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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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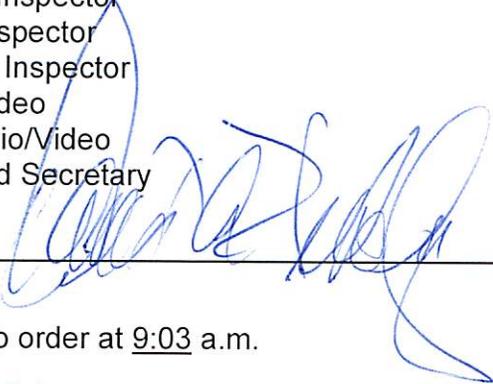
## April 9, 2024 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Duputy City Attorney  
Mr. Denzil Sykes, Code Compliance Manager  
Mr. Mark A Jones, Code Field Supervisor  
Sgt. Timothy Blowers, Code Liaison  
Mr. Steve Alderman, Code Inspector  
Mr. Mark Bostwick, Code Inspector  
Mr. Daniel Garcia, Code Inspector  
Ms. Mariah Quinn Code Inspector  
Ms. Sara Kirk, Code Inspector  
Mr. Clifford Recanzone  
Mr. John Stenson, Code Inspector  
Mr. Kevin Yates, Code Inspector  
Mr. Curtis Wiggins, 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 9:03 a.m.

Mr. Vukelja approved the February 13, 2024, Bike Week Appeals Minutes.

Mr. Vukelja asked if there were any announcements.

Ms. Reno Called the following property in compliance.

**CASE # 9 - SMG 04-24-78 - Equitrust 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 Redwood St (Parcel # 5212-01-00-1010). Violation(s) – Overgrown vacant lot, trash and debris, First Notified – 2/21/2024.

**Compliance 4-5-2024.**

**CASE # 20 - SMG 03-24-62 - Housing Authority of Daytona Beach** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 602.3, 603.1), at 155 Ontario Ct (252 Ontario Ct). Violation(s) – Defective HVAC system, no heat, defective interior surface conditions. First Notified – 1/12/2024.

## Compliance 4-5-2024.

Mrs. Reno swore in the staff members testifying.

Mr. Vukelja called case LR-4 first.

**LR-4 - SMG 11-23-275 - Blue Tourmaline Properties & Marie Adonis - 634 Cannon St (Parcel # 5339-65-00-0080)** 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, Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 9/5/2023. Order Imposing Fine/Lien effective February 8, 2024. \$250.00 a day to a maximum of \$15,000.00 plus \$24.00 recording fees = \$7,274.00 Compliance March 8, 2024.

Ms. Marie Adonis appeared via zoom, sworn in.

Inspector Bostwick testified that the staff, Ms. Adonis and management came to an agreement on 4-4-2024 to reduce the lien/fine to \$2,000.

**DISPOSITION:** Pursuant to the stipulation presented the Special Magistrate ruled to reduce the lien/fine to the sum of \$2000 to be paid within 30 days if it's not paid within the 30 days it will revert back to the original amount.

**LR-3 - SMG 01-23-35 - The Center For Investments LLC - 135 Orange Ave.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10 ), Violation(s) – Peeling paint, dirt and grime, broken windows, graffiti, outside storage, broken exterior cladding, cracks and breaks in building exterior, dilapidated rear steps, overgrown landscaping, rotted wood, dilapidated blinds, and unmaintained interior. First Notified – 9/23/2022. Order Imposing Fine/Lien effective March 9, 2023. \$200.00 a day to a maximum of \$20,000.00 plus \$24.00 recording fees = \$20,024.00. Compliance March 4, 2024.

Attorney Edward De Yuga, the attorney for the case, came forward.

Manager Sykes testified that the staff and the respondent came to an agreement to reduce the fine/lien from \$20,00 to \$12,000.

**DISPOSITION:** Pursuant to the stipulation presented the Special Magistrate ruled to reduce the lien/fine to the sum of \$12,000 to be paid within 30 days if it's not paid within the 30 days it will revert back to the original amount.

**CASE # 13 - SMG 03-24-65 - 1405-1431 S. Atlantic LP** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7), at S Atlantic Ave (Parcel # 5309-39-00-0070). Violation(s) – Accessory wall leaning into sidewalk, peeling paint. First Notified – 5/19/2023.

Mr. Corey Brown, the attorney with Storch Law Firm for the case, came forward.

Inspector Bostwick testified to the status of the case. Communication and progress has been made on the property. An after-the-fact permit is still not pulled so the staff would like to amend the order to the next cut-off to give the respondent time to get the permit.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 8, 2024** 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 06-22-166 - Mark A & Julie L Wallschaefer** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp.

IPMC 304.2), at 1700 N Atlantic Ave. Violation(s) – Dilapidated seawall and peeling paint. First Notified – 2/24/2022.

**Mr. Corey Brown**, the attorney with Storch Law Firm for the case, came forward.

**Inspector Yates** testified to the status of the case. Communication and progress has been made on the property and is complete. The staff would like to amend the order to the next cut-off date of June to give the respondent time to get the permit.

