

MINUTES
CITY OF DAYTONA BEACH
CODE ENFORCEMENT BOARD

August 9, 2018

The meeting of the CODE ENFORCEMENT BOARD was called to order by Chair Mary Louise "Weegie" Kuendig at 9:00 a.m. on Thursday, August 9, 2018, in City Commission Chambers, 301 S. Ridgewood Ave., Daytona Beach, Florida.

Members present:

Ms. Mary Louise "Weegie" Kuendig
Mr. Neil Harrington
Ms. Cheryl House
Ms. Turner Hymes
Mr. Thomas A.D. Jones
Mr. Vernon Weatherholtz

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony E. Jackson, Assistant City Attorney
Mr. Denzil Sykes, Neighborhood Services Manager
Officer Steven Jessmer
Mr. Clifford Recanzone, Code Inspector
Mr. Michael Fitzgerald, Code Inspector
Ms. Glejuanda Davis, Code Inspector
Ms. Aimee Hampton, Senior Paralegal
Ms. June Barnes, Board Secretary

Approval of the Minutes by:

Mary Louise "Weegie" Kuendig Chair

1. **Call to Order**

Ms. Kuendig called the meeting to order at 9:00 AM.

2. **Roll Call**

Roll was taken and attendance was noted as listed above.

3. **Approval of July 12, 2018 Minutes**

A motion was made by Ms. Hymes, seconded by Mr. Harrington, to approve the minutes of the July 12, 2018 meeting as presented. The motion carried.

4. Disclosure of Ex Parte Communications

Mr. Weatherholtz stated he attended the Beachside Redevelopment Board meeting on August 8, 2018; and an item was brought up and discussed which was not on the Beachside meeting agenda that relates to Item 16 which is on today's Code Enforcement Board meeting agenda.

Mr. Cino stated as long as Mr. Weatherholtz bases his decisions on the information presented today, he is fine with participating in the discussion.

5. Announcements

Ms. Barnes stated the following cases in compliance:

Case No. CEB 07-18-68 – Destiny Glover	Compliance 8/3/18
Case No. CEB 07-18-89 – Lumina Group Enterprises	Compliance 8/3/18
Case No. CEB 07-18-70 - Evelyn Eleanor Hannans	Compliance 8/3/18
Case No. CEB 07-18-72 – Carlton Curtis Hooks	Compliance 8/1/18
Case No. CEB 08-18-89 – Harbourside Sunsets Condo	Withdrawn
Case No. CEB 08-18-75 – David R. Moore Trust	Compliance 7/31/18
Case No. CEB 08-18-80 – Talitha A. Austin	Compliance 7/26/18
Case No. CEB 08-18-81 – Michelle L. Poth	Compliance 8/8/18
Case No. CEB 08-18-82 – Kyle Knutson	Compliance 8/6/18
Case No. CEB 08-18-84 – Ernest & Joann Rich	Compliance 8/8/18

6. Lien Reviews

There were no lien reviews.

7. Hearing of Cases

CONTINUED CASES:

- CASE NO CEB 05-18-53 - James O Lambert, Trustee of The James O. Lambert Revocable Trust** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.1.A (Ref. FBC Supp IPMC 304.10), at **215 Oakridge Blvd Violation(s)** – No permit for upstairs deck
First Notified – 12/21/2017

The respondent was not in attendance.

Anthony Jackson, Assistant City Attorney, stated building permits have been issued and staff is requesting that the respondent be given until September 5, 2018 to finalize the permits.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION: A motion was made by Ms. House, seconded by Ms. Hymes, to amend the previous order of Non-Compliance and allow the respondent until September 5, 2018, to come into compliance or be returned to a subsequent meeting of the Code Enforcement Board for consideration of a fine of up to \$1,000 per day until compliance is achieved. The motion carried unanimously (6-0).

