
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

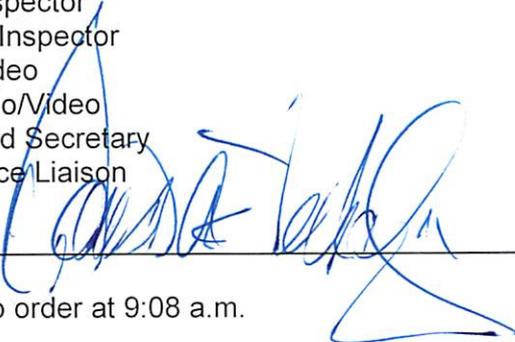
January 14, 2025 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Mr. Anthony Jackson, Deputy City Attorney
Ms. Melissa Diaz, Assistant City Attorney
Mr. Denzil Sykes, Code Manager
Mr. Mark A Jones, Code Field Supervisor
Mr. Mark Bostwick, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Tom Clig, Code Inspector
Mrs. Abrianna Itani, Code Inspector
Ms. Sara Kirk, Code Inspector
Ms. Mariah Quinn, Code Inspector
Mr. Cliff Recanzone, Code Inspector
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
Mrs. Kimberly Reno, Board Secretary
Sgt. Shawna Conley, Police Liaison

Approval of Minutes by:  Special Magistrate

The meeting was called to order at 9:08 a.m.

Mr. Vukelja approved the November 11, 2024 Minutes.

Mrs. Reno swore in the staff members testifying.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno.

CASE # 8 - SMG 01-25-09 - Tomoah Naleah N - 236 N Frederick Ave.

Compliance January 13, 2025

CASE # 18 - SMG 01-25-20 - GEA Seaside Investment Inc - 236 N Peninsula Dr (Parcel # 5305-08-12-0020).

Compliance January 13, 2025

Mrs. Reno swore in city staff

Mr. Vukelja called Case #34 first

CASE # 34 - SMG 07-24-110 - S & O Investment USA LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at 613 Hillside Ave. Violation(s) – Work without permit (Interior renovations). First Notified – 2/16/2024.

Steve Yturriaga Owner & **Steve Cecere** contractor sworn in and testified the permit was submitted and they are working on comments returned from the city **Mr. Cecere** advised the city is requesting about 15 documents and he has most and is lacking three or four more documents and should have those within 20 to 30 days to complete the submittal for the permit. The Special Magistrate asked what the work is that is being done.

Mr. Yturriaga described the right side would be a complete tear down and rebuild. **Mr. Jackson** discussed that the approval of the permit is not compliance, it is not until the permit is finalized, then he will be done with the code violations.

Inspector Wiggins requested 60 days for compliance and progress report referred to the owner and contractor.

DISPOSITION: The Special Magistrate ordered the Respondent to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Further ordered he be given a progress report at the February 11, 2025 meeting for status on the permit and respondents' attendance optional

CASE # 44 - SMG 09-23-215 - RE Equity Investment Group LLC & JJ Equity LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.7, 304.1, 304.1.1, 304.5, 304.6, 304.13, 304.18, 305.1.1, 308.1), at **736 S Beach St.** Violation(s) – Unmaintained landscaping, failure to repair broken windows, failure to maintain exterior walls, failure to repair damaged walls, failure to repaint, failure to repair exposed electrical wires, failure to repair all damaged exterior, failure to remove trash and debris, failure to repair damaged fence. First Notified – 7/7/2023.

No Respondent

Field Supervisor Jones testified since the last hearing **October 8, 2024** he had contact with the owners advised the project has stalled, several revisions had to be submitted. His last Building department inspection was on **July 31, 2024**. On **January 6, 2025** was **Mr. Jones** last inspection, property was in non-compliance with a lot of trash and debris throughout the property recommended a fine in the amount of \$200.00 a day to a maximum of \$20,000.00. The **Speceial Magistrate** asked what happened here. **Mr. Jones** advised when he spoke to the owners they advised they went beyond the scope of work for the plans. They are waiting for the plan revisions but are not even maintaining the property at this time. **Joaquin Brito** arrived and was sworn in **Mr. Vukelja** questioned the owner. **Mr. Jackson** asked his affiliation. **Mr. Brito** advised he was owner/contractor. Described how the building inspector questioned items completed that were different or not on the plans and advised the stairs had to go back to zoning and had to revise the plans. Third floor walls were not as the plans state and now if the walls have to be moved (6 inches) the plans have to go back to everyone the plumber, the electrician and it was the holidays people are on brakes. With the hurricane they had a lot of illegal dumping and flooding. He has everything almost done, plans 90% done and everything outside has been cleaned. **Mr. Vukelja** confirmed the two to three week time line to get the plans back from the architect and then the approval of the plans by the city after that. In the meantime they need to maintain the property.