**Attorney Brown** agreed to the staff's amended order to have time to pull the permit. Also, the property may need a survey done.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **June 5, 2024**, to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**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.

**Ms. Jessica Gow**, the attorney with Cobb Cole for the case, came forward.

**Inspector Yates** testified to the status of the case. Communication and progress has been made on the property and is complete. The staff would like to amend the order to the next cut-off date of July to give the respondent time to get the permit.

**Attorney Gow** agreed with the timing.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **July 3, 2024**, 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 08-21-236 - Vishnu LTD & MAA Shantoshi** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.1, 304.7, 304.13, 308.1, 304.10, 605.1), at 1000 N Atlantic Ave. Violation(s) – Unmaintained landscaping, dilapidated pool shed, general conditions of exterior structure, dilapidated roof, missing and broken windows, trash and debris, dilapidated stairs, balconies and rails, exposed wiring. First Notified – 5/30/2020.

**Ms. Jessica Gow**, the attorney with Cobb Cole for the case, came forward.

**Mr. Vukelja** asked for the progress report for the property.

**Attorney Gow** discussed the progress thus far for the property. The property continues under their existing permit. The hotel is still on target date of being open for June 2025.

**Inspector Yates** - The staff would like to amend the order to the next cut-off date of July to give the respondent time to get the permit.

**Attorney Gow** agreed with the timing of the July cut-off date. All of the masonry work should be closed out so that a progress will be given.

**DISPOSITION:** Continue to **July 9, 2024**, for a progress report. Then a compliance date will be made based on the state of the property.

**CASE # 3 - SMG 04-24-67 - Denise T. D'Abato** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10, 304.13.2) City Code Ch. 26 Sec. 26-294, at 611 Braddock Ave. Violation(s) – Dilapidated deck/stairway, boarded window, no rental license. First Notified – 2/9/2023.

**Ms. Denise D'Abato & Mr. Mike Manderville** present for the property, sworn in.  
**Mr. Vukelja** asked **Ms. D'Abato** if she agreed to the violation and if it existed.  
**Inspector Wiggins** stated that the city is asking for 30 days for the work to be completed.  
**Ms. Denise D'Abato** advised that she is looking for another contractor and does not think 30 days is possible. They did get some of the work done. Requested sixty days. no tenants.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **July 3, 2024**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Further action required that the second story unit that stairs access is not rented or otherwise occupied or utilized by anyone else other than you until the property is in compliance.

**CASE # 4 - SMG 04-24-69 - Virgil & Ellen Rosenfeld Family Trust dated June 22, 2005 Ellen Rosenfeld as Trustee** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.6) City Code Ch. 90 Sec. 90-297, at 419 N Wild Olive Ave. Violation(s) – Damaged driveway, damaged exterior walls, failure to obtain a Business Tax Receipt. First Notified – 12/7/2023.

**Mr. Daniel Rice** with Professional Property Management of Florida, present for the property, sworn in and agreed to the violations.

**Mr. Vukelja** asked Mr. Rice if he agrees with the violations and if they existed.

**Inspector Stenson** stated that the city is asking for 30 days for the work to be completed.

**Mr. Rice** asked for more time due to the extensive work that needs to be done on the property. He will need at least a month or so to get the work done. The property is occupied. Roof is done, when the back of the building is done then they can do the driveway (access issues described).

**DISPOSITION:** Continue to **May 14, 2024**, for a progress report. Then a compliance date will be set.

**Called case number #1 Respondent not available will try to reach respondent for zoom**

**Called case number 5**

**CASE # 5 - SMG 04-24-71 - 901 6th Street Daytona LLC - Twenty Lake Architects LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.1, 404.4), at 901 6th St. Violation(s) – Construction without plumbing permit. First Notified – 1/19/2024.

**No respondent.**

**Inspector Alderman** dissused the status of the property. The city is asking for the next cut-off date. The owner has the permit just waiting for completion.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **May 8, 2024**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 6 - SMG 04-24-72 - Sussmans Inc** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.2.A; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4, 302.7, 304.1, 304.15, 304.2, 304.4, 304.7 ), at 303 Seabreeze Blvd. Violation(s) – Peeling paint (all structures), damaged awnings, damaged/missing gutters, overgrown trees and hedges, dilapidated roof, roof trusses rotted, overhangs rotted, and rotted missing doors and windows on accessory structure, rotted storage shed, damaged fencing. First Notified – 1/23/2024.

**Mr. Scott Frank** authorized family member (family business) present for the property, sworn in.

**Mr. Vukelja** asked if he agrees with the violations and if they existed.

**Inspector Alderman** stated that the city ask for the next cut-off date for the permit to be in place. He explained that there will be a delay because is now a permit or a permit in progress for an accessory structure that is in the back of the building. Communication with Mr. Cecil, owner and the city regarding the issues at the property.