2. **CASE NO CEB 12-17-167 - Three Oaks Inn, 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, 304.2, 304.7, 304.13.2, 304.14), at **331 S. Palmetto Avenue Violation(s)** – Exterior needs painted; roof in disrepair; inoperable windows; insect screens; rotten wood on exterior. First Notified – 6/28/2017

ACTION TO BE TAKEN: Progress Report

Glen Urquhart, Chief Building Official, stated the building has been posted for demolition and the respondent will not be appealing the demolition decision. Mr. Urquhart stated the building is scheduled to be demolished next week. Mr. Urquhart stated once the building is demolished, the case will be satisfied and will come into compliance. Mr. Urquhart stated the owner will retain the property and will have to pay the amount for the liens that have accrued.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Ms. Hymes, to amend the previous Order of Non-Compliance and allow the respondent until September 5, 2018, to come into compliance or be returned to a subsequent meeting of the Code Enforcement Board for consideration of a fine of up to \$1,000 per day until compliance is achieved. The motion carried unanimously (6-0).

3. **CASE NO CEB 07-18-68 - Destiny Glover - Compliance: 8/3/18**
4. **CASE NO CEB 07-18-69 - Lumina Group Enterprises LLC - Compliance: 8/3/18**
5. **CASE NO CEB 07-18-70 - Evelyn Eleanior Hannans – Compliance: 8/3/18**

6. **CASE NO CEB 07-18-71 - Bernard W Jr and Alma Smith** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.9.2.A (Ref. FBC Supp IPMC 302.1, 302.3, 304.6, 304.13); City Code Ch. 26 Sec. 26-294, at **730 Flanders Ave Violation(s)** – Broken windows, damaged driveway, peeling paint and unmaintained/unsanitary exterior walls, failure to obtain rental license (RTL). First Notified – 2/8/2018 *ACTION TO BE TAKEN*: Impose Fine.

Bernard W. Smith, Jr., 730 Flanders Avenue, was in attendance and was sworn in.

Mr. Jackson stated there is a new owner of the property, and the new owner has not been cited. Mr. Jackson stated the scheduled closing date was July 31, 2018.

Mr. Smith stated the representative of the new owner contacted him two days ago to state that a new contract would be forwarded to him to sign. Mr. Smith stated he signed the original contract and what will be forwarded to him is an extension so the closing can take place.

Mr. Jackson requested a copy of the document that will extend the sales contract. Mr. Jackson stated the new owner will be notified of the existing Code Enforcement case.

DISPOSITION: A motion was made by Ms. Hymes, seconded by Mr. Harrington, to amend the previous Order of Non-Compliance and allow the respondent until September 5, 2018, to come into compliance or be returned to a subsequent meeting of the Code Enforcement Board for consideration of a fine of up to \$1,000 per day until compliance is achieved. The motion carried unanimously (6-0).

7. **CASE NO CEB 07-18-72 - Carlton Curtis Hooks, James Robert Hooks and William Gary Hooks - Compliance: 8/1/18**

8. **CASE NO CEB 07-18-73 - Paul Meeks** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.9.2.A (Ref. FBC Supp IPMC 302.4, 304.7), at **239 Graham St Violation(s)** – Damaged roof and overgrown front yard. First Notified – 3/2/2018 *ACTION TO BE TAKEN*: Impose Fine.

Paul Meeks was in attendance and was sworn in.

Mr. Jackson stated Ms. Davis, Code Inspector, has had no contact from the owner. Mr. Jackson stated no permits have been issued and staff is requesting that a fine of \$250 per day be imposed.

Ms. Davis stated the original notice of violation was sent out on March 5, 2018, and was returned to the City; and a notice was posted on the front screen door on April 25, 2018.

Mr. Meeks stated he received an estimate of \$2,000 to repair the roof but he does not have the money for the repairs.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Ms. Hymes to impose a fine of \$250 per day effective August 9, 2018, up to a maximum of \$10,000. The motion failed (3-3 with Ms. House, Mr. Jones, and Mr. Weatherholtz voting no).

Ms. House stated she would like to give the respondent additional time to secure the funding and obtain estimates for the repairs.

Mr. Weatherholtz stated he would like to amend his vote to support imposition of a fine.