DISPOSITION: The Special Magistrate ruled to amend and reschedule to the **February 11, 2025 meeting for a progress report**. It was Further ordered the exterior be cleaned and maintained to city standards.

CASE # 45 - 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. *ACTION TO BE TAKEN:* Impose Fine - (Potholes and Lighting Improvements) Cont'd for progress report to establish a compliance date for all remaining violations.

Mr. Daniel Parker & Mr. Efraim Brody sworn in

Field Supervisor Jones testified and advised an application for the parking lot lighting was submitted on May 6, 2024 and returned for revisions on May 7, 2024 no revisions submitted, and no permit was issued. The Inspector received an email stating the lights had been repaired and not replaced and permits were not needed. Review of the parking lot lighting on January 9, 2025 a picture shows one lighting fixture not working missing a light bulb. Mr. Jones received another email stating a pre-construction meeting was scheduled and permits would be pulled after. Contact with the Building department found no building plans submitted so no meeting has been scheduled. With further investigation their final site plan has not even been approved by the development group. They have been told it was approved, and they are waiting on pre com to pull the permits. Mr. Brody and Mr. Parker discussed maybe they are being lied to based on what Mr. Jones was testifying to today. They had been told everything was final and submitted and approved. And they were waiting on pre-com.

DISPOSITION: Based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$500.00** dollars per day and will go into effect **January 9, 2025** and continue to accrue each day thereafter until the property is in compliance with the November 18, 2024 order, or the amount of the fine reaches a maximum of **\$70,000.00** dollars.

Drop everything go to city hall and figure it out. **Mr. Jackson** asked for clarification for the Dual order, on the fine being for the lights and potholes and getting those done (Mr. Vukelja advised, that is what the fine is for. **Mr. Jackson** then stated for the respondents they still have the rest of the project and an open case which relates to ultimate compliance and once they get the lighting and potholes done the fine would stop running but we would still be working towards getting the total job complete.

CASE # 1 - SMG 01-25-01 - Phiesta LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10) City Code Ch. 90 Sec. 90-297, at **444 S Beach St.** Violation(s) – Rotten wood exterior stairs, No Business Tax Receipt. First Notified – 8/23/2024.

Mr. Diego Handel, sworn in managing member sole owner, agreed to non-compliance. **Inspector Quinn** advised the respondent would need to repair the stairs and Obtain permits if needed and contact her for compliance. **Mr. Handel** advised they need to comply with the type of Historic restoration needed as these are very old buildings may need longer than 30 days. They are working with FEMA and completing interviews to get general contractors. **Mr. Vukelja** discussed the respondent being way beyond the scope of his notice of violation. **Inspector Quinn** testified to the status advised she has not had contact with the owner. **Mr. Vukelja** advised if the property was to remain unoccupied until they completed all the renovations, otherwise the only thing he is here for is the exterior stairs and walkway, and asked if he thought it could be done in 60 days. **Mr. Diego** advised yes. **Mr. Jackson** believes he still needs the Business Tax Receipt before he starts operating and so even though they don't have those individual items cited they'll have to be taken care of before she gets the

Business Tax Receipt, and everyone agrees, and the special magistrate reads the order as follows.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Called case #46

CASE # 46 - 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

Field Supervisor Jones testified to the status of the case and advised no contact, no one on site January 6, 2025 during his last visit. Small discussion on the contractor finishing this building as a dark shell.

DISPOSITION: Noting the absence of the respondent a based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **January 9, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$20,000.00** dollars.

CASE # 2 - SMG 01-25-02 – Luisa Junker is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.7, 304.13.2, 504.3, 604.3.1.1), at **2205 N Atlantic Ave**. Violation(s) – Unmaintained landscaping, dilapidated fencing, paint/exterior staining, roof damage, broken windows, plumbing system hazards, damaged vent stack, rusted electrical boxes. First Notified – 4/24/2024.

Cesar Junker sworn in son of deceased Luisa Junker name corrected from (Junker, Luisa) **Mr. Junker** agreed to the non-compliance. **Inspector Stenson** testified advised he has been incontact and the only thing left to do is the damaged vent stack on side of building and damaged fencing by the February 5, 2025 cut off.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 3 - SMG 01-25-03 - Eym Realty of Florida LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.13, 304.15, 605.1), at **2701 N Atlantic Ave (Parcel # 4225-01-09-0060)**. Violation(s) – Dilapidated parking lot, peeling paint, failing stucco on exterior walls, broken front window, dilapidated exterior doors, exposed wiring on exterior of structure. First Notified – 9/21/2024.