**Mr. Frank** agreed with the inspector and city.

**DISPOSITION:** Ordered the respondent to have the necessary permit in place by **May 8, 2024**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Determined that the respondent is in non-compliance we will defer the determination of a compliance date until **May 14, 2024**, return for a progress report with a permit in hand.

**CASE # 1 - SMG 04-24-80 - Ivan & Cardin LLC & Tammi Tran & Social Daytona Inc** is cited for failure to correct violations of The Land Development Code, Art. 10 Sec. 10.2.B.2, at 631 N Grandview Ave. Violation(s) – Occupying or using land or a structure without first obtaining all appropriate development permits. First Notified – 1/5/2024.

**Mr. Michael Lambert**, the attorney, present for the tenant, came forward.

**Field Supervisor Jones** testified to the status and history of the case. The property is operating as a night club. These issues have been ongoing since April 2023.

**Attorney Jackson** stated that these are an ongoing issues and witnesses present on both sides. Discussion on the fines previously ordered and status of the case including the need to schedule a special hearing to accommodate multiple witnesses and testimony.

**Mr. Vukelja** agreed with the city and respondent being available on Friday, April 12, 2024 for a determination.

**DISPOSITION:** Unknown until the meeting set for Friday, April 12, 2024, at 2pm.

**CASE # 2 - SMG 04-24-81 - Ivan & Cardin LLC & Tammi Tran** is cited for failure to correct violations of The Land Development Code, Art. 10 Sec. 10-3 Hours of sale and consumption, at 631 N Grandview Ave. Violation(s) – Business open after midnight without an after hour license. First Notified – 1/9/2024.

**Mr. Michael Lambert**, the attorney present for the tenant, came forward.

**Field Supervisor Jones** did not speak for this case.

**DISPOSITION:** (Same as Case #1) Unknown until the meeting set for Friday, April 12, 2024, at 2pm.

**CASE # 7 - SMG 04-24-75 - FCV Investment LLC** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.c.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at 402 University Blvd. Violation(s) – Overgrown vacant lot with trash and debris, recreational vehicle parked on lot. First Notified – 2/21/2024.

**Tom Caldwell**, the attorney for the Investment Company, sworn in.

**Mr. Vukelja** asked if he agrees with the violations and if they existed.

**Tom Caldwell** agreed to the violations

**Inspector Bostwick** testified to the status of the case. The city ask that the respondent come into compliance at the next cut-off.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come into Compliance by **May 8, 2024**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 8 - SMG 04-24-76 - ASP Readychem LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at Orange Ave (Parcel # 5339-79-00-0430). Violation(s) – Overgrown vacant lot, bushes and hedges, trash and debris. First Notified – 2/23/2024.

**No respondent**

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

**DISPOSITION:** Noting the absence of the respondent based upon the testimony of the inspector and the photographs put into evidence found the respondent in Non-Compliance and ordered to come into Compliance by **May 8, 2024**, or be returned to special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 10 - SMG 04-24-79 - Michael D Eady and Julie A Herbart-Eady** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at Wisteria Rd (Parcel # 5316-02-00-0330). Violation(s) – Unpermitted accessory wall. First Notified – 2/7/2024.

**Mr. Eady & Ms. Herbart-Eady** present for property, sworn in.

**Mr. Vukelja** asked if they agree with the violations and if they existed.

**Inspector Bostwick** testified to the status and what the owners are trying to do on the property. The owners are trying to combine the two properties.

**Mr. Eady** explained what he is trying to do on the property. He is trying to build a fenced wall on the property. The property line is a spare lot/vacat lot. All of the necessary paperwork was submitted on April 8<sup>th</sup> to be reviewed.

**Mr. Vukelja** asked what needed to be done and found them in non-compliance.

**DISPOSITION:** Respondent was found in Non-Compliance and ordered to come back on **May 14, 2024**, for a progress report, and a compliance date will be set.

### **Continued Cases:**

**CASE # 11 - SMG 02-24-51 - U21 Holdings LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at Clark St (Parcel # 5339-68-00-0051). Violation(s) – Overgrown vacant lot with trash and debris. First Notified – 11/3/2023.

**No respondent**

**Inspector Bostwick** testified to the status of the case. There has been little communication but no progress on the property since the last hearing. The city is requesting a fine of \$250 a day with a max of \$15,000.

**DISPOSITION:** Noting the absence of the respondent based upon the testimony of the inspector and the photographs put into evidence found the respondent in Non-Compliance and ordered to pay a sum of **Two Hundred & Fifty (\$250.00) dollars** per day commencing **April 4, 2024**, the fine will continue each day after until the property is in compliance, or the amount of the fine has reached the sum of **Fifteen Thousand (\$15,000.00) dollars**.

**CASE # 12 - SMG 03-24-59 - DB 153 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, 302.7), at 141 S Ocean Ave. Violation(s) – Concrete rubble, rebar, pipes, trash and debris, dilapidated fence on a vacant lot. First Notified – 12/22/2023.

