

**CODE
ENFORCEMENT
BOARD**

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

Members: Weegie Kuendig, Chairman; Turner Hymes, Vice-Chairman; Neil Harrington, Karen Robey and Valoree McLean

July 11, 2019

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mr. Neil Harrington
Ms. Valoree McLean

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Ben Gross, Deputy City Attorney
Mr. Anthony Jackson, Esq. Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Mr. Steve Alderman, Code Inspector
Mr. Tom Clig, Code Inspector
Ms. Barbara Collins, Code Inspector
Mr. Mike Fitzgerald, Code Inspector
Mr. Danny Garcia, Code Inspector
Mr. Mark Jones, Code Inspector
Mr. Clifford Recanzone III, Code Inspector
Mr. John Stenson, Lead Code Inspector
Mr. Charles Smarr, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by: Mary Louise (Weegie) Kuendig Chairman

The Chairman called the meeting to order at 9:01 a.m.

Ms. Barnes called the roll and Ms. Robey and Mr. Jones were absent. She stated Mr. Jones had submitted his resignation from the Board on July 5, 2019. Motion was made to excuse Ms. Robey by Mrs. Hymes with Ms. McLean seconding. Motion approved 4-0.

Mrs. Kuendig asked if the minutes of the June 13, 2019 meeting had been read and asked for any corrections. Mrs. Hymes stated the minutes should be corrected to show that the Chairman called the meeting to order and not the Vice-Chairman and that one correction had been made instead of on correction. Mr. Harrington motioned to approve the minutes, as amended, and Mrs. Hymes seconded. Motion approved (4-0).

Mrs. Kuendig asked for disclosure of Ex Parte Communications and there was none.

Mrs. Kuendig announced the procedure for the meeting and asked if there were any announcements and Ms. Barnes announced the following cases in compliance.

CASE # 9 - CEB 06-19-119 - Jason A & Michelle Linkinhoker is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **214 Boylston Ave.** Violation(s) – Parking of trailer in front driveway. First Notified – 2/11/2019

Compliance 7-1-2019

CASE # 11 - CEB 05-19-84 - Gregory D. Fleming & Ernest Fleming is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4.d, at **404 Wilson Ave.** Violation(s) – Dirt and grime on fascia. First Notified – 1/17/2019

Compliance 7-10-2019

CASE # 17 - CEB 04-19-74 - George Schaier & Angela Wiley 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, 304.13); Art. 6 Sec. 6.19.A.3, at **307 Adeline St.** Violation(s) – Broken window, missing fence, outside storage, trash and debris. First Notified – 9/21/2018

Compliance 6-28-2019

CASE # 26 - CEB 07-19-122 - Adel H. Demetrious & Samia A. Morcos is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 5.12.D; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at **341 Plaza Blvd.** Violation(s) – Damaged fence and landscape maintenance. First Notified – 2/6/2019

Compliance 7-8-2019

CASE # 27 - CEB 07-19-123 - John Nelson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.1, 302.7, 304.3, 304.13, 308.1, 304.7); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4, at **321 Flushing Ave.** Violation(s) – Broken window, outside storage, trash and debris, plywood over window, garage roof tarped and visible address. First Notified – 3/21/2019

Compliance 7-31-2019

CASE # 29 - CEB 07-19-150 - Jeannine Franklin Hurst & Frederick C A Aldrich IV is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A, at **111 Bellevue Ave.** Violation(s) – Outside storage and trailer parking. First Notified – 5/3/2019

Compliance 7-11-2019

CASE # 38 - CEB 07-19-143 - Dean E McMahon & Sherry Adams 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 **472 Zelda Blvd.** Violation(s) – Maintenance Code - exterior structures, paint fading and peeling - including, but not limited to, garage and doors. First Notified – 4/3/2019

Compliance 7-10-2019

CASE # 40 - CEB 07-19-127 - James D Brittain 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 **1409 Peachtree Rd.** Violation(s) – Maintenance Code - faded and peeling paint. First Notified – 3/6/2019

Compliance 7-9-2019

CASE # 43 - CEB 07-19-144 - Kerry Beaver-Keith is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.13), at **209 Zelda Blvd.** Violation(s) – Maintenance Code - damaged wooden garage door and peeling paint. First Notified – 6/12/2019

Compliance 7-10-2019

CASE # 50 - CEB 07-19-142 - Timmie L & Dephrin Jackson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3), at **752 Derbyshire Rd.** Violation(s) – Maintenance Code - truck parked in front yard on the grass, fascia board dirt and grime, missing or faded paint and missing address numbers. First Notified – 5/21/2019

Compliance 7-10-2019

CASE # 51 - CEB 07-19-146 - Tracy M Bruce 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 **480 Zelda Blvd.** Violation(s) – Maintenance Code - faded and peeling paint on exterior of house. First Notified – 4/4/2019

Compliance 7-10-2019

Mrs. Kuendig called the first case which is a Lien Review.

Mr. Cino stated the Board has 4 members present today, which constitutes a quorum, but all votes must be affirmative on the decision for Lien Reviews.

CEB 04-06-83 - 343 Division Street - George W. & Gladys M. Carr Estate is cited for failure to correct violations of The Land Development Code, Article 19, Section 1 and Chapter 22-28, Code of Ordinances. Violation(s) – Failure to make repairs listed on attached report or demolish unsafe structure. First Notified – 1/18/2006. **Order Imposing Fine-Lien of \$200.00 per day effective May 5, 2006. Compliance - June 3, 2019. \$15,000.00 plus \$22.00 recording costs = \$15,022.00.**

CEB 12-05-552 - 343 Division Street - George W. & Gladys M. Carr Estate is cited for failure to correct violations of The Land Development Code, Chapter 22-28, Code of Ordinances and Article 19, Section 1. Violation(s) – Failure to repair items on housing report or demolish unsafe structure. First Notified – 6/2/2005. **Order Imposing Fine-Lien of \$150.00 per day effective**

January 6, 2006. Compliance – June 3, 2019. \$15,000.00 plus \$22.00 recording costs = \$15,022.00.