Hendrik Emanuels Market manager sworn in agreed to non-compliance.

Mr. Vukelja asked the inspector how much time should reasonably be required to come into compliance

Inspector Stenson advised they could be done by the next cut off **Mr. Vukelja** March 5, 2025 what say **Mr. Emanuels**. **Mr. Emanuels** advised they are working with the architect on submitting the plans and the GC and everything that needs to be done will be done during the remodel. Doing a full remodel, including parking lot, stucco outside and inside as well. **Mr. Vukelja** asked when he expected all that to be done. **Mr. Emanuels** advised in the next maybe sixty (60) days.

Discussion on the listed violations and the completion date being March 5, 2025 and if they come up short to notify the inspector if they run into any problems along the way.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 4 - SMG 01-25-04 - Martha M Bailey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 309.1, 603.1, 605.2), at **236 N Halifax Ave (Parcel 5305-08-07-0021)**. Violation(s) – dilapidated walls, ceilings, and flooring, insect infestation, inoperable appliances, inoperable receptacles. First Notified – 8/28/2024.

Jed Bailey, sworn in Son of the owner advised he has authority to speak on her behalf agreed to non-compliance. **Mr. Vukelja** asked the inspector how much time should reasonably be required to come into compliance. **Inspector Stenson** advised they could be done by the next cut off **Mr. Vukelja** February 5, 2025 what say **Mr. Bailey** **Mr. Bailey** advised he will make every effort to make that happen. **Mr. Bailey** questioned if the repairs to the ceiling, if it was required to have a general contractor or could they do that themselves. **Mr. Vukelja** referred him to his inspector and confirmed the property was vacant, it was advised the tenant had passed away. The special magistrate ordered compliance by March 5, 2025 and property not to be rented occupied or utilized until in compliance.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. It was further ordered the property not be rented occupied or utilized until in compliance.

CASE # 5 - SMG 01-25-05 - Pelta Re Ventures LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at 1624 S Atlantic Ave (Parcel # 5316-02-00-1560). Violation(s) – Damaged wall. First Notified – 8/7/2024.

Luis Quintero (Hotel chief engineer) manager of the maintenance department & **Brian Romain** (General Manager) sworn in, agreed to the violations and property found in violation. **Mr. Vukelja** asked the inspector how much time should reasonably be required to come into compliance. **Inspector Recanzone** by next cut off. **Mr. Vukelja**, February 5, 2025 what do you say to that? Both respondents agreed and order given as follows.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 6 - SMG 01-25-06 - 275 Ridgewood Ave LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 275 N Ridgewood Ave. Violation(s) – Faded paint. First Notified – 8/15/2024.

No Respondent

Inspector Recanzone testified this is a proactive case for faded paint and requested compliance by next cut off.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 7 - SMG 01-25-07 - Shafaat & Carol M Ahmed 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 304.13), at 1121 Mason Ave (Parcel # 5238-08-05-0130). Violation(s) – Outdoor storage and unmaintained landscaping, dirt and grime (sidewalks, driveways and parking spaces) boarded up windows. First Notified – 8/13/2024.

Dr. Shafaat Ahmed sworn in testified to family health issues and problems with finding someone to complete the work.

Inspector Butler testified to the status advised it was a citizens complaint, the inspector advised contact with the owner and requested compliance by the March cut off.

Discussion on Dr. Ahmed's attempts at getting the work done and having until March 5, 2025 now and to stay in touch with his inspector.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 9 - SMG 01-25-10 - Ron & Ron group 2 LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 204 S Martin Luther King Blvd. Violation(s) – Renovation work without permit. First Notified – 7/21/2022.

Renee Richardson sworn in (ex-wife) has authority to speak on behalf of Ron & Ron agreed to violations. **Mr. Vukelja** asked the inspector how much time should reasonably be required to come into compliance. **Inspector Kirk** advised compliance by next cut off. **Renee Richardson** requested 60 sixty days. **Mr. Vukelja** questioned the reason for the request. **Ms. Richardson** advised she already got the leg work in contacting the contractor to get the permits reactivated or reopened so they can do the final inspections for the different areas. **Mr. Vukelja** asked if the building is empty right now. **Ms. Richardson** agreed it was unoccupied. As long as they keep it unoccupied, he can give them 60 days.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. It was further ordered the property not be occupied or utilized until in compliance.

CASE # 10 - SMG 01-25-11 - Renee Richardson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 12.D, at 201 S Martin Luther King Blvd (Parcel # 5339-26-00-0010). Violation(s) – Damaged roof, exposed/bare wood on trim & soffit, defective exterior surfaces.

First Notified – 2/7/2024.