A motion was made by Mr. Weatherholtz, seconded by Mr. Jones, to reconsider the motion to impose a fine of \$250 per day. The motion carried unanimously (6-0).

A motion was made by Mr. Harrington, seconded by Ms. Hymes, to impose a fine of \$250 per day effective August 9, 2018, up to a maximum of \$10,000. The motion carried (4-2, with Ms. House and Mr. Jones voting no).

NEW CASES:

Mr. Weatherholtz briefly left the meeting.

9. **CASE NO CEB 08-18-87 - Donald W. Barnard** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.1, 302.7, 304.2, 304.6, 304.13), at **29 S Grandview Ave Violation(s)** – Outside storage trash and debris, broken windows, peeling and fading paint, damaged exterior walls and fencing. First Notified – 4/10/2018

The respondent was in attendance and was sworn in.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

Mr. Jackson stated Michael Fitzgerald, the Code Inspector, stated he has had no contact from the respondent and he is not aware of any changes to the property. Mr. Jackson stated staff is requesting that the property be found in non-compliance.

Mr. Barnard stated he takes the charges seriously and has started some of the repairs. Mr. Barnard stated he has been delayed due to the rains that have occurred every day. Mr. Barnard stated the house is vacant and feels the repairs can be made within 30 days.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Mr. Jones, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

10. **CASE NO CEB 08-18-88 - Anders Migdalek 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 **345 S Atlantic Ave Violation(s)** – Blue tarp covering the entire roof. First Notified – 6/1/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector reports that he has had contact with the respondent and the respondent indicates that the property should be in compliance by September 5, 2018.

DISPOSITION: A motion was made by Ms. Hymes, seconded by Ms. House, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried (5-0; Mr. Weatherholtz absent).

11. **CASE NO CEB 08-18-89 - Harbourside Sunsets Condominium Association Inc** 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 **900 S Peninsula Dr Violation(s)** – Dilapidated fencing. First Notified – 5/1/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION: This case was withdrawn.

12. **CASE NO CEB 08-18-90 - Robbie L & Robert N Dillman** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.7), at **716 Davis St Violation(s)** – Dilapidated roof with rotting wood, peeling paint. First Notified – 2/20/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

Robert Dillman, 315 Waverly Circle, Daytona Beach, Florida, was in attendance and was sworn in.

Mr. Jackson stated the inspector reports the property is in non-compliance.

Mr. Dillman stated he was in Halifax Medical Center when the first order was issued to him. Mr. Dillman stated the tenant moved out in April, 2018, and he has been working on the inside. Mr. Dillman stated he has been in touch with painting contractors and the work is planned to start in October. Mr. Dillman stated he did not believe he would be in compliance by September 5, 2018 but could provide a progress report at that time. Mr. Dillman stated he appeared before the Code Enforcement Board in 1992 and would like the record to show that he complied with the Board's determination then. Mr. Dillman stated there are two buildings on the site and the second building is 714 Davis Street. Mr. Dillman stated he only spoke to the painting contractors about the one building since that is all that was cited.

Mr. Cino stated the parcel number includes both buildings.

Mr. Dillman stated the roof is not leaking inside the building; but he was not aware that a re-inspection was scheduled for last month; and had he known, he may have worked things differently.

DISPOSITION: A motion was made by Ms. Hymes, seconded by Ms. House, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent meeting of the Code Enforcement Board for consideration of a fine of up to \$1,000 per day. The motion carried (6-0).

13. **CASE NO CEB 08-18-74 - Pelicano Crusher Corp.** is cited for failure to correct violations of The City Code Ch. 90 Sec. 90-297, at **1169 Indian Lake Rd Violation(s)** – Failure to Obtain Business Tax License (BTR). First Notified – 4/17/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

Marie Cintron was in attendance and was sworn in.

Mr. Jackson stated the inspector reports that the respondent failed to obtain a Business Tax License and feels the respondent could be in compliance by September 5, 2018.

Mr. Recanzone stated the work ceased at the site when he visited and the respondent is working with the City to obtain the Business Tax License.