Total amount of Liens = \$30,044.00

Mr. Ben Gross, Deputy City Attorney, stated he was standing in for the lien reviews as Assistant City Attorney, Anthony Jackson, had been delayed.

Ms. Carole Sykes, great granddaughter of the respondent, came forward and was sworn in.

Mr. Harrington asked if the property had been demolished and Ms. Sykes stated that it was demolished since 2007.

Mr. Gross stated the property was actually in compliance in 2006 and part of the reason the fine was so large is because the contractor failed to notify the City and have a final inspection. He stated the property was in a limbo status for quite a long time until it was determined who would be the owner. He stated because the property was in compliance, the City is requesting to waive the liens.

Mrs. Kuendig asked who was supposed to notify the City and Mr. Gross stated technically it was the owner but in this case that person was ill or deceased.

Mr. Harrington stated he believed the liens should be dismissed.

Ms. Sykes stated her great grandparents owned the property since the 1940's and it passed to her grandfather and when he passed away, to his brother, his wife and her grandmother. She stated they had all passed away except one who lives on the west coast and their family is not willing to participate. She stated her mother continued to pay the taxes and care for it until she became ill. She stated she wanted to get everything straightened out so they could continue to keep the property.

Mrs. Kuendig asked if they were maintaining the property and Ms. Sykes stated yes.

BOARD ACTION: Mrs. Kuendig asked for motion to waive the lien amount in its entirety for both cases. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

Mrs. Kuendig called Lien Review 2.

CEB 07-09-133 - 322 Reva Street - Horace Williams (new owner is Miro Lakic) is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 2 (ref. 301.2, 301.3, 302.1, 302.7, 304.2 and 304.12 IPMC). Violation(s) – Failure to repair windows, fences, paint exterior walls and trim, failure to maintain landscaping, remove outside storage and allowing property becoming a blight. First Notified – 5/9/2009. **Order Imposing Fine-Lien of \$25.00 per day effective February 11, 2010. Compliance June 26, 2019. \$15,000.00 plus \$22.00 recording costs = \$15,022.00**

Mr. Miro Lakic came forward and was sworn in.

Mr. Gross stated the property had many violations and came into compliance on June 26, 2019. He stated the property was fined \$25 per day starting in 2010 and staff is requesting a reduction to \$1,500.

Mr. Lakic stated he brought the property into compliance and was not the one who made the violations. He stated he did not know about the lien when he purchased the property or he would have had it inspected earlier.

Mr. Harrington asked the respondent if this was the first house he had purchased and Mr. Lakic stated no.

Mr. Harrington asked the respondent why he didn't find out along the way there was a lien and there was no response.

Ms. McLean asked the respondent how long he had been involved with the property.

Mr. Lakic stated he was not sure on the public records but that he bought it at tax deed.

Mrs. Kuendig asked the Board Secretary if she had information on the purchase date.

Mrs. Kuendig, reading from the Volusia Tax statement, stated that the property was sold at tax deed sale in 2012 and the Quit Claim was in 2014.

Mr. Lakic stated he has owned it since 2012.

Mr. Harrington asked if the property was rented.

Mr. Lakic stated it was not rented and he sold the property but did not transfer the title. He stated he had a contract for deed with a small down payment on the property. He stated the person did not fulfill the contract and he kicked them out and got control of the property. He stated he had never inspected the property before the residents moved in.

Ms. McLean asked how long the property was vacant. There was no response from the respondent.

Mr. Gross stated the property was quit claimed in 2012.

Ms. McLean asked if there had been any renters in the house since 2012.

Mr. Lakic stated they did a contract for deed.

Mr. Gross stated it was a lease purchase agreement.

Mrs. Kuendig asked if the person doing the contract for deed was living in the house since 2012.

Mr. Lakic stated no, they ended up kicking them out and the house is vacant.

Ms. McLean asked how long the house has been vacant.

Mr. Lakic stated he was not sure but it was public record as to when they did the eviction.

Mr. Lakic stated as soon as he got the property it was in compliance within a few months but was never inspected.

BOARD ACTION: Mrs. Kuendig asked for motion to reduce the amount of the lien to \$2,500 subject to being paid within 30 days. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

Mrs. Kuendig called the next case on the agenda.

Mr. Anthony Jackson, Assistant City Attorney, joined the meeting at 9:20 a.m.

Mr. Ben Gross exited the meeting at 9:22 a.m.

CASE # 1 - CEB 03-19-47 - Robert Hsieh is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **210 Williams Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/27/2018

Respondent was not present.

Mr. Jackson stated they are waiting on the status of a review by the Planning Division as to the number of units that will be allowed. He stated there are other matters they have not resolved yet but is asking to amend to the September cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until September 4, 2019 to come into compliance or return to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 2 - CEB 09-18-109 - Dennis L and Lucinda A Trovinger is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S (Ref. FBC Supp. IPMC 105.1), at **1212 Sunset Cir.** Violation(s) – No permit for carport. First Notified – 6/5/2018

Mr. Dennis Trovinger came forward and was sworn in.

Mr. Jackson stated the inspector is Tom Clig and he reports they are moving forward and just need to know how much time the respondents need. He stated they had applied for the building permit and haven't heard back yet.

Mr. Trovinger stated he received a call from Planning and they told him to go ahead and apply for a building permit.

Mr. Clig stated on June 21st the City had dropped its variance request and the required application for building permit is under review.

Mrs. Kuendig asked how long that would take.

Mr. Jackson stated staff is requesting to continue in the current status until next month.

Captain Scott Lee, City of Daytona Beach Police Department, stated that P & L is waiting for a supporting document that states the necessary need for consideration of ADA.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until September 4, 2019 to come into compliance or return to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 3 - CEB 06-19-103 - Grace A. Pedersen, Trustee of the Amazing Grace ARNP Solo 401K Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1055 W Intl. Speedway Blvd.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 11/19/2018

Respondent was not present.

Mr. Jackson stated the Inspector, Mark Jones, reports the property failed inspection on June 29th but there were minor repairs that needed to be done and staff is asking to amend to the next cutoff.

