Blvd (Parcel # 5339-03-71-0095). Violation(s) – Overgrown vacant lot. First Notified – 4/18/2023.

No Respondent

Inspector Bostwick testified to the status of the case no contact and requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 # 16 - SMG 07-23-168 - Esam Hamad 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 770 S Segrave St. Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 5/1/2023.

No Respondent

Inspector Bostwick testified to the status of the case no contact and requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 # 17 - SMG 07-23-175 - Abdullah F N 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 Cedar St (Parcel # 5339-50-02-0050). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 3/20/2023.

No Respondent

Inspector Bostwick testified to the status of the case no contact and requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 # 18 - SMG 07-23-177 - Robert & Susie Owens 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 435 Model St. Violation(s) – Overgrown vacant lot. First Notified – 5/11/2023.

No Respondent

Inspector Bostwick testified to the status of the case no contact and requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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.

Called case number #39

CASE # 39 - 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. and advised that the General Contractor sent an email on the 27th to the insurance company and they have 30 days to get back with the GC with if they are going to accept his offer. He was advised to make a copy and leave it with the city. Mr. Vukelja asked where that leaves us, and Mr. Washington advised they must wait to see if the insurance company, the bank, is going to accept the proposal on what it's going to cost to fix it, and then he can start.

Inspector Jean-Baptiste advised the respondent, removed the bricks he was asked to remove at the last hearing and now begins the fight with the insurance company. And requested a compliance date for September.

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 # 19 - SMG 07-23-179 - Thomas B & Esther B Lawton 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 Seaman PI (Parcel # 5339-16-00-0190). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 5/17/2023.

No Respondent

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

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 07-23-180 - William Jones is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3,

302.1, 302.4) City Code Ch. 78 Sec. 78-112, at N Keech St (Parcel # 5238-27-00-0310). Violation(s) – Overgrown vacant lot, outside storage, trash and debris. First Notified – 5/11/2023.
No Respondent

Inspector Bostwick testified to the status of the case has had no contact and requested compliance next cut off

DISPOSITION: Noting the absence of the respondent, based upon the inspector's testimony and the photos presented, 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 # 22 - 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 there has been progress and has had no contact and requested to amend to the next cut off

DISPOSITION: based upon the inspector's testimony and the photos presented, Noting the absence of the respondent, ruled to amend the current order of noncompliance and allow the respondent 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 # 23 - 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, had no contact and no progress and requested a fine in the amount of **\$250** dollars to a maximum of **\$15,000** dollars.

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 **July 6, 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** dollars.

CASE # 24 - 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, had no contact and no progress and requested a fine in the amount of **\$250** dollars to a maximum of **\$15,000** dollars.

DISPOSITION: Noting the absence of the respondent Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250** dollars per day will go into effect **July 6, 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** dollars.

CASE # 25 - 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, had no contact and no progress and requested a fine in the amount of **\$250** dollars to a maximum of **\$15,000** dollars.

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 **July 6, 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** dollars.

CASE # 26 - 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 Respondent

Inspector Bostwick testified to the status of the case, advised the paperwork from the city has been completed. Now they have emailed it over to Volusia County for them to make final determination. Asked to amend to the September cut off to give them whatever time they need to make their decision.

DISPOSITION: Noting the absence of the respondent Based on the testimony of the inspector the Special Magistrate ruled to amend the current amended 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 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 was sworn in via zoom advised he was hired as the General Contractor.

Inspector Yates testified to the status of the case advised the life safety issues corrected except for one tenant and eviction process has started. Currently, they are working with an engineer to get drawings completed so that they can pull permits to get this work done. Requested to amend to the September hearing for a progress report.

DISPOSITION: Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance and continue until **September 12, 2023** for a progress report and to determine a compliance date.

CASE # 30 - SMG 07-22-210 - Ocean Winds Condo Assoc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 2101 N Atlantic Ave. Violation(s) – Unpermitted concrete work to building. First Notified – 12/29/2021.

No respondent

Inspector Yates testified to the status of the case advised since last hearing, they have had contact and progress on a permit was issued and work has begun to rectify the situation, it should be completed in September and asked to amend to the October cut off.

DISPOSITION: Noting the absence of the respondent based on the testimony and the photographs presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **October 4, 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 # 31 - 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

Inspector Stenson testified to the status of the case and advised all issues to have been resolved except the BTR and required Rental license. That inspection is scheduled for today.

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 # 32 - 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.

No Respondent

Inspector Stenson testified to the status of the case, one call from the property owner and no progress on obtaining the permit for the staircase. and requested a fine in the amount of **\$200** dollars to a maximum of **\$15,000** dollars.

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 **July 6, 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** dollars.

CASE # 34 - SMG 04-23-99 - Andre Rondeau & Odette Perreault & Inose LLC 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 Grut sworn in

Inspector Stenson testified to the status of the case requested a fine in the amount of **\$250** dollars per day capped at **\$15,000**.