**Mr. Diago Handel**, corporate representative for the property, sworn in.

**Inspector Bostwick** testified to the status of the property. There has been communication but no progress on the property. The city is requesting a fine of \$250 a day with a max of \$30,000.

**Mr. Handel** stated that he did not know that the owner was responsible for this part of the property. The end result will be a parking lot but it's hard to find someone to get the cleanup done.

Discussion on the property value, location and what needed to be done.

**DISPOSITION:** Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **Two Hundred & Fifty (\$250.00) dollars** per day will go into effect automatically May 9, 2024 and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Thirty Thousand (\$30,000.00) dollars**.

**CASE # 14 - 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.

**Ms. Alison Worsham** present for the property, sworn in.

**Inspector Recanzone III** testified to the status and that there has been communication. The city ask for \$100 each day until compliance or reaches \$20,000 fine.

Discussion on what is supposed to be submitted per the Planning Department by May 2<sup>nd</sup> for what the projects going to be (Final site plan) and if they fail to do this the whole project will expire.

**Ms. Worsham** stated that problem is with the engineers. She will have a site plan completed for May 2, 2024.

**Mr. Jackson** discussed making this a fine subject to if they fail to meet this deadline basically a circumstance for a fine certain if they fail to meet this deadline of May 2<sup>nd</sup> or come back to the May hearing.

**DISPOSITION:** Continue to **May 14, 2024**, to have a site plan, if not we will be imposing a fine. With regards to the action to be taken imposition of a fine is going to be continued to our May 14, 2024 meeting.

**CASE # 15 - SMG 03-24-53 - Fralau Investments LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.10.G; Art. 6 Sec 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.2, 304.6, 304.13.1) City Code Ch. 90 Sec. 90-297, at 201 N Ridgewood Ave. Violation(s) – Faded, chipped and peeling paint, outside storage, broken windows, damaged free standing sign, no Business Tax Receipt for upholstery business, unmaintained landscaping. First Notified – 5/24/2023.

**No respondent due to Covid.**

**Inspector Quinn** testified to the status and communication with the business licensing office. All paperwork was submitted to the city. 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 **May 8, 2024**, to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 16 - SMG 01-24-35 - Elephant Group Hotel 7 Inc** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.4, 302.5, 304.6, 304.13, 304.13.13.2, 304.14, 304.15, 304.2, 305.3, 305.4, 305.6, 309.1, 309.2, 602.3, 603.3, 603.1, 605.2, 605.4, 704.6.1.2), at 2401 N Atlantic Ave. Violation(s) – Commercial property maintenance, property sanitation, sidewalks and driveways, weeds, rodent harborage, exterior walls, windows, openable windows, screens, exterior doors, protective treatment, interior surfaces (walls, ceilings, floors), walking surfaces First Notified – 11/17/2023.

**No respondent**

**Inspector Stenson** testified to the status of the case. Progress made on the exterior of the property but more work to be done on the interior part. There is an order in place for May 8, 2024.

**DISPOSITION:** The current order will stay in place. (No order needed)

**CASE # 17 - SMG 09-23-208 - Sunshine Ventures & Management, 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.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 302.9, 303.1), at 999 N Atlantic Ave. Violation(s) – Lack of required renovation permits, commercial property maintenance, graffiti, pool maintenance, damaged fencing, unsecure vacant property. First Notified – 6/16/2023.

**No respondent.**

**Inspector Stenson** testified to the status of the case since the last hearing. There has been no progress made on the property. Nothing at the city Permit Licencing & Planning Department is stopping the owner from starting the work on the property. The city is asking for \$300 a each day until the fine reaches \$25,000. Mr. Vukelja read the previous order put in place by Magistrate Riggio on March 20, 2024. Sunshine Ventures must obtain permits; did they obtain permits? **Inspector Stenson** No Sir. **Mr. Vukelja** secure the property to City standards including pool and fence, did they do that? **Inspector Stenson**, yes sir. **Mr. Vukelja** maintain landscaping to include edging sidewalk, paint bricks and wood closures did they do that? **Inspector Stenson** yes sir, the property has been unoccupied for so long, obviously the paint on the board is starting to deteriorate as well. **Mr. Vukelja** also including failure to appear or demonstrate sufficient progress or be returned to a subsequent meeting for consideration. So, do you know why they do not have permits? **Inspector Stenson** advised he does not have the answer to that question. **Mr. Vukelja** permits are required, advised he was not at the last meeting did they appear and stated he was wondering what they had to say about getting permits. **Mr. Jackson** asked inspector Stenson if he had any kind of contact with them at all? **Inspector Stenson** stated no communication with the property owner since the last meeting.

**DISPOSITION:** Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **Three Hundred (\$300.00) dollars** per day will go into effect **April 4, 2024** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Twenty Five Thousand (\$25,000.00) dollars**.

**CASE # 18 - SMG 03-24-54 - First Premier Management Holdings LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.14) City Code Ch. 26 Sec. 26-294, at 224 N Hollywood Ave. Violation(s) – Unpermitted renovations, outside storage, damaged roof, damaged/missing screens, no rental license. First Notified – 12/5/2023.