Mr. Jones stated there are minor issues left which include a couple of unlicensed vehicles and a couple of windows. He stated he has been in contact with the owner.

Mr. Harrington asked why the individual violations are not on the agenda.

Captain Lee stated there is a checklist for the Rental checklist and when they write up the violation it is for Failure to Obtain Rental license. He stated if they go through the entire list and pass, they can obtain the license. He stated if the process ceases at some point, they can go back and cite them for specific code violations.

Mr. Harrington stated he would like to see that happen sooner rather than later.

Captain Lee stated they would look to see if the cases should be moved forward sooner.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 4 - CEB 06-19-102 - Holly Hoffman is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **415 N Halifax Ave. #114.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/21/2019

Respondent was not present.

Mr. Jackson stated they have had some communication with the respondent and they are in the process of scheduling the inspection and is asking to amend to the next cutoff.

Mr. Jones stated the owner is out of state and he has spoken with the tenants regarding the inspections. He stated the owner is difficult to reach. He stated they are not scheduled yet but he hopes to have them scheduled before the end of the month.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mr. Harrington motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 5 - CEB 06-19-117 - Holly Hoffman is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **415 N Halifax Ave. #107**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/21/2019

Mr. Kuendig asked the City Attorney if this case is the same issue and Mr. Jackson stated yes.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 6 - CEB 04-19-76 - Paul A. Czajkowski Revocable Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **& 309-307 Seaview Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/8/2019

Respondent was not present.

Mr. Jackson stated the only thing left for this respondent was windows and he purchased them but they were the wrong size. He stated they have been reordered and are asking to amend to the next cutoff.

Mrs. Kuendig asked if this was just one window.

Mr. Jones stated yes, that it was a kitchen window.

Mrs. Kuendig stated he was notified in February 8, 2019 that he needed to get the rental license and she did not see how it had taken this long to get one window.

Mr. Jones stated he had corrected all of the other violations and it was inspected on April 19th when it failed. He stated he ordered the window from Daytona Window and they ordered the wrong size. He stated he spoke to the new contractor who ordered the window and stated it would be 4 to 6 weeks before the window comes in and he has it installed. He stated the permit should be issued today or tomorrow.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until September 4, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 7 - CEB 06-19-115 - Christine Ziglar is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **821 Pinewood St.** Violation(s) – Trailer parking on front lawn, trash and debris. First Notified – 2/16/2019

Respondent was not present.

Mr. Jackson stated the Inspector is Tom Clig and he has had no contact with the respondent, all of the proper notifications have been done, and the inspector is asking for a fine in the amount of \$200 per day to a maximum of \$15,000.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$250 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of \$15,000. Ms. McLean motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 8 - CEB 06-19-106 - Elmer L. & Sarah A. Flanary is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1); Art. 6 Sec. 6.19.A.3, at **1356 Continental Dr.** Violation(s) – Sanitation (trash) and outside storage. First Notified – 3/21/2019

Christy Beshane, daughter of the respondent, came forward and was sworn in.

Mr. Jackson stated this case is here for the imposition of fine and the inspector is Tom Clig. He stated the inspector reports that the property remains in non-compliance and is asking for a fine in the amount of \$100 dollars per day to a maximum of \$10,000.

Mr. Clig stated the property was re-inspected last week and there was some improvement.

Ms. Beshane stated the RV was gone and the front area was cleaned, She stated the red trailer is no longer there.

Mrs. Kuendig asked if the inspector had been called to inspect.

Ms. Beshane stated she did not know if her mother called or not.

Mr. Clig stated he had no contact with the respondent and there was some inter family squabbling.

Mr. Shane stated her brother lives there but there was no eviction.

Mrs. Kuendig stated the last time they were here they said they would get the property cleaned up right away. She stated they were notified in March to get it cleaned up.

Mr. Harrington asked the respondent what isn't done.

Ms. Beshane stated there were 3 trash cans in front of the garage and a privacy fence leaning on the house.

Mr. Jackson stated if they are that close they need to get the inspector out there and would like to amend the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 10 - CEB 05-19-95 - Jerlene P. Stiggons is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.5, 304.6, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.1.1, 305.2, 305.3, 305.6, 604.3.2), at **1124 Lakewood Park Dr.** Violation(s) – Exterior structure members, foundation walls, exterior walls, roof & drainage, windows, door, frames, openable windows, insect screens, interior structure - unsafe conditions, interior structural members, interior surfaces, interior doors, abatement of electrical hazards with fire exposure. First Notified – 2/28/2019

Ms. Jerlene Stiggons came forward and was sworn in.

Mr. Jackson stated the property was fire damaged and condemned and needs to be resolved. He stated inspector Clig reports the property remains in non-compliance, nothing is being done, and is asking for a fine in the amount of \$300 per day to a maximum of \$10,000.

Mr. Harrington asked if the property was condemned by the City.

Mr. Clig stated that the Building Department had condemned the property and that it was a homesteaded property.

Ms. Stiggons stated that it was homesteaded and that she has been working on it and it is not ready to condemn. She stated the people that she has to fix it do not have a license. She stated she has a form that needs to be filled out by each builder if she could have a little more time. She stated she got pre-approved by the bank for the money.

There was discussion whether the property was condemned or not and the process to address fixing or demolishing the building.

Mr. Jackson stated the Board still needs to make the necessary ruling on the code enforcement issues. He stated they are not aware of any appeals or alternative action.

Captain Lee stated the condemnation appeal is a different process.

Ms. Stiggons stated the inspector told her they are receiving calls wanting to know when it will be done.

Mrs. Hymes stated they needed something from the City showing they are rehabbing the property.

Mrs. Kuendig asked for motion to impose a fine of \$200 per day to a maximum of \$10,000 but no motion was made.

Mr. Harrington stated he would like to bring it back.

Mrs. Kuendig asked when the fire occurred.

Mr. Jackson stated the inspector reports it was about a year and a half ago.

Mr. Harrington stated he would like to see what has been done and what type of communication the respondent has such as a letter or a permit but he is not comfortable in ruling if she or the City hasn't done anything.