Mr. Vukelja questioned the two cases being separate and having the same owner and asked what has the respondent not done that has his attention.

Inspector Stenson confirmed what violations remain.

Ms. Grut discussed violations that are under review, and she now has a permit for the roof. And confirmed she has owned the property since the end of May 2023.

Inspector Stenson changed his request to amend to the August cut off to give more time.

Ms. Grut discussed the interior pest control situation. The tenants call the police and have her trespassed. Discussed wanting to stucco the property.

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 # 35 - SMG 04-23-100 - Andre Rondeau & Odette Perreault & Inose LLC 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.

Same testimony above

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 # 37 - SMG 07-22-195 - Daytona Lands 1 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.4, 302.7, 304.2, 304.6, 304.10, 304.12, 304.13.2, 308.1, 304.14), at 161 E Intl Speedway Blvd & 155. Violation(s) – Failure to repair entrance gate, failure to repair damaged wooden stairs, loose planks and rotten wood, failure to remove exterior storage, failure to repair discolored walls and peeling paint, failure to repair broken windows, failure to clean dirt and grime, failure to repair door screen enclosure, failure to repair windows, unmaintained landscaping. First Notified – 1/22/2022.

No Respondent

Inspector Jean-Baptiste testified to the status of the case, advised the demo is ongoing and had contact, requested more time.

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 # 38 - 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. First Notified – 2/17/2023.

Michael Thrower appeared via zoom sworn in

Inspector Jean-Baptiste testified to the status of the case has had contact and progress requested to amend to the next 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 # 43 - 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 had contact with the property and business owners as well as the sign company and business is occupied requested to amend to the next cut off.

DISPOSITION: Based on the testimony presented the Special Magistrate ruled to amend the current amended 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 # 45 - 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 had contact with the property and business is occupied has been progress stating they are just waiting for the sign to be put in, requested to amend to the next 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 # 46 - 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.

Neville and Tish Kaiser on behalf of the owner

Inspector Alderman testified to the status of the case, business has been occupied and there has made marginal progress. Requested a onetime no BT fine in the amount of \$250. And a \$100 per day fine to the cap of \$25,000.

Mr. Vukelja questioned what the respondent was supposed to have done by now.

Inspector Alderman advised as of yesterday the ownership of the contract and documents for the ownership for the Kaiser Realty have not been verified or registered with, the Clerk of the Court. So, it is unknown if this document does give him the ability to take care of that property or make decisions, contact with all country truck sales Mr. Sumi, has not had a BT and that sign has just recently been removed, no contact with Stefan Liebe even though a certified letter was sent to a verified address in Germany on June 27th 2023. Have not heard back yet and the commercial trash and debris, unlicensed vehicles, junk vehicles, salvage vehicles, storage is still there.

Mr. Kaiser advised he doesn't need a BT because the tenant moved out, stated that once the tenant gets everything off the property, what's left is the overgrown debris and a little small cleanup around the trash on the ground.

Me. Vukelja stated that if he gives the respondent another extension there's no way this stuff won't be done.

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.

LR-1

SMG 11-20-185 - Nivrah Consulting and Investment Group LLC - 520 S Martin

Luther King Blvd 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 301.3), at. Violation(s) – Outside storage and overgrown lot. First Notified – 7/28/2020. Order Imposing Fine/Lien effective January 7, 2021. \$100.00 a day to a maximum of \$15,000.00 Compliance = June 14, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

Dr. Mister Harvin sworn in

Mr. Vukelja asked if the parties have discussed any kind of an amicable resolution?

Inspector Kirk advised that the respondent was offered a reduction to \$7500 dollars. And the city never heard back if he was going to accept the offer.

Mr. Harvin advised there was no constructive notice. Advised they didn't know anything was on the property during covid in 2020.

Mr. Harvin advised he did try to call last week and everyone must have been on vacation. And Before June of 2020 the lot was in compliance. Testified, during covid he was also in the hospital a few times fighting for his life. Andvised If they had received notice they would have done something.

Mr. Harvin disclosed his hardships on his limited monthly income, hospitalizations, covid and unknown knowledge of any lien on the property. Submitted pictures he stated the property was in compliance in 2021.

Inspector Kirk testified to the status of the case, discussed how the property owner was properly noticed.

Mr. Vukelja advised, Having taken all this into consideration, he will consider reducing the amount of the fine and the lien to the sum of \$3500 dollars subject to being paid within 90 days. He will not wave the lien and does think the lien is valid and has taken into consideration the respondents health and disability issues and reduced the amount of the fine to what he thinks is a fair sum given the circumstances, giving the respondent the benefit of the doubt with regard to all the considerations he brought up with regard to the financial ramifications and where you currently stand and the severity of the violation.

DISPOSITION: Reduced to \$3500 subject to being paid in 90 days if it is not paid within 90 days, then it remains as it is.

