

**BOARD OF BUILDING CODES  
REGULAR MEETING  
June 20, 2023  
MINUTES**

The Regular Meeting of the Board of Building Codes was held on June 20, 2023 at 9:00 a.m. in the City Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

**Board Members:**

Mr. John Bailey, Chair  
Ms. Jessica Blodgett  
Mr. Paul Culver  
Mr. Alan Lootens

Scott Simpson, Board Attorney

**Staff Members Present:**

Glen Urquhart, Chief Building Official  
Ben Gross, City Attorney  
Kim Flaherty, Project Manager

1. **Call to Order**

Mr. Bailey called the meeting to order at 9:05 a.m.

2. **Roll Call**

Roll was called with attendance as noted above.

3. **Introduction of City Staff**

Staff members in attendance were introduced and sworn in to provide testimony.

4. **Approval of Minutes**

A motion was made by Mr. Culver, seconded by Ms. Blodgett, to approve the minutes of the May 16, 2023 Regular Board of Building Codes meeting, as presented. The motion carried (4-0).

5. **New Cases**

There were no new cases.

6. **Review Cases**

**Case A – BP2021-0060 – 29 S. Grandview Avenue – Appeal of Notice of Condemnation and Demolition Order**

A request by Shukhrat Kasimov, as Authorized Agent of Trust Line Trucking LLC, property owner, to appeal the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 29 S. Grandview Avenue due to unsafe conditions; and the determination that the building must be demolished.

**Staff Presentation:**

Mr. Gross stated at the last meeting, the appellant was granted until June 20, 2023, to provide proof of a demolition permit and then complete the demolition within 60 days after that date.

Kim Flaherty, Project Manager, stated an application has not been received for a demolition permit; and there has been no contact from the property owner. Ms. Flaherty stated staff recommends that the order be upheld and the city be allowed to proceed with the demolition.

**Board Action:**

A motion was made by Ms. Blodgett, seconded by Mr. Looten, to uphold the original demotion order of Case A – BP2021-0060 – 29 S. Grandview Avenue – Appeal of Notice of Condemnation and Demolition Order and authorize staff to proceed with the demolition of 29 S. Grandview Avenue, in accordance with the recommendation from staff. The motion carried (4-0).

**Case B – BP2021-0059 – 3000 Stanford Avenue – Appeal of Notice of Condemnation and Demolition Order**

A request by Jimmy Sherris on behalf of Vana Sherris, property owner, to appeal the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 3000 Stanford Avenue due to unsafe conditions; and the determination that the building must be demolished.

**Staff Presentation:**

Ben Gross, City Attorney, stated an order was issued at the previous meeting requiring a permit for demolition to be issued by June 20, 2023 and demolition completed within 60 days.

Kim Flaherty, Project Manager, stated an application was received Friday morning for demolition, which has been confirmed by the contractor who will be doing the demolition. Ms. Flaherty stated the permit is under review and has not been issued. Ms. Flaherty stated staff recommends extending this case for 60 days in order to allow for the demolition process.

Jimmy Sherris spoke representing the appellant and asked for clarification on the Board's proposed action.

Ms. Flaherty stated the case would be extended 60 days and a status report would be provided to the Board within that 60 day timeframe.

Mr. Gross stated the last order did not impose a consequence if the building permit was not obtained by a date certain. Mr. Gross stated the proposed Board action would allow an extension from today's date.

Mr. Sherris stated he does not see any delays in the process and has no problem with the case being extended 60 days.

Mr. Gross stated he misunderstood staff's request. Mr. Gross stated staff does not want to give the appellant an additional 60 days to obtain the permit. Mr. Gross stated staff wants to allow an additional 15 days in order for the appellant to receive the permit and the rest of the previous order will remain as is.

Mr. Sherris stated he is fine with a 15 day extension. Mr. Sherris stated he has had difficulty reaching FPL and hopes the City can assist him in making that contact.

Glen Urquhart, Chief Building Official, stated he will make sure the request is submitted to FPL for the disconnect.

Mr. Simpson stated there was discussion at the previous meeting about the underground oil tank and asked for an update on that issue.

Mr. Sherris stated Aquaclean is the company doing the work on the oil tank and Lynch was the company that provided the information on what product is in the tank. Mr. Sherris stated he has provided the information from Lynch to Aquaclean but he has not heard back from Aquaclean. Mr. Sherris stated he will follow up with Aquaclean today. Mr. Sherris stated he does not believe that is an issue as part of the demolition permit.

Mr. Simpson asked if staff is comfortable with the delay in the oil tank removal.