**No respondent**

**Inspector Stenson** testified to the status of the case. No permit pulled for the property. The city is requesting the imposing a lien/fine of \$100 each day until the fine reaches the amount of \$15,000.

**DISPOSITION:** Based on the absence of the respondent and the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **One Hundred (\$100.00) dollars** per day will go into effect **April 4, 2024** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Fifteen Thousand (\$15,000.00) dollars**.

**CASE # 19 - SMG 01-24-02 - Faith Temple Church of God** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at 330 N Keech St. Violation(s) – Dilapidated roof. First Notified – 5/11/2023.

**No respondent**

**Inspector Kirk** testified to the status of the property. Contact made with the property owner, check received and demolition should take effect this month. The city is asking to amend to the next cut off for compliance.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 8, 2024** 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 # 21 - SMG 01-24-27 - Masonova Daytona 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 302.3, 302.7), at 1021 Mason Ave. Violation(s) – Hazardous potholes throughout parking lot, open/unrepaired utility ditch, damaged fence, damaged non-working parking lot illumination, missing ADA striping, parking location striping missing, permits required. First Notified – 10/16/2023.

**Efraim Brody** (Owner) & **Daniel Parker** from Next Level (contractor) sworn in

**Mr. Vukelja** stated that somebody was supposed to have permits by April 8<sup>th</sup> is that correct and **Inspector Alderman** advised not that he can find. **Mr. Vukelja** asked why they do not have the permits. **Mr. Parker** advised it was a change of owners where they plotted the land, they are waiting to start the process but the land with the moving and storage company or owned originally sold it to his client Mr. Brody and they still haven't taken complete ownership yet of the plot. They cannot submit plans into the city until it actually is plotted and into Mr. Brody's company. In the interim he was there on site and there were some safety issues with the parking lot and decided that (looking at pictures) you see there yeah, we patched all those holes temporarily till we actually, because we're going to tear up the whole parking lot. advised they are stuck in between, they can't do anything until they can pull a permit, they can't pull a permit until its actually in his name. **Mr. Vukelja**, who are you? **Daniel Parker**, the general contractor. **Mr. Vukelja**, is there anyone here from **Masonova Daytona LLC**? **Efraim Brody**, yes that is me. **Mr. Vukelja** received confirmation he is the owner manager of Masonova Daytona LLC. **Efraim Brody** advised that he is the owner of the property, and they are in the

middle of a replat. And told once they finished the replat which is basically done they can pull permits, Danny the contractor and the expeditor tried pulling permits they discussed with the city confirming they are ready to pull permits over the last couple of weeks it turns out the plans are not completed. The plans done by the previous owner are not completed.

Discussion on when the original plans submitted and by who and the change of ownership. They are working with plans that preceded Mr. Brody's ownership. **Mr. Brody** advised they thought the plans were ready to go and they would be able to pull permits right away, turned out the plans are not fully ready and there's still some revisions that have to be done. They are happy to fix whatever has to be fixed in the meantime. **Mr. Vukelja**, who's revising the plans right now? **Mr. Parker** advised the original architect Cody (unk) a local guy from Daytona.

***Discussion on being in contact with the permit department on the above details. Mr. Parker referred to speaking to Inspector alderman.***

**Mr. Vukelja** asked what light the inspector could shed on the permits that were supposed to be in hand by April 8<sup>th</sup>. **Inspector Alderman** advised he did have a contractor contact him regarding the property. He was supposed to be the paving contractor and take over, as far as the plotting or platting goes from his research and his director they looked at some of the platting history and it was as far as they could see it was done back in 2022. **Mr. Vukelja** questioned using the words platting and plotting. Because if your going to tell him property lines are moving around like we saw three cases ago then that would mean something, **Attorney Jackson** stated he believes the platting point is intentional so he can explain that. **Inspector Alderman** continued he knows All Aboard storage used to own it but this was still all done back in 2022. The last history was with the contractor. He went through yesterday and nothings been done and no permits have been pulled, the holes are still there, no striping and no lighting and no permits from what he could find are in place. **Mr. Vukelja** is there anything unique or different about this property that's going to pose any particular permitting problems that you can think of, he acknowledges hes asking the inspector to speculate but is there going to be something novel about this?

**Mr. Jackson** asked the inspector to give some history as this special magistrate was not at the last hearing.

Some history was provided by Inspector Alderman, on the property having a group of people and a lot of police cars. There are numerous issues at the west end of the building. At night there are large groups of party cars going on, this has been actually apart of the process of interfering with local businesses, because of the issues with harassment of older people, and even the road itself is causing damage to vehicles and people.

***Discussion on the location of the shopping center, violations and size of project.***

**Mr. Parker** confirmed the plans are for an underground sprinkler system, landscaping, paving, striping, new lighting going in and the storage unit place is doing his own thing, he's not sure what he's going to be doing. The previous owner before Mr. Brody, they're doing in separate building off of this parking lot where they're separating the land.