LR-2

Manager Sykes advised the respondents for property 549 Park Dr, Lien Reviews 2, 3, 4 and 5 wish to pull them and refile at a later date.

SMG 11-22-310 - 5T Wealth Partners LP- 549 Park Dr. 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, **Violation(s) – Overgrown vacant lot with trash and debris.** First Notified – 8/22/2022. Order Imposing Fine/Lien effective January 5, 2023. \$250.00 a day to a maximum of \$15,000.00 Compliance = May 30, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

DISPOSITION: Pulled per applicant's request

LR-3

SMG 02-20-23 - 5T Wealth Partners LP - 549 Park Dr is cited for failure to correct violations of The Land Development Code, Art. 6. Sec. 6.19.A.3, Violation(s) – Overgrown lot. First Notified – 12/4/2019. Order Imposing Fine/Lien effective March 11, 2020. \$100.00 a day to a maximum of \$15,000.00 Compliance = May 30, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

DISPOSITION: Pulled per applicant's request

LR-4

SMG 08-22-232 - 5T Wealth Partners LP - 549 Park Dr (Parcel # 5339-45-00-0063) is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; City Code Chapter 78 Section 78-112, at Violation(s) – Overgrown vacant lot. First Notified – 7/19/2021. Order Imposing Fine/Lien effective September 13, 2022. \$250.00 a day to a maximum of \$15,000.00 Compliance = May 30, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

DISPOSITION: Pulled per applicant's request

LR-5

SMG CEB08-13-90 - Jonah Christian is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.13.1; 304.6; & 304.9), at **549 Park Drive. Violation(s) – Glazing; Exterior Walls; Overhang extensions.** First Notified – 6/14/2013. Order Imposing Fine/Lien effective September 12, 2013. \$50.00 a day to a maximum of \$15,000.00 Compliance = May 30, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00

DISPOSITION: Pulled per applicant's request

LR-6

SMG 05-22-139 - Duane C Compo - 411 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), **Violation(s) – Dirt & grime, peeling paint, untreated porch.** 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 = June 8, 2023. \$15,000.00 plus \$24.00 recording fees = \$15,024.00
Duane Compo, Max Garcia, and Ron Cook sworn in

Mr. Compo testified to the miscommunication. Advised he has done a lot more and there have been more updates than what was requested.

Inspector Clig testified he called numerous times to tell him what has to be done and when it needs to be done. And advised he didn't think there was any communication problems. The property was sitting like that for over two years on Ridgewood.

Mr. Compo advised they recollect miscommunication differently. He never received notices for noncompliance until after there was actually a posted sheet of paper on his door, because he didn't live at the property to receive those. Once he did receive them, he called Officer Clig and thought he got it into compliance from the dirt and grime, peeling paint, untreated porch like pressure washing, cleaning up things that were on the porch. There was rotten wood and he took care of that and called officer Clig and at the time he was in Orlando, and this was before the May scheduled hearing because he wanted to get it in compliance and this is where the massive miscommunication came into play.

He said okay he would see that it's within compliance and he'll get it taken care of. And from that day forward, there was no contact, there was no communication. And maybe this was not correct in his judgment, but he assumed that from that conversation and from doing all the things that were stated in the posting that was on my door, that he was in compliance. The neighbor Max talked with him and advised him about his lien and he had went through

the same situation and this led to him checking his property and he also had a lien on his property. It was about a year later and he got in touch with Inspector Clig and Mr Jones was there and said lets get it back in compliance. Mr. Clig came by that day and said he was still painting and was not in compliance. Tried to call and got someone else, the phone listed is wrong, Explaining his job duties being essential with DOT.

Mr. Vukelja asked what kind of improvements

Mr. Compo updated all the toilets on the property, kitchen faucets were replaced. There was green lattice that was on the base he replaced with white lattice. Installed solar lights for added security right in the front of the property, new roof installed end of 2021. Removal of dilapidated item on the property, installed all electronic keypads on every door. Installed a backyard floodlight, and pressure washed the entire exterior along with painting it and replaced rotting deck boards. installed 7 brandnew ceiling fans tree maintenance retore hard wood floors. Updated several bathrooms.

Mr. Garcia stated he would see Duane working on his house on the weekend and at least one time during the week. He thought his house was already fixed on the outside. He is a hard worker and he thinks its beautiful and agreed he went above and beyond.

Mr. Cook said he is a neighbor and works on it Fridays Saturday and Sunday everyweek and he would be interested in renting from him and agrees the work he did went above and beyond and the property is an asset to the neighborhood.

Mr. Vukelja advised it looks to him as though there may have been some miscommunication and it looks like there was a good faith effort to come into compliance, timing probably didn't work out to well, but all things considered, he ordered the fine and lien be waived. Spread the word improve the neighborhood.

DISPOSITION: Lien waived

6. Adjournment: 11:38 am