

**BOARD OF BUILDING CODES  
REGULAR MEETING  
April 15, 2025  
MINUTES**

The Regular Meeting of the Board of Building Codes was held on April 15, 2025, at 9:00 a.m. in the City Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

**Board Members:**

Mr. Jack Bailey, Chair  
Ms. Jessica Blodgett  
Mr. Paul Culver

Scott Simpson, Board Attorney

**Board Members Absent:**

**Staff Members Present:**

Glen Urquhart, Chief Building Official  
John Cecil, Demolition and Building Rehabilitation Inspector  
Anthony Jackson, Deputy City Attorney  
Kim Flaherty, Project Manager

1. **Call to Order**

Mr. Bailey called the meeting to order at 9:00 a.m.

2. **Roll Call**

Roll was called with attendance as noted above.

3. **Introduction of City Staff**

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

4. **Approval of Minutes**

A motion was made by Mr. Culver, seconded by Ms. Blodgett, to approve the minutes of the January 16, 2024, Regular Board of Building Codes meeting, as presented. The motion carried (3-0).

5. **New Cases**

**Case A –BP2022-0004– 929 N. Beach St. – Appeal of Notice of Condemnation and Demolition Order**

A request by Salama Nahsed, on behalf of property owner, Armed & Dangerous LLC, to appeal to the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 929 N Beach Street due to unsafe conditions; and the determination that the building must be demolished

**Staff Presentation:**

John Cecil, Demolition and Building Rehabilitation Inspector, presented photos of the subject property. Mr. Cecil showed the Board pictures of Condemnation Signs that were posted on the doors of the building on 3-14-22. He showed photos of the building facing Sickler Dr. showing decay of the building and its parts.

Mr. Jackson asked if the photos being presented to us are Mr. Cecil's observations as he surveyed the premises.

Mr. Cecil stated that yes, these photos were taken by him showing the dilapidated state of the building at that time. Mr. Cecil continued his presentation, showing on June 24, 2024, that nothing had changed for the building at this time as well, except that they had cleaned up the area, just in very small spots, surrounding the bottom of the building. and removed a broken bench/storage unit at bottom of one of the walls. The fence area was removed at this time as well, except for a portion of it attached to back.

Mr. Cecil continued showing the state of the building from various angles. Photos showing open areas where electrical wires and wood had been ripped out and areas where water intrusion has occurred as well. This is the current state, as of March of 2025, the wooden fence addition is now removed, as are all the little broken additions and pipes, now it is just the simple rundown block building.

Mr. Jackson asked if it was currently in use to his knowledge?

Mr. Cecil stated no, it was not.

Mr. Jackson asked if it had active utilities.

Mr. Cecil stated no.

Mr. Jackson asked if anything, was it was safe to use.

Mr. Cecil stated that the danger of the property was removed, which was the west part of the building, it was the addition to the fencing area, attached to the back of the building. That area, which was dilapidated, was falling in at that time. As it sits right now it is just a block structure, and it has been secured so no one can walk in.

Kim Flaherty, Project Manager, stated this property has been condemned since 2022, the current owner has taken over possession of building in 2023. We have tried to work with the owner since 2023. However, nothing has been done. In June of 2024, the City was pushing for the demolition of the property, finally someone presented us with a permit application. However, the application has not been completed. We (the city) have been waiting for the same staff comment to be addressed. Big concern is that this building and area are in an a flood zone. The elevation of this property must be addressed and fixed before anyone can use this property. That is the major staff comment that has not been addressed since 2023, we have received communication, but nothing produced. We ask that the Board uphold staff's recommendation to demolish.

Mr. Jackson asked if at this time it is safe for occupancy at this time.

Ms. Flaherty stated no certificate of occupancy can be given at this time; it is a flood hazard.

Glen Urquhart, Chief Building Official, stated we have been working for three years now. They did remove the shack portion of it off, but we are still dealing with a dilapidated structure between the two streets. One being Beach Street and the other Ballough Road. Both of which are in Redevelopment districts with appearance standards that must be upheld. At this point it still has a dilapidated roof and facia and soffits as well. In addition to that the elevation must be changed by at least 2 feet to meet ground floor level of occupancy, which means to raise it or demolish it. The area is a flood hazard and is the same issue for surrounding businesses and is a reoccurring event every year.

Mr. Jackson asked, in his opinion, as the city's chief building official, was the building unsafe for occupancy and that it has been for some time.

Mr. Urquhart stated yes.

**Appellant's Comments:**

Mr. James Jones, the contractor, stated he understood that the city has been dealing with this for some time. In this case, he stated, these individuals would like to save this structure. They have just hired me and asked for my help this past month, this is after already having another contractor not come through. We are asking for a 90-day stay to be able to contact the engineers and I would have time to try to fix the situation. The point is they are trying to save the building and are asking for more time. The goal is to have it as a bookkeeping facility for their business nearby.