Renee Richardson previously sworn in **Mr. Vukelja** asked the inspector how much time should reasonably be required to come into compliance. **Inspector Kirk** advised compliance by next cut off. **Renee Richardson** testified that they are working on the roof contacting a roofing company and have a few estimates, she advised that should be the last thing because they have been doing the other things that have been asked of them. **Ms. Richardson** stated she is working with the city to get funds to help do this. **Mr. Vukelja** asked if the building is occupied. **Ms. Richardson** confirmed a business in run in front (car wash). They have gotten

one grant and working on trying to get additional funds for the roof. The part on that end is more so utilized, the store part and the car wash are on the other side. The building is occupied (business operating) and equipment is housed on one side. **Ms. Richardson** confirmed where the roof needs to be fixed is storage. **Mr. Vukelja** confirmed they had no life safety issues on the property with Inspector Kirk.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 11 - SMG 01-25-13 - Bat Development LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 709 Loomis Ave (Parcel # 5339-82-04-0040). Violation(s) – No Permit (Fence). First Notified – 4/7/2023.

Timothy D Hudson (owner) sworn in found in non-compliance.

Mr. Vukelja asked the inspector how much time should reasonably be required to come into compliance. **Inspector Kirk** advised compliance by next cut off. Mr. Hudson requested 60 days advising he was here before and thought he included this fence on the other fence permit that he was fined for that they cleared. Needs to find the survey and if he can't, he needs to get Sliger & Associates get them a survey in order to pull the permit for that. **Mr. Vukelja** advised that sounds reasonable.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 12 - SMG 01-25-14 - Darren Ottman is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3), at 552 Foote Ct & 554 (Parcel # 5339-01-23-0045). Violation(s) – Dirt and grime on interior surfaces in doorway. First Notified – 5/13/2024.

No Respondent

Inspector Kirk testified to the status of the case and advised this was a field generated case for dirt and grime on interior surfaces of the doorway staff recommend finding of non-compliance with compliance next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented and the amount of time that has passed already on an easy matter to correct. Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 13 - SMG 01-25-15 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.19, 307.1), at 13 S Peninsula Dr (Parcel # 5305-08-15-0023). Violation(s) – Dirt and grime, missing foundation bricks, front gate damaged, handrails missing and broken. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising this was a field generated case listing all violations and advised no contact with the owner; staff recommended a finding of non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 14 - SMG 01-25-16 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 232 N Peninsula Dr (Parcel # 5305-08-12-0023). Violation(s) – Dirt and grime. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising this was a field generated case listing all violations and advised no contact with the owner; staff recommended a finding of non-compliance with compliance by next cut off.

Att. Jackson advised the case is in mortgage foreclosure with a trial date set for February 2, 2024 and requested the march cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 15 - SMG 01-25-17 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at 319 N Hollywood Ave (Parcel # 5305-10-11-0010). Violation(s) – Exterior wall cracked, dirt & grime. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising this was a field generated case listing all violations and advised no contact with the owner; staff recommended a finding of non-compliance with compliance by next cut off.

Att. Jackson advised same situation the case is in mortgage foreclosure with a trial date set for February 27, 2024 and requested the march cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 16 - SMG 01-25-18 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.2), at 509 Harvey Ave & 511 (Parcel # 5304-01-14-0130). Violation(s) – Boarded up window. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising this was a field generated case listing all violations and advised no contact with the owner; staff recommended a finding of non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 17 - SMG 01-25-19 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.2, 304.13, 304.13.2, 304.2, 304.5, 307.1), at 25 S Peninsula Dr & 23 (Parcel # 5305-08-15-0040). Violation(s) – No grass, eroding soil, boarded windows, peeling paint, damaged walls, failure to maintain handrails. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising this was a field generated case listing all violations and advised no contact with the owner, reinspection done January 13, 2025; staff recommended a finding of non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 19 - SMG 01-25-21 - Janine M Brown 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 616 Magnolia Ave (Parcel # 5339-76-01-0210). Violation(s) – Outside storage, overgrown vacant lot with weeds, trash and debris. First Notified – 8/15/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a field generated case listing all violations and advised, first notified August 15, 2024 and property posted. The last day of reinspection was January 13, 2025. Made contact with the owner and she did start clearing the lot; staff recommended finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 20 - SMG 01-25-23 - Deric Smith 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 # 5339-86-01-0013). Violation(s) – Overgrown vacant lot with weeds, trash and debris. First Notified – 9/4/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a field generated case listing all violations and advised, first notified August 27, 2024 and property posted. The last day of reinspection was January 9, 2025. No contact with the owner; staff recommended finding non-compliance with compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 21 - SMG 01-25-24 - David Turick is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4), at 611 N Beach St (Parcel # 5338-05-00-0030). Violation(s) – Vehicles parked on vacant lot, outside storage, weeds. First Notified – 9/4/2024.