**Mr. Vukelja** confirmed that they are infact replotting the property. Going to the deed records and changing the boundary lines to the property, advised he is amending the order to allow you until May 8, 2024 to have permits and order one but preferably the contractor appears at the May 14, 2024 meeting so we can talk about what you have in mind. To the extent you're going to improve this for the benefit of the entire area. He may be a little more amenable to the time that they may need to get it done. No promises until he hears from them. Amend to May 8<sup>th</sup> to get the permits. one of them appear at the May 14<sup>th</sup> meeting and be prepared to tell him what's going to happen with this entire complex that they have in mind. Moving forward he will try to work with them.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 8, 2024** to have permits or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter. If was further ordered One of the respondents appear at the May 14, 2024 meeting for a progress report and set a compliance date.

**CASE # 22 - SMG 02-24-40 - Trak Three LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.d; Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.10.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.9, 604.3.1, 605.1, 605.4), at 530 Seabreeze Blvd. Violation(s) – Sign permit, missing sign letters, dirt and grime on brick floor and railings, extention cords as permanent wiring, damaged awning, deteriorated and rusted lighting, wiring exposed to water. First Notified – 10/16/2023.

**No respondent**

**Inspector Alderman** testified to the property is making progress with a permit for the awning. The city would like 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 **May 8, 2024** to have permits or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 23 - SMG 03-24-56 - Edward E Kemp III** 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 304.1, 404.4), at 511 North St & 515. Violation(s) – Deteriorated overhang, rotted facia and rotted rafter tails. First Notified – 7/14/2023.

**No respondent**

**Inspector Alderman** testified that the property was sold. The city would like to amend to the next cut off to add new owner Bobby C. Vaught.

**DISPOSITION:** Special Magistrate ordered to amend this particular action to add the new business owner Bobby C. Vaught as a respondent. based on the testimony presented the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **May 8, 2024** to have permits or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 24 - SMG 03-24-64 - Beville Commercial LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3), at 1106 Beville Rd (Parcel # 5340-05-22-0060). Violation(s) – Failure to repair damaged uneven driving surface with potholes. First Notified – 1/10/2024.

**No respondent**

**Inspector Alderman** testified to the status of the case. The city is imposing for a \$200 per day up until the property reaches \$20,000.

**DISPOSITION:** Based on the absence of the respondent and the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **Two Hundred (\$200.00) dollars** per day will go into effect **April 4, 2024** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Twenty Thousand (\$20,000.00) dollars**.

**CASE # 25 - SMG 02-24-43 - Hajgden International College Inc** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 302.9, 304.1, 304.6, 304.2, 304.7, 308.1, 605.1), at 228 N Ridgewood Ave (Parcel # 5339-02-53-

0071). Violation(s) – Unmaintained landscaping, damaged exterior walls, graffiti, dirt and grime, damaged soffit and fascia board, trash and debris, failure to repaint, exposed electrical wires. First Notified – 8/18/2023.

**No respondent**

**Inspector Alderman** testified that there has been no contact or progress on the property. This property is not occupied. The city is imposing a compliance at the next cut off day.

**DISPOSITION:** Noting the absence of the respondent based upon the testimony of the inspector and the photographs put into evidence, ordered the respondents to come into Compliance by **May 8, 2024**, or be returned to special magistrate for consideration of the imposition of a fine up to \$1,000 per day.

**CASE # 26 - SMG 01-24-26 - Daytona Beach Resort II LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.d; Art. 6 Sec 6.19.A.3; Art. 6 Sec 6.19.A.4; Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 303.2, 304.1, 304.10), at 2700 N Atlantic Ave. Violation(s) – Hazardous falling beach retainer wall, dilapidated concrete deck beach access, hazardous exposed rebar, bolts & twisted railings, all landscape overgrown, missing railings around pools, unsecure hazardous beach access to falling concrete retainer wall, dilapidated concrete retainer wall, dilapidated beach entry, unsecure access under concrete slab, public access to damaged empty pools and surrounding eroded pool deck, unsecured access to uncovered water vault, permits required. First Notified – 10/31/2023.