Mr. Jackson stated the action is initiated for the Board of Building Codes from the respondent and there has not been a request and it is not scheduled. He stated they have a property in violation that needs a remedy.

Mr. Clig stated the respondent told him when her taxes came in she was going to get the permit and fix some of the violations. He stated no permits have been issued for any of the violations. He stated the City remodeled the property in 2010 and believes she is trying to get it done again.

Mrs. Kuendig asked the respondent what paperwork she has to show the Board.

Captain Lee stated there is a system in place and he has communication from the people that handle the condemnation process and they state they had communication since the end of February up until May that shows she was trying to find financing and then it stopped. He stated there is nothing that shows she is progressing.

Ms. Stiggons gave her paperwork to Mrs. Kuendig who stated none of the paperwork is from the City.

Mr. Cino stated he checked the agenda and she is not on the Board of Building Codes Agenda for next week.

Ms. Stiggons stated she spoke with Mr. Don Gooding in Housing rehabilitation and Community Development and Kimberly in condemnation last week.

BOARD ACTION: Ms. McLean motioned that a fine in the amount of \$100 per day, effective July 11, 2019, be imposed until compliance is achieved or the fine reaches a maximum of \$10,000. Mr. Harrington seconded the same. Motion approved 3-1 with Mrs. Kuendig voting against the motion.

CASE # 12 - CEB 03-19-66 - Christopher J. Higgins is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **175 Centennial Ln.** Violation(s) – Driveway installed without a permit. First Notified – 11/30/2018

Respondent was not present.

Mr. Jackson stated that Inspector Cliff Recanzone reports the respondent is in litigation with his contractor and is asking to amend to the September cutoff.

Mr. Recanzone stated the respondent is not allowed to put pavers in the area where the sidewalk should be. He stated the City is working with Mr. Higgins to make the contractor responsible to fix the sidewalk back.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until September 4, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 13 - CEB 06-19-113 - Dwaun J. Warmack 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 **622 Winchester St.** Violation(s) – Accessory structures - damaged fence. First Notified – 3/17/2018

Respondent was not present.

Mr. Jackson stated Inspector Recanzone reports the property remains in non-compliance and has had no contact with the respondent. He stated staff is asking for a fine in the amount of \$100 to a maximum of \$15,000 be imposed until compliance is achieved.

BOARD ACTION: Ms. McLean motioned that a fine in the amount of \$100 per day, effective July 11, 2019, be imposed until compliance is achieved or the fine reaches a maximum of \$10,000. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 14 - CEB 06-19-114 - Edward C. Taft is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.3, 302.4, 302.7, 303.1, 303.2, 304.7), at **217 Blanche Place.** Violation(s) – Vacant structure, sidewalks, weeds, accessory structures, swimming pool and swimming pool enclosure. First Notified – 11/18/2018

Respondent was not present.

Mr. Jackson stated the inspector reports there has been no contact from the respondent. He stated there was concern regarding the pool enclosure and the City has placed a lock on the fence. He stated staff is requesting a fine in the amount of \$250 per day to a maximum of \$15,000 be imposed.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$250 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of \$15,000. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 15 - CEB 06-19-125 - Imogene C. & Fred H. Gilmour Sr. 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. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13), at **122 Springwood Dr.**

Violation(s) – Working outside of the scope of the Business Tax Receipt (BTR), damaged roof, extending building without permits, boarded window and dirt and grime on the siding. First Notified – 3/19/2019

Mr. Jim Pickens, Esq. came forward. Mr. Pickens stated they represent the estate of Fred Gilmour.

Mr. Jackson stated the inspector is Cliff Recanzone and the permits have been issued, they are waiting for permits to be finalized and would like to amend to the next cutoff.

Mr. Pickens stated the work has been permitted and approved and he spoke with the contractors for the shingles and garage extension and hopefully by the next cutoff those projects will be completed.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 16 - CEB 06-19-112 - Sandora Y. Davis and Kenzel Washington is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.7, 308.1), at **349 Wilson Ave.** Violation(s) – Parking, sanitation, accessory structures, roofs and drainage and accumulation of rubbish. First Notified – 1/31/2018

Ms. Angela Darby, mother of Sandora Davis, came forward and was sworn in.

Mr. Jackson stated inspector Recanzone reports the property remains in non-compliance and he was contacted yesterday by the respondent and she says the property will be in compliance by the end of next week. He stated the inspector went and looked at the property yesterday and it is still in non-compliance and so is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

Ms. McLean asked if any of the work had been done.

Mr. Recanzone stated there had been a little bit of work done and there were still junk vehicles on the property and they are still parking in the front yard. He stated the vehicles were tagged but have flat tires and are not operable.

Mrs. Kuendig asked if the accessory structure needed to be fixed or if the violation is the weeds.

Mr. Recanzone stated at first he thought the structure was not in good shape but it looks like it will be ok since the weeds have been removed. He stated the roof was part of the accessory structure.

Ms. Darby stated she did a lot of work yesterday and last night. She stated she needs about a week and it would be done.

Mr. Recanzone stated the green card was signed on March 2019.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

CASE # 18 - CEB 03-19-62 - Kelly Rose, Kristen Risch, Peggy Snyder & Kimberly Wade is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.13), at **308 Kingston Ave. Violation(s)** – Vacant structure, damaged fence, peeling paint, siding coming undone and broken windows. First Notified – 10/12/2018

Kelly Rose and Roger Rose came forward and were sworn in.

Mr. Jackson stated Inspector Garcia reports the respondents are making progress and the amount left can be done by the next cutoff.

Mrs. Rose stated they can get the work done by the next cutoff.

BOARD ACTION: Ms. McLean motioned to amend the previous Order of Non-compliance to allow the respondents until July 31, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Mrs. Hymes seconded the motion and it was approved 4-0.

CASE # 19 - CEB 06-19-109 - Rosalie Riley 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 **218 Short St. Violation(s)** – Peeling paint. First Notified – 3/7/2019

Respondent was not present.