Ms. Cintron stated she is waiting for the site plan to be approved. Ms. Cintron stated her third revision to the site plan was submitted last Friday. Ms. Cintron stated the business is a concrete crushing business.

DISPOSITION: A motion was made by Ms. House, seconded by Ms. Hymes, to find the respondent in non-compliance and a one-time fee of \$250 be imposed and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried (6-0).

14. **CASE NO CEB 08-18-75 - David R Moore Trust - Moore Family Trust dated May 9, 2016 - Compliance 7-31-18**
15. **CASE NO CEB 08-18-76 - Regions Bank DBA Regions Mortgage** 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 **1420 Golfview Dr Violation(s)** – Exterior Property Areas - Damaged fence. First Notified – 5/22/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

Steve Gardner, Watson Realty, 808 Dunlawton Avenue, Port Orange, Florida spoke representing the respondent. Mr. Gardner stated the property is in foreclosure and is owned by Regions Bank.

Mr. Jackson stated there is a dispute between the property owners regarding the property line which is causing a delay in replacing the fence. Mr. Jackson stated the inspector requests that the respondent be found in non-compliance and be ordered to come into compliance by September 5, 2018.

Mr. Gardner stated the adjacent neighbor has stated that the existing fence posts belong to her so the fence contractor was told to stop work. Mr. Gardner stated everything else has been taken care of. Mr. Gardner stated Regions Bank does not have a survey.

Mr. Jackson asked that the respondent be given until September 5, 2018 to resolve the issue with the adjacent neighbor.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Mr. Jones, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried (6-0).

16. **CASE NO CEB 08-18-77 - DB 101 Corporation** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7); Art. 6 Sec. 6.6.12 (1) (7), at **101 S Ocean Ave (Parcel #5304-01-03-0010) Violation(s)** – Exterior Property Areas - damaged sea wall. First Notified – 2/21/2018 *ACTION TO BE TAKEN:* Compliance or Non-Compliance.

Darren Elkind, 505 Deltona Blvd., Deltona, Florida, was in attendance representing the applicant.

Mr. Jackson stated the issue is the damaged seawall and there are homeless people who are gaining access underneath the seawall area for shelter. Mr. Jackson stated the city is requesting that the property owner be given 10 days to secure the site which will prohibit it from people having access to the site and to have the site in compliance by September 5, 2018.

Clifford Recanzone, Code Inspector, stated the outside of the property was secured with an orange fence but a hole remains where transients can gain access to the interior of the property.

Mr. Weatherholtz stated the orange fencing is about 3 feet high and the opening is 4 feet high. Mr. Weatherholtz stated there have been numerous complaints about this site and it is a safety hazard.

Mr. Recanzone stated the respondent is going through a process with the city to repair the seawall.

Ms. Kuendig stated the entire area should be fenced so no one can gain access to the site and that has not happened.

Mr. Elkind stated he was contacted by the property owner about 2 months ago related to this Code Enforcement issue. Mr. Elkind stated the owners of the Ocean Deck have a lease with this property owner to use the area for a parking lot. Mr. Elkind stated the property owner is going through the zoning process to make improvements to the site, including repairs to the retaining wall. Mr. Elkind stated while going through the zoning process, the city requested that the applicant be forward-thinking and plan for what may be the ultimate use of the property, which makes good sense. Mr. Elkind stated a structural engineer was retained to review the seawall and it was determined that the entire seawall will have to be rebuilt from the ground up. Mr. Elkind stated estimates have been obtained but there is no contract in place to rebuild the seawall. Mr. Elkind stated the determination by the city of what could be future development on the site will dictate rebuilding of the seawall. Mr. Elkind stated he informed his client that the seawall needs to be corrected since homeless people are

living there. Mr. Elkind stated a contractor was hired to place a fence on the site that was be sufficient to keep the homeless people out of the area; however, Mr. Elkind was unaware until this morning that there is still an opening. Mr. Elkind stated the repairs will be made to close the opening. Mr. Elkind stated there is a process for permitting the seawall reconstruction and there are time constraints. Mr. Elkind stated the site will be registered with the City for trespass notice so people that may access the site will be removed. Mr. Elkind stated he was not aware that anyone had asked to have the seawall fenced vertically.