**Tina Garcia (via zoom), Leanne Warger & David Marquis (owners respective), sworn in.**

**Inspector Alderman** testified to the status of the case. Contact was made with the respondents. Progress report – Owner was supposed to obtain permits with the county and with the city. Apply and install safety barrier perimeters for the owners on the condos on the west side of the pool area and also on the ocean front. The inspector checked yesterday and the Ocean front has no protection other than the orange tape and some fencing and that's not going to work, the city suggested and requested trap bags on the oceanside to control the wall falling and the access under the large patio that allows, water, people and whatever else underneath it. The city is requesting a fine in the amount of \$1,000 a day to a max of \$25,000. **Ms. Garcia** explained her client has engaged CRA Structural Engineers whos working with their general contractor prior to being able to move forward with the city of Daytona Beach emergency CCL they need to resubmit a permit with the Florida DEP it has to be done sequentially, this was told to Mr. Alderman last week. All permits are in progress with the engineer and her client did put up the safety fencing as requested at the last hearing. Her recollection was that it was fencing that was needed to go up not that trap bags were required. but if trap bags are an added requirement she could definitely bring that to her client and she don't see there being any push back by them **Mr. Vukelja** asked the following questions did the respondent obtain the DEP permit by April 3, 2024? **Ms. Garcia** advised no it has not been approved yet, and discussed issues they had. **Mr. Vukelja** asked the inspector if any improvemnets to the pool or beach area? **Inspector Alderman** Not to the oceanside. **Mr. Vukelja** has the owner hired a licence contractor or engineer to make any improvements? **Ms. Garcia** General contractor and hired John Adams (CRA Structural Engineering) Why has the respondent failed the city building and zoning ordinance? The counsel stated that the owners has added safety fencing which prohibits access from the beach to the condo property. **Mr. Vukelja** Has the initial safety perimeter permit in place? No permits in place at this time. **Mr. Markey** was sworn in. **Ms. Herrdan & Mr. Markey (Association)** would like to have the trap bags in place. The association applied for the trap bads and paid \$9,000 deposit.

The owner was responsible for getting the trap bags. The fencing was suppose to be contractor fence. Discussion confirming they understood that trap bags were part of the order.

**DISPOSITION:** Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **One Thousand (\$1,000.00) dollars** per day and will go into effect **April 4, 2024** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Twenty Five Thousand (\$25,000.00) dollars**.

**CASE # 27 - 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.

**Tina Garcia (via zoom), Leanne Warger & David Marquis (owners respective), sworn in.**

**Inspector Yates** testified to the status of the case. No fine from the city, requested to countunie to the June meeting. **Ms. Garcia** advised they submitted a permit through GC contractor. Provided the permit number C2404-048 suggested to set a status hearing in the future once they see where they are with getting the permit granted and then they can finalize the timeline then.

**Ms. Wagner** stated that the status of the balcony is almost finish. Getting the contractor out is challenging but inspector Yates is aware they are very close to being done and she would hope by June they may actually be complete on their portion of the work **Mr. Vukelja** advised that to be proper here he needs to amend the current ammended order of non-compliance because otherwise there going to be here on June on something that's actually going to be related back to March, and hearing effort on both the developer and the association to get the job done that apparently they are satisfied with.

**DISPOSITION:** Based on the testimony presented the Special Magistrate ruled to amend the current amended order of non-compliance to allow both respondents until **June 5, 2024** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**CASE # 28 - SMG 09-22-276 - Joseph P Torch** 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 1305 N Atlantic Ave. Violation(s) – Dilapidated steps and balcony. First Notified – 3/26/2022.

**No respondent**

**Inspector Yates** (email from the respondent was submitted)

**Mr. Vukelija** asked about the variance, in which was approved. The permit was not approved on this variance.

**Inspector Yates** explained he got approval for the variance but he never submitted for his permit. And unfortunately due to the fact that its taken so long and he did more work on the steps without a permit the city is asking for a fine in the amount of \$100 a day to a max of \$10,000.

Discussion on the history of the case and what the owner and GC did without permits.

**DISPOSITION:** Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **One Hundred (\$100.00) dollars** per day will go into effect **April 4, 2024** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Ten Thousand (\$10,000.00) dollars**.

**CASE # 32 - 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.

**Herb Kawesch appeared via zoom, sworn in.**

**Inspector Yates** testified to the status of case. Contact and a small amount of work has been done on the stairs. The goal post would be them getting the stairs actually permitted. The city requested imposing a fine/lien of \$100 a each day up to \$15,000.

**Mr. Vukelja** asked why aren't the stairs done Mr. Kawesch?

**Mr. Kawesch** stated that he has a general contractor to get the work completed. Also, an engineer secured for the laundry room.

**Mr. Vukelja** asked the inspector: How much time going forward should it take to get it done?

**Inspector Yates** advised It would be up to three months.

**Mr. Vukelja** asked if we have an ideal as to when we should set a compliance date for the whole thing?

**Mr. Kawesch** advised that the upstairs is not rented and its secured.

**Inspector Yates** discussed the contractor sent in an email advising he needs drawings for the steps.

**Inspector Yates** explained what needs to be done first. Rear building (structural - unit #515) needs to be permitted. The city is asking for the drawing for the rear of the building to be submitted within two months. Then it would only take a month to correct.

**DISPOSITION:** Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled the respondent must have a permit submitted by **May 9, 2024** for the stairs or an auto fine of **One Hundred (\$100.00) dollars** per day continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **Ten Thousand (\$15,000.00) dollars**. In the intern that the second floor is not to be rented occupied or otherwise utilized until it is in compliance. In regard to Unit #515 (unpermitted rear structural) the drawings and plans submitted by **June 5, 2024**, or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

**Mr. Vukelja** advised that he is giving him another 30 days to get the permit squared away for those stairs, second floor units not to be used until you've got that taken care of. Giving him two months to get the drawings done and filed for unit 515. If you don't do the first thing an auto fine if you don't do the second thing return for another fine.