Mr. Jackson stated Inspector Garcia reports the respondents are doing some work but he has had no contact since March and is requesting a fine in the amount of \$100 per day to a maximum of \$15,000 be imposed until compliance is achieved.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$250 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of \$15,000. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 20 - CEB 12-18-159 - Audrey Houston is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 604.3, 704.2); Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 304.14); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90.297), at **727 School St. Violation(s)** – Electrical system hazards, insect screens, no smoke detectors, structural appearance standards - roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/26/2017

Ms. Kenetta Jones, daughter, and Ms. Debbie Filer, niece, came forward and were sworn in.

Ms. McLean asked if they were part owners of the property.

Ms. Jones stated that she was and Ms. Filer stated that her deceased mother was part owner.

Mr. Jackson stated the Inspector is Jerome McCoy. He stated this has been going on for a very long time and permits have been issued and there is work that has been done but it is not finalized and staff is requesting a fine in the amount of \$150 per day to a maximum of \$15,000.

Ms. Keundig stated it looks like there is a lot done and this was started in October 2017.

Mr. McCoy stated the case has been running for a long time but the last couple of months a roof permit was issued and started, but not completed, and he has not been called for reinspection.

Mr. Harrington asked if there was a licensed contractor doing the work.

Mr. McCoy stated the work was being done by a licensed contractor, Florida Interstate Roofing.

Mr. Harrington asked when they started.

Mr. McCoy stated the permit was issued on May 7, 2019 and was approved on the 8th.

Mr. Harrington asked the respondent when the contractor was hired.

Ms. Jones stated she did not know. She stated her mother called her and told her she was not coming and so they came so that the family would be represented. She stated she spoke with the contractor this morning and there were issues which she will discuss with the family regarding payment arrangements.

Ms. McLean asked if the other work had been done.

Mr. McCoy stated he has not been able to inspect the other violations. He stated he suggested the respondent take care of the roof first because everything else falls under that.

Ms. Jones stated they are just learning this morning that the roof was not completed.

Mr. Harrington asked who the contractor reports to and Ms. Jones stated her mother.

Mrs. Kuendig asked if the owner was notified in October 2017, why is it taking so long to get this done.

Ms. Jones stated her mother was aware but no one else in the family was aware. She stated she was not sure her mother is capable of handling her personal business.

Mrs. Hymes asked how many other relatives are on the deed.

Ms. Barnes read the owners from the Volusia Tax Record.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$100 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of

\$15,000. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 21 - CEB 01-19-08 - Evelina Brockington 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, 302.5, 302.7, 302.8, 304.1.1.7, 304.2, 304.3, 304.6, 304.7, 304.8, 304.13, 304.15, 308.1, 309.1, 504.3), at **626 South St.** Violation(s) – Property owner responsibility. Vacant structure and land. Sanitation. Weeds, Rodent harborage. Accessory structure (fencing). Junk vehicles. Unsafe condition (exterior walls). Peeling paint. Address numbers. Exterior walls. Damaged roof. Decorative features (lattice). Broken windows. Damaged exterior doors. Rubbish/garbage. Infestation. Plumbing system hazard (lack of service). First Notified – 10/23/2018

Ms. Evelina Brockington came forward and was sworn in.

Mr. Jackson stated the inspector is John Stenson and he reports there has been nothing done of late, the property remains in non-compliance and is asking for a fine in the amount of \$250 per day to a maximum of \$10,000.

Mr. Stenson stated there has been movement of a lot of things on the property but no progress in cleaning up the property and it is still in non-compliance.

Mrs. Kuendig asked if there was anyone living there.

Ms. Brockington stated she was living there.

Mrs. Keundig asked if permits have been pulled for the roof.

Ms. Brockington stated she was on the VIND program and she has to pay another year's taxes. She stated they said that she does not have the property homesteaded which she does. She stated they said she owned another house in Daytona and she doesn't own another house in Daytona. She stated she gave up the other house in June 2001. She stated the pictures do not reflect how the property looks now.

Mr. Jackson stated, in regard to the VIND program, they have communication with them and submitted a copy to the Board Chairman.

Mrs. Keundig read a letter from the VIND Coordinator to the Board stating Ms. Brockington was disqualified because she owns multiple properties.

Ms. Brockington stated she had another program as well. She stated in response to a question from Mr. Harrington regarding junk vehicles that it was gone.

Mrs. Keundig pointed out that there are also no permits issued.

Ms. Brockington stated she is at a standstill with VIND because of the other property. She stated she does not know where that comes from and that she owned another property on Derbyshire years ago.

Mr. Harrington asked the respondent if the plumbing was done and Ms. Brockington stated yes.

Mr. Harrington asked the respondent if she has a bill showing that she paid for that.

Ms. Brockington told Mr. Harrington to call downstairs. She stated she owed two taxes on the one house and the house does not look like the pictures anymore. She stated she was working with Redevelopment because the property is in a CRA.

Mr. Jackson stated they have correspondence from utility billing stating the property is currently disconnected from service as of the middle of June and scheduled to be closed completely on June 17th.

Mr. Charles Bryant, Project Manager for Redevelopment Services, came forward and was sworn in.

Mrs. Kuendig asked Mr. Bryant if he was working with Ms. Brockington in the CRA.

Mr. Bryant stated the respondent's property is outside a redevelopment zone and believes she meant community development. He stated he does not know if she is working with them.

Ms. Brockington stated she has paperwork from Redevelopment.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$250 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of \$10,000. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 22 - CEB 03-19-69 - Chester E. Perkowski is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.19.A.2; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.8.G; Art. 6 Sec. 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 304.6, 304.7, 304.9), at **315 Silver Beach Ave.** Violation(s) – Illegal/Not valid signs, retainer wall damage, rotted overhangs, rotted mansard roof, rotted siding, overgrown property and damaged window (slider). First Notified – 12/11/2018

Respondent was not present.

Mr. Jackson stated the inspector is Steve Alderman and he reports he has had constant contact with the respondent and that permits have been pulled and staff is requesting to amend to the September cutoff.

Mr. Alderman stated he has been in constant contact with the respondent who has completed removing the debt load from one property to another and is preparing for demolition. He stated they applied for the permits on June 10 and they were approved on July 5. He stated they have done a checklist and the utilities have been removed but demolition has not started yet.