David Turick, sworn in, agreed to violations.

Mr. Vukelja asked the inspector how much time should reasonably be required to come into compliance. **Inspector Bostwick** advised compliance by the next cut off. **Mr. Turick** asked for some additional time for at least 60 days. Testified he applied for some grant money that did not come through project 386 and didn't get any help from FEMA after the storm. Tried to get an attorney on board to help figure out what he's going to do with the property, unfortunately he is unemployed at the time and income is very limited. **Mr. Turick** advised he is staying in a camper that was given to him through a program from Ron Desantis and was under the impression that there was some type of temporary legislation passed until there was a solution to come up with where he was going to relocate to allow the camper to be put there they came and place it there through a program through the state and there was a letter sent to him that said there's some permission with the municipalities is allowing that, unk what time it expires. **Mr. Vukelja** referred to the attorney for clarification. **Mr. Jackson** advised he does not know enough about it; he has heard of a program (trailer program), and it would help if he presented whatever letter he's referencing he may be as to what leaves him the additional time. **Mr. Vukelja** asked if this camper is one of the vehicles on the lot. **Inspector Bostwick** advised it was.

Discussion on the parcel being vacant and nothing being allowed to be parked on it. (lot on the right). Respondent owns both lots and had previously discussed combining the parcels to eliminate the issue. **Mr. Vukelja** advised that is not a quick fix. The respondent owns two properties one has a building on it and the other the city is telling him it's a vacant lot. **Mr. Vukelja** asked what the vehicles have to do with the building, is it a mechanical shop? **Mr. Turick** advised it was vacant at the time. **Mr. Vukelja** advised he is giving him 60 days and he should look into how the lots are zoned and what he can actually utilize them for. And as far as the notion he is allowed to stay in that motor home as some sort of emergency orders due to hurricane that's beyond his purview and doesn't know anything about that. But he has 60 days to figure it out or be in compliance. The respondent confirmed he lives on the property and there is no business being conducted on the property.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **March 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 22 - SMG 01-25-25 - D&J Global Holding 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 Pierce Ave (Parcel # 5338-09-06-0070). Violation(s) – Overgrown vacant lot with weeds, trash and debris. First Notified – 9/16/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a field generated case listing all violations and advised, first notified September 16,2024 and property posted. The last day of reinspection was January 10, 2025. No contact with the owner; staff recommended a finding of non-compliance with compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 23 - SMG 01-25-27 - Vincent C Brown 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) City Code Ch. 78 Sec. 78-112, at 619 Verdell St (Parcel # 5339-80-02-0140). Violation(s) – Overgrown vacant lot, trash and debris, abutment area with trash and debris. First Notified – 9/23/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a citizens complaint case for trash and debris in front of the property prior to Hurricane Milton. Since then, FEMA has picked up the majority of the debris, however some still remains first notified September 23, 2024 and property posted. The last day of reinspection was January 9, 2025. No contact with the owner; staff requests a finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 24 - SMG 01-25-28 - Thu Nguyen Ngoc Minh & Hoa Nguyen Ngoc Trung & Nga Nguyen Thi Thu & Trai Nguyen Ngoc & Tarn Nguyen Hoang Minh & Cue Nguyen Thi Thu & Van Nguyen thi Thu & Trinh Nguyen Gqoc & Minh Nguyen Xuan & Manh Nguyen Xuan & Nguyet Nguyen Thi Thu % Jolie Nguyen 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 941 Lockhart St (Parcel # 5339-A1-00-1150). Violation(s) – Overgrown vacant lot, weeds, trash and debris, abutting area overgrown. First Notified – 9/19/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a field generated case listing all violations and advised, first notified September 19, 2024 and property posted. The last day of reinspection was January 9, 2025. No contact with the owner; staff requests a finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 25 - SMG 01-25-30 - Arthur J Rockwell & Robin Hardman is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 5 Sec. 5.3.C.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at Daytona Beach 32114 (Parcel # 5339-44-02-0130). Violation(s) – Multiple vehicles stored on commercial vacant lot. First Notified – 10/1/2024.

Arthur Rockwell & Robin Hardman sworn in, disagreed with the violations

Inspector Bostwick testified that the lots are vacant and requested compliance by the next cut off.

Discussion on the property historically going through zoning issues having an agreement with the prior owner to fence in the property having one entrance and being able to utilize the property consistent with its current state the 5 parcels together. Four commercial lots and one residential lot. The current owner advised there are two buildings on the property, and it is not a vacant lot.