Mr. Urquhart stated staff would be comfortable with documentation that there is a contract and will include that as an attachment to the demolition permit. Mr.

Urquhart stated if the tank is not removed, Code Enforcement would be notified and the case would not be returned to the Board of Building Codes.

Mr. Sherris stated Code Enforcement is aware of the oil tank issue. Mr. Sherris also stated there is no plan for redevelopment of the property at this time.

**Board Action:**

A motion was made by Ms. Blodgett, seconded by Mr. Culver, to issue an amended order on appeal to the previous order to allow the applicant until July 5, 2023, to obtain the demolition permit for Case B – BP2021-0059 – 3000 Stanford Avenue – Appeal of Notice of Condemnation and Demolition Order, in accordance with staff’s recommendation. The motion carried (4-0).

**Case C – BP2023-0002 – 262 Lexington Drive – Appeal of Notice of Condemnation and Demolition Order**

A request by Christine Henley, property owner, to appeal the City of Daytona Beach’s Chief Building Official’s determination to condemn the structure located at 262 Lexington Drive due to unsafe conditions; and the determination that the building must be demolished.

**Staff Presentation:**

Kim Flaherty, Project Manager, stated an application has been received for a building permit for the subject property; and the application is currently under review. Ms. Flaherty stated the real estate transaction that was anticipated did occur, and the new owner immediately submitted a building permit application.

Glen Urquhart, Chief Building Official, stated since the new owner has submitted a building permit application in accordance with the Board’s previous action, he recommends that the case be closed and the case be dismissed.

**Board Action:**

A motion was made by Mr. Culver, seconded by Ms. Blodgett, to dismiss Case BP2023-0002 – 262 Lexington Drive – Appeal of Notice of Condemnation and Demolition Order, in accordance with the recommendation from staff. The motion carried (4-0).

**Case D – BP2022-0007 – 1054 Michael Road – Appeal of Notice of Condemnation and Demolition Order**

A request by Shawn Brockington Williams, property owner, to appeal the City of Daytona Beach’s Chief Building Official’s determination to condemn the structure

located at 1054 Michael Road due to unsafe conditions; and the determination that the building must be demolished.

**Staff Presentation:**

Mr. Gross stated at the last meeting, the appellant was directed to provide a scope of work; a structural engineer's report; and a statement of costs.

Kim Flaherty, Project Manager, stated there has been no communication with the appellant since the last meeting.

**Appellant's Comments:**

Shawn Williams stated she has not been able to get a contractor to come to the property; but those she has spoken with stated the house needs to be cleaned out before a scope of work can be provided. Ms. Williams stated she requested a dumpster be delivered to the house, and it was not delivered until June 14, 2023. Ms. Williams stated she is in the process of cleaning out the house. Ms. Williams asked that the Board continue the case.

Glen Urquhart, Chief Building Official, asked Ms. Williams if 30 days would provide her enough time to get the work completed.

Ms. Williams stated she would do her best to get the work done and provided pictures to Mr. Urquhart showing what has been done.

Mr. Urquhart asked Ms. Williams if staff could meet her on site to see the interior of the property.

Ms. Williams asked that she be allowed to clean the property out before staff visited the site.

Mr. Urquhart stated he recommends the case be extended for 30 days; and a week before the 30 days expires, staff meet Ms. Williams on site to view the interior of the property. Mr. Urquhart stated he would like Ms. Williams' contractor to be present as well.

Mr. Gross asked if the report from the structural engineer, the scope of work, and the estimate of cost would still be required within the 30 day extension period.

Mr. Urquhart stated he did not believe a structural engineer's report could be obtained within 30 days but requests that the scope of work and cost estimate be provided within 30 days.

**Board Action:**

A motion was made by Mr. Culver, seconded by Ms. Blodgett, to extend Case D – BP2022-0007 – 1054 Michael Road – Appeal of Notice of Condemnation and Demolition Order for 30 days, in accordance with the recommendation from staff, and the appellant must contact Kim Flaherty, Project Manager, one week prior to the end of the 30 days to set a time for staff to meet the appellant on site to view the inside of the property and the requirement for the structural engineer's report to be received within 30 days be removed from the list of requirements. The motion carried (4-0).

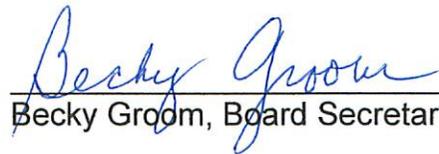
7. **New Business**

There was no new business to be discussed.

8. **Adjournment**

There being no further business, the meeting was adjourned.

  
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John Bailey, Chair

  
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Becky Groom, Board Secretary