Mrs. Kuendig asked the inspector if they have a contractor.

Mr. Alderman stated that they do.

Mrs. Kuendig asked if they can be done by the end of the month.

Mr. Alderman stated there are extra slabs of concrete that need to be removed but believes the respondent can be done by the end of the month.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance to allow the respondents until September 4, 2019 to come into compliance or be returned to a subsequent meeting for the consideration of a fine up to \$1,000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 23 - CEB 06-19-120 - Mary Kathleen Langan 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 108.1, 301.3, 304.2, 304.4, 304.6, 605.3, 304.9), at **540 Revalo Blvd.** Violation(s) – Damaged overhangs; exterior wall failing; rotted stairs, deck and rails; trash and debris; paint fascia; damaged window frames; deck support; paint structure and water damaged exterior luminaries. First Notified – 2/13/2019

Respondent was not present.

Mr. Jackson stated Inspector Alderman reports he has had no contact from the respondent, they have made the proper notification required by law and is requesting a fine in the amount of \$200 per day to a maximum of \$10,000.

Mrs. Kuendig asked if anyone lives there.

Mr. Alderman stated no one lives there and hasn't for some time and it also has condemnation postings on it since 2017.

Mr. Harrington asked if this was an out of town owner and Mr. Alderman stated she lives in Maryland.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$200 per day, effective July 11, 2019, until compliance is achieved or the fine reaches a maximum of \$10,000 (later corrected by Captain Lee to \$15,000). Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

The Chairman called a break at 10:45 a.m.

The hearing resumed at 10:51 a.m.

NEW CASES:

CASE # 33 - CEB 07-19-131 - Aimee German is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **501 Butler Blvd.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/15/2019

Brenda German King, mother of the respondent, came forward and was sworn in.

Mr. Jackson stated the inspector is Mark Jones and he reports he has had communication with the respondent but there is a lot of work to be done and is asking for a finding of Non-Compliance and the October cutoff to bring the property into compliance.

Mrs. Kuendig asked the respondent if she wanted to say anything and she responded no.

Mr. Jones stated he received an affidavit from the respondent that the 2-rental unit will remain vacant and will not be occupied until repairs are completed. He stated they purchased the property at the beginning of the year and realized there were more repairs than they thought.

Ms. King stated the property was purchased in December and when they purchased the property there were renters. She stated the downstairs renter moved February 1 and the upstairs renter wanted to stay but has not paid rent so she was evicted and they started work to rehab the building in March.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until October 2, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 34 - CEB 07-19-132 - Annie & Simon Myara is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **439 Auburn #202**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/19/2019

Mr. Simon Myara came forward and was sworn in.

Mr. Jackson stated the inspector has had no contact with the respondent, the property has no Rental License(RTL) or Business Tax Receipt (BTR) and staff is asking for a finding of non-compliance and to amend to the next cutoff for compliance.

Mr. Myara stated the property was sold about 2 weeks ago. He stated both of the properties are in the process of being sold. He stated he owns the property with his sister. He stated #202 is the one that is sold.

Mr. Cino asked the respondent if he has the name and address of the new owners.

Mr. Myara stated he did not.

Mr. Harrington asked the respondent if he sold it to people who bought it to live in it.

Mr. Myara stated all he knew was that they bought it and sold it.

Mr. Jackson asked if it was sold by warranty deed and did they have a title company or was it quit claim.

Mr. Myara stated it was warranty deed.

Mr. Jackson suggested the case be continued for verification. He stated if there are new owners, this case may be dropped and the new owners cited.

BOARD ACTION: Mrs. Kuendig asked for motion to continue the case until August 8, 2019. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 35 - CEB 07-19-133 - Annie Myara is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **439 Auburn #203**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/19/2019

Mr. Myara stated the property had not been sold yet but was under contract. He stated this one might be Quit Claim.

Mr. Jackson stated the City would ask for a finding of non-compliance and next cutoff for compliance.

Mr. Myara stated he went to the City to get the licenses and when he was told they were going to be sold there was no need to obtain the license.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 36 - CEB 07-19-130 - Jackie Maurice Spencer is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **533 Fulton St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/25/2019

Mr. Jack Spencer came forward and was sworn in.

Mr. Jackson stated the Inspector is Mark Jones and he reports the property remains in non-compliance and he had no contact with the respondent up until yesterday. He stated the inspector believes the next cutoff is a reasonable amount of time to bring the property into compliance. He stated they have scheduled an inspection.

Mr. Jones stated he has not inspected the property yet.

Mr. Spencer stated he spoke with Mr. Jones yesterday and did receive a Notice for Rental License at the end of February and he came and purchased a license. He stated it was determined in May that he did not pay enough and needed to pay an extra \$50.

Mrs. Kuendig asked if that was the Business Tax Receipt and Mr. Spencer stated he had already paid for that.

Mr. Jones stated it was determined the property was a duplex and needed a Rental License for each unit.

Mr. Spencer stated he came in on May 1 to pay the extra \$50 and they told him he needed an inspection and he has been waiting for the City to schedule the inspection. He stated the only notification he had received since then was to appear at the meeting.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 42 - CEB 07-19-148 - Josephine Anderson Estate is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.3, 304.7), at **501 N Keech St.** Violation(s) – Maintenance Code - Appearance standards: Outside storage, trash and debris, junk vehicle, dilapidated roof, faded and peeling paint. First Notified – 1/17/2019

Ms. Andrea Anderson, daughter, came forward and was sworn in. She stated her mother was deceased.

Mr. Jackson stated Inspector Fitzgerald reports the junk vehicle was removed but the property remains in non-compliance and is asking for next cutoff for property to be brought into compliance.

Mrs. Kuendig asked the respondent if she was living there and she stated yes.