DISPOSITION: The Special Magistrate Continued this case to the **February 11, 2025**.

CASE # 26 - SMG 01-25-31 - Arthur J Rockwell & Robin Hardman is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 5 Sec. 5.3.C.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at Cedar St (Parcel # 5339-44-02-0150). Violation(s) – Multiple vehicles stored on residential vacant lot. First Notified – 10/1/2024.

Arthur Rockwell & Robin Hardman Previously sworn in

DISPOSITION: The Special Magistrate Continued this case to the **February 11, 2025**.

CASE # 27 - SMG 01-25-34 - William Kistner Est 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 Marion St (Parcel # 5339-55-01-0060). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 10/14/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a field generated case listing all violations and advised, no contact with the owner, staff requests a finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 28 - SMG 01-25-35 - Darren Ottman is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 6. Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1), at 119 S Helme Pl (Parcel # 5339-01-23-0043). Violation(s) – Trailer parked on lot, outside storage, pallets, concrete debris. First Notified – 11/21/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a citizens complaint case listing all violations and advised, no contact with the owner, staff requests a finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 29 - SMG 01-25-36 - Daytona Universal Trucking Inc 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), at Foote Ct (Parcel # 5339-23-02-0021). Violation(s) – Vehicles parked on vacant lot. First Notified – 11/21/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising this was a citizens complaint case listing all violations and advised, no contact with the owner, staff requests a finding non-compliance with compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photograph's presented Respondent was found in Non-Compliance, ordered to come into Compliance by **February 5, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 30 - SMG 01-25-37 - Daytona Universal Trucking Inc 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 301.1), at 550 Foote Ct (Parcel # 5339-21-01-0070). Violation(s) – Outside storage, trailers, tractors, containers. First Notified – 6/25/2022.

No Respondent

Inspector Bostwick testified to the status of the case advising this is a repeat violation case (third one) SMG 09-22-267 Will Fine ordered, First case SMG 11-23-268 \$200 x 5 occurrences = \$5,000.00 fine. 2nd case SMG 06-24-95 \$1000 x 10 occurrences = \$10,000.00 fine. This is the 3rd repeat violation from a citizen's complaint. The following were conducted on November 20, 2024, November 26, 2024, December 3, 2024, December 10, 2024, December 17, 2024, December 24, 2024, December 30, 2024, January 2, 2025, January 6, 2025, January 13, 2025. Requested a fine of \$5000.00 per occurrence for a total of \$50,000.00.

Discussion on the location of Foote Ct.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented taking into consideration the respondent's awareness of the Will

Fine given in the past history and the repeat violations the Special Magistrate issued a fine in the amount of **\$5000.00** dollars per occurrence finding there have been 10 occurrences and fining the respondent the sum of **\$50,000.00** dollars.

CASE # 31 - SMG 10-24-172 - Daytona Bluetide Group LP 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 301.3, 302.1, 302.4), at E Intl Speedway Blvd (Parcel # 5308-04-00-0010). Violation(s) – Overgrown vacant lot, trash and debris, outside storage of commercial vehicles, supplies, building material. First Notified – 7/18/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising since last November there has been email contact with Mr. Hopkins. However, the lot was cleared but trash and debris and a refrigerator were left on the lot. The second part of this case, they are still working on the dredge project.

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 **\$250.00** dollars per day will go into effect **January 8, 2025** for all matters other than the permit application and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$50,000.00** dollars.

CASE # 32 - SMG 10-24-167 - Seminole Boosters Inc is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.6, 304.13.2, 304.14, 304.2, 504.1) City Code Ch. 26 Sec. 26-294, at 722 N Halifax Ave #2. Violation(s) – Outside storage, dilapidated fencing, exterior wall staining, broken window, damaged and or missing screens, missing and peeling paint, plumbing system damage (raw sewage). First Notified – 8/8/2024.

Attorney John Loar for Seminole Boosters Inc appeared via zoom

Inspector Stenson testified this property was sold and the new owner cited Mr. Matthew M. McConnell and requested to amend to add the new owner as a respondent to the March cut off. **Mr. Jackson** reviewed the recorded deed dated December 26, 2024.

Attorney John Loar requested to be removed from the case and an account to what violations are still outstanding. **Mr. Vukelja** advised once Mr. McConnell is onboard, he would entertain the request.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate ruled amend the current amended order of non-compliance to add the new owner Mr. Matthew M McConnell as an additional respondent allow the respondents until **February 5, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 33 - SMG 09-24-148 - Scott Ibsen 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 304.6), at 301 Riverview Blvd. Violation(s) – No permit (renovations) and exterior wall staining. First Notified – 5/13/2024.