Mr. Elkind stated the consulting engineer for the property hired a structural engineer who inspected the site. Mr. Elkind stated he will ask for something in writing as to what repairs need to be made. Mr. Elkind stated the seawall will need to be rebuilt in order to support a hotel but he does not know if it is in any danger of falling down. Mr. Elkind stated the existing hole will be fixed.

Mr. Weatherholtz stated he feels the structure should be demolished for public safety. Mr. Weatherholtz stated the temporary fencing is very inadequate. Mr. Weatherholtz stated the property is used for an unlicensed parking area which is not permitted by the City. Mr. Weatherholtz stated he would recommend that the structure be torn down now since it will eventually have to be torn down for redevelopment. Mr. Weatherholtz stated the site should be secured until a determination is made.

Mr. Elkind stated the city has stated the seawall does not need to be torn down but should be repaired.

Ms. Kuendig stated the site needs to be secured.

Mr. Elkind stated if the city tells him a chain link fence needs to be installed to secure the site, he will get a permit to install the fence. Mr. Elkind stated he asked the city what they wanted him to do and he was told to nail up some wood so the homeless people could not gain access; and he did that.

Officer Steve Jessmer stated posting the property for trespass notice will help to solve the homeless issue.

Ms. Hymes stated she would like to see the site secured and something should be put in place that will enhance the site, not a chain link fence which she thinks is ugly. Ms. Hymes stated the property has been in the current condition since she has been here, which is 15 years.

Mr. Elkind stated the current owner bought the property when the prices dropped.

Ms. Barnes stated the property was purchased in 2012.

Ms. Kuendig stated the property has been in that condition since the new owner purchased it.

Mr. Jackson stated the city is recommending that the opening be repaired as soon as possible; Mr. Jackson stated there are regulatory issues that will effect permitting. Mr. Jackson stated he feels the case should be scheduled for a progress report based on the seawall repair issue.

Mr. Jones stated the gentleman representing the property owner has agreed to do what the Board asks. Mr. Jones stated it is refreshing to see someone come before the board stating they will help in any way they can.

Ms. Kuendig stated she is concerned about not only the opening but the structure itself since it is crumbling.

Mr. Jackson stated the city is waiting for a report which will determine the safety of the entire structure.

Mr. Elkind stated he will secure the hole so no one can gain access to the structure within 10 days, even if he has to do it himself; and he is agreeable to the rest of the project being placed on a progress report status.

Mr. Jackson stated the site will have to be enclosed to City standards and the property should be placed on trespass notification.

Mr. Elkind stated the hole will be fixed but asked that the Board take his word that the property will be placed on trespass notice and not order his client to do it.

Mr. Jackson stated typically the city does not order the trespass notification.

DISPOSITION: A motion was made by Ms. House, seconded by Mr. Harrington, to find the respondent in non-compliance and that the hole be secured to city standards within 10 days and that a progress report be provided at the September 13, 2018 meeting or be returned to a subsequent Code Enforcement Board meeting for imposition of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

17. **CASE NO CEB 08-18-78 - Mehul Pandya** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **945 Pelican Bay Dr Violation(s)** – No Permit - Building permit for brick and concrete walkways and front porch. First Notified – 6/6/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector issued a stop work order since work was being done without a permit and asks that the respondent be given until September 5, 2018 to come into compliance.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Ms. Hymes, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

18. **CASE NO CEB 08-18-79 - Mohammed Jameel Shaikh** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, 304.3, 304.8, 304.13, 304.14, 308.1), at **525 Bellevue Ave Violation(s)** – Motor Vehicles, premises identification, windows, skylight, door frames, insect screens, rubbish and garbage. First Notified – 5/16/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

Mohammed Shaikh was in attendance and was sworn in.