Ms. Anderson read out loud the violations and stated there is a tarp on the house. She stated Hurricane Irma ripped some of the shingles off and so she applied to FEMA. She stated FEMA denied her and she kept making appeals. She stated FEMA paid her for the bed and the dresser but they did not repair the roof so she had to cover the roof to save her stuff. She stated she put the address numbers on the house and went to the dump to get paint. She stated she heard about a new program called Rebuild Florida in Orlando so she went there and spoke with a representative and they gave her information but told her the problem was the house was deeded to her mother who quit claim deeded the property to her and her brother but died during the process. She stated she and her brother got a quit claim deed and they told her in Deland that it needed to be probated, not quit claimed. She stated she went to an attorney and has a letter stating she needed to get the death certificate for her mother. She stated her brother is back in town and is deeding the property to her so that she can obtain help from Rebuild Florida.

Mr. Cino asked the respondent if her property was homesteaded.

Ms. Anderson stated since the property is not deeded to her yet they will not let her homestead it. She stated she would not be completed with the process by the next meeting.

Mr. Jackson stated the respondent may need until the September meeting for a progress report.

Ms. Anderson asked the Board to amend to the October date as she has one more property tax bill to pay before the work can start and she will have to pay the attorney.

Mr. Jackson stated he would like to suggest the September meeting for a progress report to make sure things are rolling.

Ms. Anderson told the Inspector that he would be receiving an email from Rebuild Florida.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to return to the September 12, 2019 for a progress report. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 46 - CEB 07-19-136 - Michael L Cooper Sr is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.10), at **1436 Peachtree Rd.** Violation(s) – Maintenance Code – missing/damaged section of the soffit, rust stained exterior of house and front porch post. First Notified – 3/6/2019

Michael Cooper came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the respondent is working on it and is asking for a finding of non-compliance and the next cutoff to come into compliance.

Mr. Cooper stated he had been sick the last 3 or 4 months. He stated his kids have been helping out. He stated he is having the house painted. He stated the roofing company inspected yesterday and said it would be 3 or 4 weeks to get the report to replace the soffit.

Mr. Fitzgerald stated the contractor needed to contact P & L for permits and info.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until September 4, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 49 - CEB 07-19-137 - Shirley Amar 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 **1141 Clearwater Rd.** Violation(s) – Maintenance Code - Rotted wood on fascia board, and soffit, faded and peeling paint. First Notified – 5/1/2019

Ms. Shirley Amar came forward and was sworn in.

Mr. Jackson stated the inspector is Mike Fitzgerald and he reports the property remains in non-compliance but the respondent is working on it. He stated staff is requesting a finding of non-compliance and to amend to the next cutoff for compliance.

Ms. Amar stated she had two of the repairs done and weather permitting she should be done soon. She stated she would notify the inspector when the work is done.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 53 - CEB 07-19-145 - Zaza Mazhar 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 302.4, 302.7,

304.2, 304.3, 304.7, 304.8), at **416 Zelda Blvd.** Violation(s) – No permit for roof, fading and peeling paint, damaged fascia board and soffit, outside storage, trash and debris, garage door rusted and faded, dilapidated shed in backyard, overgrown lawn and weeds. First Notified – 4/4/2019

Mr. Mazhar Zaza came forward and was sworn in.

Mr. Jackson stated Inspector Report reports the roof issues, as far as permitting is concerned, are resolved but the property remains in non-compliance and is asking for a finding of non-compliance and to amend to the next cutoff for compliance.

Mr. Zaza requested his address be changed to 726 Princess Court in Murfreesboro, TN 39126 as he travels for medical issues.

Mrs. Kuendig asked the respondent if he lives there.

Mr. Zaza stated that he did live there.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 54 - CEB 07-19-157 - Ginger Moore is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.y.a.i, at **344 Hartford Ave.** Violation(s) – RV parking in front of house. First Notified – 5/16/2019

Ms. Ginger Moore Faulkner and Mr. Marshall Faulkner came forward and were sworn in.

Mr. Jackson stated the case is regarding an RV parking in front of the house. He stated there was an inspection on May 16, May 19, June 24 and 25 and Inspector John Stenson is requesting a finding of Non-compliance/Compliance. He stated the property is currently in compliance.

Ms. Moore stated they keep a log book since November of last year of comings and goings with the RV. She stated they have a monthly rental where they store the RV. She stated it had never been parked there 24 hours or more. She stated they have listed the RV for sale and sold one of their cars.

Mrs. Kuendig asked for clarification of the rules.

Ms. Barnes provided the City Attorney with the Statute Art 6 Sec. 6.2.H.7.A. Mr. Jackson read the Statute.

Mrs. Kuendig re-stated the respondents can park up to 24 hours in their driveway.

Mr. Jackson clarified it can only be parked there for the purpose of loading and unloading.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent previously in non-compliance and currently in compliance and for any additional violation be returned to a

subsequent meeting for consideration of the imposition of a fine up to \$5,000 per occurrence. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 48 - CEB 07-19-141 - Robert & Susie Owens is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.1.1, 304.2, 304.3, 304.4, 304.7), at **435 Model St.** Violation(s) – Maintenance Code - dilapidated roof, peeling paint, junk vehicles, outside storage, trash and debris. First Notified – 3/21/2019

Carlos Sneed came forward and was sworn in. He stated the respondents are his father's aunt and uncle.

Mrs. Kuendig asked if they live there.

Mr. Sneed stated a long time ago.

Mrs. Kuendig asked who lived there now.

Mr. Sneed stated his brother lived there for a while and those were his cars.

Mr. Jackson stated the inspector is Mike Fitzgerald and he has heard nothing from the respondents and believes it can be taken care of by next cutoff. He stated the inspector is asking for a finding of non-compliance and next cutoff to come into compliance.

Mr. Fitzgerald stated that nothing had been done.

Mrs. Kuendig asked where his aunt and uncle live and Mr. Sneed stated they are dead.

Ms. McLean asked who the house belonged to if they are deceased.

Mr. Sneed stated his mother has been paying taxes on the home since he was born.

Mr. Harrington asked the respondent if he knew if she had title.

Mr. Sneed said he did not know. He stated they sent him up here to tell the Board that they can fix it by next time. He stated the car was already gone and they just needed to tear down the dilapidated roof and paint the house.