Scott Ibsen sworn in appeared via zoom

Inspector Stenson testified to the status advising the permit was submitted and returned for correction on October 8, 2024 and no movement since.

Mr. Ibsen has a General Contractor and a contract signed within the last week and sent a copy to Mrs. Reno this morning. All the work has been completed the property is occupied the owner needs to obtain the permit and complete the entire permit process have it inspected and finaled to close out the case. Mr. Ibsen's contractor only needs to finish the paperwork make sure everything is in order and submit the permit for a final inspection.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate ruled amend the current amended order of non-compliance to allow the respondents until **February 5, 2025** to come into compliance if not in compliance then on **February 6, 2025** a fine in the amount of **\$200.00** a day will go into effect and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 35 - 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), at 611 Braddock Ave. Violation(s) – Dilapidated deck/stairway, boarded window. First Notified – 2/11/2023.

Denise D'Abato and Mike Manderville, sworn in Mr. Manderville, advised the contractor they had, was no show and argued about the work that was being done and the bad work that was being done. Ms. D'Abato advised that she had to buy materials they did not need and wasting money.

Inspector Wiggins testified that he has had contact and staff requested to amend to the March cut off. Advised the permit would expire and they might need to speak to the contractor about extending it.

Mike Manderville agreed to the March 5th cut off advised that he has spoken to the city about making it a two family home by knocking out one kitchen and they can pull their own permits.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **March 5, 2025** 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 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.

Alona Smith with Cobb Cole law firm completed since last hearing Electric completed 2nd 3rd and 4th Plumbing, drainage and waterline plumbing have been completed as well for the 2nd 3rd and 4th Inspections done and improved. Mechanical shaft wall work for the guest room vents has been completed, inspected and approved. The contract has been signed, and work is in progress for the elevators. For the fire sprinkler and fire alarm the plans were submitted and approved by Marriott and the contract has been signed with IMC and will be submitted to the city for permitting soon and then equipment related to HVAC so the water source heat pump the dedicated outdoor air system has been ordered for furniture fixtures and equipment the deposit has been paid to the manufacturer and there's a delivery window of April and May 2025. Aim to open by July or August of this year.

Inspector Yates requested they come back in April to determine the compliance date.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate scheduled this matter for a progress report at **April 8, 2025** to establish a compliance date.

CASE # 37 - 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.

No respondent

Inspector Yates testified he has had contact and progress, the structural work in the rear is complete the only item that remains is the repair in the laundry room.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **February 5, 2025** 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 10-24-163 - Panora Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.6, 304.10, 304.14), at 648 Cherry St. Violation(s) – Work without permit, overgrown landscaping and outside storage, dirt and grime, vacant-boarded home, trash & debris, damaged fencing, rotten wood, damaged porch, damaged screens. First Notified – 5/25/2024.

William Panora sworn in manager

Inspector Itani testified to the status she has had contact work completed without a permit. Recommended a fine in the amount of \$100 a day to a cap of \$15,000.

November roof was done, siding without a permit, board left on windows, fence, repair windows. **Mr. Panora** confirmed he applied for the permit and he was made aware of the porch yesterday. Fence, window, permit for porch repair, and permit for the siding, **Inspector Itani** advised the damaged porch is on the notice of violation. **Mr. Panora** confirmed that he was unaware he needed a permit.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **February 5, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 39 - SMG 09-24-161 - Gayl Lucinda Smith 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 304.7), at 443 Walker Ave (Parcel # 5238-18-09-0070). Violation(s) – Dirt & grime, no permit (stairs & patio), damaged soffit. First Notified – 6/10/2024.

Gayl Smith sworn in

Inspector Itani testified to the status advised she has had contact with the owner. The building has been painted and the soffit and gutter fixed. The permit for the stairs have been applied for, the first permit submitted was wrong and a second permit has been applied for on Friday. Requested a fine in the amount of \$100 a day to a maximum of \$15,000.00. Inspector Itani confirmed it should only take until next cut off to be in compliance if she has the correct contractor and permit.

Ms. Smith advised that yes she applied the wrong one and now they walked her through the process and resubmitted the permit and is now waiting for the approval and inspection.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **February 5, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Discussion on the respondent staying on top of the permit process and if she comes back and nothing has changed then she will be getting a fine.

CASE # 40 - SMG 09-24-156 - Beach Development Group LLC 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 530 N Beach St. Violation(s) – Damaged metal roof on north facing side of the commercial building. First Notified – 4/11/2024.

No respondent

Inspector Quinn requested the previous order of non-compliance be vacated and dismiss the case to recite new owner. Secretary advised the Deed was recorded prior to the Order of non-compliance being in place. **Mr. Jackson** confirmed the city is backing out completely, we cited them after they had already made the transaction.