Mr. Salama Nasher, owner of property, stated that he was there to not blame anybody. He had hired the previous contractor before Mr. Jones, who he had asked to be present, but did not show. He stated that it was the other contractor that put in for the permit. Mr. Nasher stated he had acquired two different elevation certificates with differing accounts. These differing stories made my engineer state that he needed more time and for us to be able to reach an architect. Mr. Nasher stated anything that was asked of him to fix he would gladly do, anything unsafe or needed fixed, he intended to make it right. He stated this was challenging with regards to FEMA and City requirements, it has become very challenging. Part of living in Florida is flooding after it rains and what comes with that, we have to learn to live with these things and work around them. I intend to fix things up to code and FEMA standards.

Mr. Jackson asked if he had heard correctly that Mr. Nasher had owned this property for the last 2 years.

Mr. Nasher stated that he believes it was in August of 2023 that he acquired the property.

Mr. Jackson stated that he believed the testimony was 2 years, he was just checking to clarify.

Mr. Bailey asked if anyone had further questions.

Ms. Blodgett asked if Mr. Nasher was aware that the property was condemned to be demolished when he purchased it.

Mr. Nasher stated that there were no signs stating that the building was condemned, he had no idea. It was listed for sale and had a for-sale sign, but he was not aware of any other issues.

Ms. Blodgett asked if so then you were notified when, in June of 2024? Or was it more in 2023? The first owner was notified in 2022, so then 8 months later.

Mr. Nasher stated that it was weird, because he had wanted to have FPL turn power on and permission would not go through. He had to call and find out why and that is when he learned of it being condemned.

Ms. Blodgett stated that her only other question would be why the long delay in responding to the city and about the property issues.

Mr. Nasher stated that it was his fault, he stated some people were strict with emails and calls, but I hired a contractor right away. Plus, I had differing measurements from licensed professionals which posed a problem for me about the flooding. My engineer stated we needed another elevation since they were conflicting and then we needed to get an architect. After that we could decide what we were going to do from there. It was the process that the paperwork was taking too long to make people do what was needed for me.

Ms. Blodgett stated then you have 3 elevation certificates as of now.

Mr. Nasher stated he did not need a third, that was what the engineer had said, he was going to pursue him in court for failure to deliver. So, yeah, I had to cut my losses, and what he was saying was just not required he was trying to get more money. I will, however, bring this to building to FEMA code and of course with the city code and believe that is what is required.

Mr. Bailey, Chair, stated his thanks to Mr. Nasher.

Mr. Bailey then asked Mr. Urquhart if in his opinion as a long-time inspector, contractor, would you say the cost to cure and with the cost of raising the structure, would it be less costly to tear this down and rebuild.

Mr. Urquhart stated that 100% he believed that tearing it down and starting from base up would be the best route to take vs renovations. He stated that renovations actually end up costing more. The building is so small and the roof needs replacing. The work would be better if you demolished it, raised a new slab, built the block and it needed a new roof anyway. Why would you put a new roof on a building that needs raised. Better suited to start from base point and go from there.

Mr. Jackson asked if there are any non-conformities that are a part of balancing the cost.

Mr. Urquhart stated that at this point it is past where it is substantially damaged and would go past the 50% mark of fixing it per FEMA guidelines.

Mr. Jackson stated what then would be required.

Mr. Urquhart stated you would have to build to modern day code as well as meet all the FEMA restrictions and guidelines.

Mr. Jackson asked if the notes and reports concerning what we have heard, would this be what is needed in getting the permits issued.

Mr. Urquhart stated anytime an engineer is required they go with what the state-licensed engineer report states and follow those guidelines.

Mr. Jackson stated so with the reports and the information you have right now this property is uninhabitable.

Mr. Urquhart stated yes, that is correct, as stated by Florida statutes and FEMA guidelines.

Mr. Jackson asked what the recommendation of staff is as to this long history of notice of condemnation for this property.

Mr. Urquhart stated it is still our recommendation that this building be demolished.

Mr. Jackson stated there was a question as to the posting of the condemnation notice, at the time of purchase. Do you have any knowledge of that.

Mr. Urquhart stated lots of times these signs are posted and then ripped off the next day, anytime there is a transaction with real estate Ms. Flaherty is always on top of that with regards to getting that information to all parties involved.

Mr. Bailey stated you also had time before your closing for due diligence as well, so that would have been a good time to do that. You might want to talk to the real estate broker that helped with that deal.

Mr. Bailey asked if there were any other questions, if not we need a motion to uphold the demolition order.

Mr. Culver stated he would like to make a motion to uphold staff's decision on BP2022-0004– 929 N. Beach St – and uphold the demolition order.

Ms. Blodgett seconded the motion.

Mr. Bailey, Chair, asked if there were any comments

Ms. Blodgett stated that there was just so much time passing, it was like this problem was ignored. The pictures showed that the posting for condemnation has been there looks like since 2023, and it seems so costly to renovate so this seems the best route.

Mr. Bailey, Chair, asked for a roll call for the vote: Mr. Culver, yea, Ms. Blodgett, yea, Mr. Bailey yea. Motion carries (3-0).

Mr. Bailey, Chair, asked if there were any other cases to review.

### **New Business**

There was no new business.

8. **Adjournment**

There being no further business, the meeting was adjourned at 09:35 a.m.

  
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Jack Bailey, Chair

  
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Mandana Carry, Board Secretary