Mr. Cino asked if there was a will.

Mr. Sneed stated they would need to talk to his mother or father.

Mr. Cino asked if Robert and Susie Owens had any children.

Mr. Sneed stated no.

Mr. Cino stated they did not have the correct party in front of the Board.

Mr. Jackson stated they only need one party of interest because he is an heir. He stated the most immediate remedy is to demolish that part of the structure. He stated there may be an issue when they go to get a demo permit.

Mrs. Kuendig stated she is concerned that the owners of the property are not represented.

Mr. Jackson stated we are relying on Mr. Sneed's sworn testimony that he has the owner's permission to speak.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 47 - CEB 07-19-138 - Phillip D Hankins is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.13, 304.13.1), at **624 Tomoka Rd.** Violation(s) – Outside storage, dirt and grime, faded paint, missing address numbers and damaged windows. First Notified – 3/20/2019

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald has had no contact with the respondent and nothing has been done so is asking for a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 24 - CEB 07-19-124 - Teresita A. & Robert E. Gaines Jr. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **800 Edwards St.** Violation(s) – Roof repairs without a permit. First Notified – 2/15/2019 (Volusia Property Appraiser) & 4/17/2019 posted

Respondent was not present.

Mr. Jackson stated Inspector Collins has had contact with the respondent who lives out of state and believes they can have the work done by the next cutoff.

Mrs. Kuendig asked what was meant by Volusia Property Appraiser.

Mr. Jackson stated it was a confidential record.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 25 - CEB 06-19-107 - David & Evelyn E Alger 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 304.7), at **724 Mulberry St.** Violation(s) – Roof damage, overgrowth on building. First Notified – 3/8/2019

Respondent was not present.

Mr. Jackson stated the inspector, Danny Garcia, reports the property remains in non-compliance. He stated the building was fire damaged and is asking for a finding of non-compliance and the next cutoff to come into compliance.

Mr. Garcia stated the property is being demolished right now and they are half way there.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 28 - CEB 07-19-126 - Angela C Cameron is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **279 Boylston Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/11/2019

Respondent was not present.

Mr. Jackson stated Inspector Clig reports he has had no contact with the respondent. He stated they failed a rental inspection in February and is asking for a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 30 - CEB 07-19-153 - Brandon Beck is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.3, 304.15, 604.3), at **422 Hillside Ave.** Violation(s) – Retaining wall, front door, peeling paint, address numbers and lack of power. First Notified – 4/18/2019

Respondent was not present.

Ms. Sara Kirk, new Code Officer was introduced to the Board.

Captain Lee stated Ms. Kirk has been with the City for 4 months now.

Mrs. Kuendig asked the inspector if she had any contact with the respondent.

Ms. Kirk stated she has never had contact.

Mr. Jackson stated Inspector Kirk reports the property remains in non-compliance, it is occupied property, and she is asking for a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 31 - CEB 07-19-154 - Earnestine Sangster is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **1231 Vine St.** Violation(s) – Junk vehicle. First Notified – 4/26/2019

Respondent was not present.

Mr. Jackson stated the inspector has had no contact with the respondent, the property remains in non-compliance and is asking for a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 32 - CEB 07-19-128 - Norman H Riley is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **746 S Palmetto Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/2/2019

Respondent was not present.

Mr. Jackson stated the inspector reports the property is still in non-compliance, there is a tenant in it, and is asking for a finding of non-compliance and the next cutoff to come into compliance. He stated the respondent is deceased and has a daughter who had an earlier case but was not present. He stated the property has been properly noticed according to the law.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 37 - CEB 07-19-135 - Benjamin A Landon 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 **1182 Peachtree Rd.** Violation(s) – Maintenance Code - faded and peeling paint - including garage door and exterior house. First Notified – 3/6/2019

Respondent was not present.

Mr. Jackson stated the inspector has had no contact with the respondent and is asking for a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent

meeting for consideration of the imposition of a fine up to \$1,000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 39 - CEB 07-19-156 - Dora Stevens is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3), at **411 Model St.** Violation(s) – New roof without permit, paint fading and peeling and missing address numbers. First Notified – 3/25/2019

Respondent was not present.

Mr. Jackson stated the inspector reports the respondent is working on it and believes it can be in compliance by the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 41 - CEB 07-19-149 - Jesus A Infanzon 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 **116 N Helme Pl.** Violation(s) – Maintenance Code - peeling paint. First Notified – 2/19/2019
Respondent was not present.

Mr. Jackson stated the inspector reports the respondent is working on it and believes it can be in compliance by next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion approved 4-0.

CASE # 44 - CEB 07-19-139 - Kim Quy Klingenstein is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.2), at **1608 N Oleander Ave.** Violation(s) – Maintenance Code - trash and debris on sidewalk, paint retaining wall, vacant land and lawn maintenance. First Notified – 4/17/2019

Respondent was not present.

Mr. Jackson stated the inspector reports the property remains in non-compliance and is asking for next cutoff for the property to be brought into compliance. He stated he has had contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 45 - CEB 07-19-140 - Matilda Riley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.3), at **520 Model St.** Violation(s) – Maintenance Code - maintenance issues, paint fading and peeling, windows sealed closed with expansion foam, missing address numbers, fascia boards fading and peeling and junk vehicles. First Notified – 5/4/2019

Respondent was not present.

Mr. Jackson stated the case is before you for a finding of compliance or non-compliance. He stated Mr. Fitzgerald has had contact with the respondent and is asking for the next cutoff to be brought into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day until compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion approved 4-0.

CASE # 52 - CEB 07-19-147 - William E & Connie L Frady is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8), at **717 Winchester St.** Violation(s) – Junk vehicle, outside storage, trash and debris. First Notified – 5/3/2019

Respondent was not present.

Mr. Jackson stated the inspector has had contact with the respondent and believes the property can be in compliance by next cutoff so are requesting a finding of non-compliance and the next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and allow the respondent until July 31, 2019 to come into compliance to return to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day until compliance is achieved. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion approved 4-0.

The meeting was adjourned at 11:22 a.m.