**CASE # 33 - SMG 11-23-257 - Barbara & James Chester Jones** 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 302.7, 302.9, 304.2, 304.6, 304.7, 304.13, 304.15, 308.1), at 539 & 541-537 Dr Mary M Bethune Blvd. Violation(s) – Damaged or broken sign, damaged wooden accessory structure, damaged exterior walls, damaged windows, dirt & grime, peeling flaking and decayed paint, exposed wood, damaged roof, trash and debris. First Notified – 8/2/2023.

**No Respondent**

**Field Supervisor Jones** testified to the status. The city of Daytona Beach redevelopment department has a contract to purchase this building and requested to amend to the July meeting.

Field Supervisor Jones advised by then the city should have closed on the property and we will have some determination as to the status of what's going to be done with the property.

**DISPOSITION:** Based on the inspectors report the special magistrate ordered to Continue to July 9, 2024, meeting for the imposition of the fine.

**CASE # 34 - SMG 11-23-279 - The Seventh Day Baptist Church of Daytona Beach Inc.** is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.2.B.13.i.d; Art. 5 Sec. 5.11.5, at 128 Live Oak Ave. Violation(s) – Operating food pantry. First Notified – 10/13/2023.

**No Respondent**

**Mr. Jackson** advised there is a noticing issue and requested a continuance for due process. Also, Mr. Abbat would not be attending this current meeting.

**DISPOSITION:** Continue to **May 14, 2024**, meeting due to a clerical error and injunction in place.

**LR-1 - SMG 06-06-62 - Thomas Kerper - 535 Oak St.** is cited for failure to correct violations of The Land Development Code, Article 19, Section 1; Chapter 22-28, Code of Ordinances, Violation(s) – Failure to repair or demolish an unsafe structure as described in attached Housing Inspection Report. First Notified – 3/31/2006. Order Imposing Fine/Lien effective October 6, 2006. \$150.00 a day to a maximum of \$15,000.00 plus \$24.00 recording fees and interest \$36.99 - \$4,627.30 (pooled cash payment = \$10,431.63. Compliance January 24, 2007.

**Mr. Thomas Kerper present, sworn in.**

**Mr. Kerper** discussed the reasons for purchasing as the property. He would like to have the opportunity to turn the property around for rental.

**Mark A. Jones** testified to the status and history of the property.

**Mr. Vukelja** asked about the previous owner Clearance Davis of the property with the lien fines. No one present. The minutes and history for this are not available.

**Mr. Kerper** stated that he will be in the process of remodeling, duplex, or two-family home but he needs the lien/fine in compliance to pull the permit.

Discussion on Mr. Kerper bringing in plans and showing that he is serious about developing the property. and if he brings them in, he will revisit the request and if possible, will consider waiving the liens.

**DISPOSITION:** The Special Magistrate will deny your request without prejudice to have the plans in the next hearing of **May 14, 2024**, and ready to pull for permits. If this is completed, Mr. Vukelja will remove the lien/fine.

**LR-2 - CEB 11-19-280 - Thomas Kerper - 535 Oak St.** 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 301.3, 304.6, 304.13, 304.13.1), Violation(s) – Abandoned building, vacant building, exterior structure damage including faded and peeling paint, rotten wood, damaged windows. First Notified – 8/19/2019. Order Imposing Fine/Lien effective January 2, 2020. \$100.00 a day to a maximum of \$10,000.00 plus \$24.00 recording fees = \$10,024.00. Compliance February 7, 2024.

**Mr. Vukelja** ruled with the same disposition during LR-1 for this case. No one had to discuss this case.

**Mr. Kerper present, sworn in previously.**

**Inspector Mark A. Jones** testified to the status of the case advised same as LR-1

**DISPOSITION:** The Special Magistrate will deny your request without prejudice to have the plans in the next hearing of **May 14, 2024**, and ready to pull for permits. If this is completed, Mr. Vukelja will remove the lien/fine.

**LR-5 - SMG 11-21-337 - Trust Line Trucking LLC - 29 S Grandview Ave.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.2, 304.4, 304.6, 304.15, 308.1), Violation(s) – Damaged fence, trash and debris, exterior storage, fascia boards, cracked and damaged concrete, damaged windows, damaged doors, damaged wooden gate, dirt and grime, unmaintained landscaping. First Notified – 8/20/2021. Order Imposing Fine/Lien effective January.6, 2022. \$100.00 a day to a maximum of \$15,000.00 plus \$24.00 recording fees and interest \$832.84= \$15,856.84 September 25, 2023

**No respondent – he was sent the zoom link.**

**Mark A. Jones** testified to the status of the case and history.

**DISPOSITION:** The Special Magistrate will deny the request.

Questioned #16 order continued to May 14<sup>th</sup> imposition of a fine they already had a compliance date of May 8<sup>th</sup> 2024 so we would be addressing that at the May 14<sup>th</sup> meeting.

**6. Adjournment: 11:25**