DISPOSITION: Based on the inspector's report as well as our secretary and counsel, the Special Magistrate ruled to vacate the previous order of non-compliance ordering this matter be dismissed as to Beach Development Group LLC.

CASE # 41 - SMG 09-24-159 - Rimcim Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at 341 Fairview Ave (Parel # 5338-32-00-0470). Violation(s) – No permit (exterior stairs). First Notified – 5/15/2024.

Michael Aversano president sworn in

Inspector Quinn testified to the status of the case advising no progress except that the original permit was denied on January 2, 2025. Closed for the wrong permit type on January 6, 2025. Staff Recommends a fine of \$100 a day to a maximum of \$15,000.00.

Mr. Aversano advised that he was told by his contractor to file an owner's permit as per law title 2021 tried to expedite it and the permit was denied. Unfortunately, he read the law, and

it states the property cannot be for sale nor lease at the time of the filing of the permit and the property still remains vacant. **Mr. Vukelja** asked what is left to be done. **Mr. Aversano** advised that his General Contractor is waiting on the plans from the architect to resubmit the paperwork to the city for the permit. Discussion on the timing of obtaining the information from the architect being weeks before they can submit. Mr. Vukelja agreed to amend to the next February cut off and affirmed he needed to stay on top of the General Contractor to complete this.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **February 5, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 42 - SMG 09-24-158 - R&J Estates LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at 110 Palm PL (Parcel # 5339-71-00-0042). Violation(s) – No permit (full renovation). First Notified – 11/8/2023.

Rosa Alvarado (owner)& Freddie Aucaquizhpi sworn in

Mr. Aucaquiz new situation that FEMA is not changing, and they are exploring new options. They found other companies that can help them. Found other areas in the country they heard people in the same situation that FEMA is working in a different way with them and hopefully they can implement it here as well. Since this is new for everyone and still in that process requesting more time to come up with a solution and put everything up to compliance.

Inspector Quinn Because its in a flood zone and the city is requiring them to raise the structure and its on a concrete foundation, so there unable to obtain any permits for some renovations that were completed on the interior of the property, they just need an after the fact permit. Because of the flood zone the city cannot issue the after the fact permit. Recommended compliance by February 5, 2025. The option was to raise the house or demo it. **Mr. Aucaquiz** advised there is a lot of money involved and requests more time to explore the options. Discussion on the flood zone and new FEMA guidelines that now the City cannot violate and cannot issue a permit for this property.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate scheduled this matter for a progress report at **March 11, 2025** to establish a compliance date.

CASE # 43 - SMG 09-24-157 - Gregory Karpinski 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 302.7, 304.10, 304.12), at 311 Cedar St (Parcel # 5339-16-00-0140). Violation(s) – Rotten wood, peeling paint, damaged gutters and down spouts, damaged porch flooring and ceilings, wood rot and faded paint on shed, damaged stairway and deck, missing or damaged handrail and guards. First Notified – 1/18/2024.

Gregory Karpinski sworn in testified as he worked on the house he discovered more rotten wood that needed replaced and asked if he needed a permit which he did and he submitted the permit and is waiting for the approval at this time.

Inspector Quinn did not testify

DISPOSITION: progress report only, compliance date previously set for **March 5, 2025**.

CASE # 47 - 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.

Field Supervisor Jones testified that the city purchased the property and requested to vacate the order of non-compliance and dismiss the case to recite.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to dismiss case number SMG 11-23-257.

recalled case #46

CASE # 46 - SMG 02-24-43 - Hajjden 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.

Field Supervisor Jones testified to the status of the case advised the damage to the soffit and the north side of the building needs to be completed.

Todd Brasells General Contractor appeared advised he was told by the building official they need a permit to complete the soffit, and he has contracted an architect for the blueprints.

Mr. Brasells discussed the south wall that he was contracted to complete is almost done and what they thought would cost about \$120,000 has ended up costing the owners \$220,000 dollars. Mr. Vukelja advised the minutes will reflect presumably that if the owner decides pursue architects plans if the owner actually goes and gets the permit and if the owner actually gets the work done, he will take that into consideration when somebody asks him to grant them some relief from the fine. But as it stands the inspector is 100% correct, we are a year and a half down the road and Mr. Vukelja has been thinking that we've been working our way toward full compliance and now realizing we're dealing with half the building. Mr. Vukelja confirmed he is not saying the Contractor misrepresented anything! It was maybe his lack of attention. Those violations have gone unattended for a year and a half, and the fine is staying in place.

Miscellaneous Business

No Miscellaneous Business

Adjournment: 12:48