Mr. Jackson stated the inspector reports that the property is in non-compliance. Mr. Jackson stated the inspector feels the property could be in compliance by September 5, 2018.

Mr. Shaikh stated he has made progress on addressing the violations. Mr. Shaikh stated the vehicles are from out of state and he does not have titles for the vehicles.

DISPOSITION: A motion was made by Ms. House, seconded by Ms. Hymes, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

19. **CASE NO CEB 08-18-80 - Talitha A Austin** - **Compliance 7/26/2018**
20. **CASE NO CEB 08-18-81 - Michelle L Poth** - **Compliance 8/8/18**

21. **CASE NO CEB 08-18-82 - Kyle Knutson - Compliance 8/6/18**
22. **CASE NO CEB 08-18-83 - Mr. Paul Taylor / Mr. Milton Jones (P.O.A)** 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 **829 Vernon St Violation(s)** – Exterior Structure - roofs and drainage. First Notified – 5/16/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

Milton Jones was in attendance and was sworn in.

Mr. Jackson stated the inspector reports the property is in non-compliance and asks that the respondent be given until September 5, 2018 to come into compliance.

Mr. Jones stated he lives in West Palm Beach and did not receive the information on the violations until Saturday. Mr. Jones stated damage was done to the roof during the last hurricane and he was unaware of the problems.

DISPOSITION: A motion was made by Ms. Hymes, seconded by Mr. Harrington, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

23. **CASE NO CEB 08-18-84 - Ernest & Joann Rich - Compliance 8/8/18**
24. **CASE NO CEB 08-18-85 - IMAS Financial LLC** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec., 6.2.H.7.A; Art. 9 Sec 9.6.2.A (Ref. FBC Supp IPMC 304.7), at **1234 Suwanee Rd Violation(s)** – Surfacing - off street parking spaces, Exterior structure roofs and drainage. First Notified – 5/29/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector reports that the property is in non-compliance and asks that the respondent be given until September 5, 2018 to come into compliance.

Mr. Recanzone stated he has had no response from the property owners.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Ms. Hymes, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned

to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

25. **CASE NO CEB 08-18-86 - Homere & Janise Hyppolite** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art 6 Sec. 6.2.H.7.A, at **Bellevue Ave (Parcel #5339-66-02-0030) Violation(s)** – Parking - vehicles on a vacant lot. First Notified – 5/14/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

Mr. Hyppolite was in attendance and was sworn in.

Mr. Jackson stated the inspector reports the property is in non-compliance and requests that the respondent be given until September 5, 2018 to come into compliance.

Mr. Hyppolite stated the vehicles belong to Mr. Shake at 529 Bellevue, No. 18, and are parked on his property. Mr. Hyppolite stated one car has been removed. Mr. Hyppolite stated he did not give permission for the vehicles to be parked on his property.

DISPOSITION: A motion was made by Mr. Harrington, seconded by Mr. Jones, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

26. **CASE NO CEB 08-18-91 - Michael D Malik** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. Supp IPMC 304.6, 304.7, 304.13.1), at **1208 Sunland Rd Violation(s)** – Exterior walls, roofs and drainage, glazing (broken window). First Notified – 7/2/2018 *ACTION TO BE TAKEN*: Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector reports the property is in non-compliance and asks that the respondent be given until September 5, 2018 to come into compliance.

DISPOSITION: A motion was made by Ms. Hymes, seconded by Mr. Jones, to find the respondent in non-compliance and ordered the respondent to come into compliance by September 5, 2018 or be returned to a subsequent Code Enforcement Board meeting for consideration of a fine of up to \$1,000 per day. The motion carried unanimously (6-0).

8. Miscellaneous Business

Ms. Kuendig stated she recently attended a neighborhood meeting and was told that Code Enforcement no longer reports to Permits and Licensing and now reports to the Police Department. Ms. Kuendig asked if that is correct.

Mr. Jackson stated that is correct.

Mr. Weatherholtz stated this will be his last Code Enforcement Board meeting since he is resigning from the Board.

9. Adjournment