

**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, Valoree McLean, Josh Fogarty & Bradford Gonzales

September 12, 2019

Members present:

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

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq. Assistant City Attorney
Ms. Aimee Hampton, Senior Paralegal
Officer Steve Jessmer, Daytona Beach Police Department
Mr. Steve Alderman, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Mike Fitzgerald, Code Inspector
Mr. Danny Garcia, Code Inspector
Mr. Jerome McCoy, Rental Inspector
Mr. Mark Jones, Rental Inspector
Mr. Clifford Recanzone III, Code Inspector
Ms. Sara Kirk, 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.

Mrs. Kuendig welcomed new member Bradford Gonzales to the Board.

Ms. Barnes called the roll and Mr. Fogarty was absent. Motion was made to excuse Mr. Fogarty by Mr. Harrington with Mrs. Hymes seconding. Motion approved 6-0.

Mrs. Kuendig asked if the minutes of the August 8, 2019 meeting had been read and asked for any corrections. There were none. Mr. Harrington motioned to approve the minutes with Mrs. Hymes seconding. Motion approved (6-0).

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.

CASE # 9 - CEB 08-19-160 - David & Suzanne Jeckovich is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **825 Lewis Dr.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/20/2019

Withdrawn

CASE # 22- CEB 09-19-198 - William F Cutrone is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **216 Zelda Blvd.**

Violation(s) – **Roof tarped, roof leaking, overgrown property.**
First Notified – 7/1/2019

Compliance 9/5/2019

Mrs. Barnes swore in members of the staff who will be testifying.

Mrs. Kuendig announced the procedure for the meeting.

LR -1 CEB 04-17-20 - 240 DeSoto Street - Irvin White is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.8); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4.). **Violation(s)** – Junk vehicle; outside storage of junk and debris; structure is in disrepair. First Notified – 12/7/2016. **Order Imposing Fine-Lien of \$100.00 per day effective November 9, 2017. Compliance 1/18/2018. \$7,000.00 plus \$24.00 recording costs = \$7,024.00.**

Mr. Irvin White came forward and affirmed to tell the truth.

Anthony Jackson, Assistant City Attorney, stated the City is willing to do a substantial reduction. He stated the property was in poor state and he was upset because he couldn't do a duplex and had to do a single and it did not meet the 65% ruling and had to be demolished. He stated the respondent met with his contractor and the contractor did not show up. He stated he came back before the Board and the City requested a fine. He stated after they made the request, the Chief Building Official stood up and said he had met with them and they hired another contractor who gave them instructions on what they needed but a fine was imposed. He stated he cannot demolish the building until he gets a contractor and the Building Official was saying he wouldn't give him a permit until the building is demolished. He stated the permit was issued in January or December and 15 days later the property was demolished. He stated he was diligent once he had the permit and the City would not object to waiving the fine.

Mr. Gonzales stated in his letter of hardship he quoted a statute that he felt was not met by the City and he believes the law should be reasonable and acknowledges Mr. Jackson's statement that an error that was made on the City side.

Mr. Jackson stated that he did not acknowledge that an error was made on the City side.

Mr. Harrington stated he did not like the letter which made implications that the Code Enforcement or Board is prejudice against him.

There was discussion regarding Mr. Harrington's comments.

Mr. Cino stated the only thing before the Board is the fine and it can be litigated on appeal.

Mr. White stated he wanted to read the letter.

Mrs. Kuendig read the letter and stated the information was in the lien review request except for the septic abatement and abandonment permit. She stated they are all City issues and the Board sees that he is in compliance and appreciates that. She stated the City has recommended they lower the amount but also remembers how much time they spent on it.

Mrs. Kuendig asked for motion to reduce the amount of the fine to \$1500 payable within 30 days. Ms. Robey motioned the same. Motion died for lack of second.

Mrs. Hymes motioned the fine be reduced to \$800 and Mr. Gonzales seconded. Motion approved 5-1 with Mrs. Kuendig dissenting.

Mr. White stated he had every permit that was reviewed by Ron Roberts between December 7 and December 27, 2017. He stated his permit was submitted on December 11 but there was no approval until January. He stated the permits required multiple activities and were sitting for a month with nothing being done. He stated he didn't think it was fair that while he was being fined his permit was sitting on someone's desk.

Mr. Kuendig asked for motion to reconsider the previous ruling. Mrs. McLean motioned the same with Ms. Robey seconding. Motion approved (6-0).

Mr. White stated he spent \$10,000 to renovate the building and there was a hurricane while they were doing it. He stated they still weren't at the 65% and they came and said it was sitting too close to the property line. He stated there is another building by his office that is too close to his property line and he struggled to get the City out there to address it. He stated he did not understand how the lien became \$15,000. He stated his daughter received an email stating that it was reduced to \$7,500 and he didn't know what that was for. He stated he obtained letters from a structural engineer stating that the building was sound and could be remodeled. He stated he was trying to give the city low income options and build the tax base. He asked the Board to reduce the fine.

Mr. Jackson stated he was an advocate for fairness and based on his review of the records he does not believe the Board did anything wrong.

BOARD ACTION: Mrs. Hymes made a motion to waive the fine. Mr. Gonzales seconded the same. Motion carried 4-2 with Mr. Harrington and Mrs. Kuendig voting no.

CASE # 1 - 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 Inspector Clig reports the permits were approved in the last few days. He stated they are waiting for them to be finalized and is asking to amend to the next cutoff.

Mrs. Kuendig asked the respondent if a month is long enough.

Mr. Trovinger stated he did not know.

Mr. Jackson stated they are willing to recommend the November cutoff.

Mrs. Hymes asked the respondent if he said he did not have a contractor yet.

Mr. Trovinger stated he did not. He stated they told him not to do anything until he has the permit.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondents until the November 6, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Motion was made by Mr. Gonzales. Ms. McLean seconded the same and motion was approved 6-0.

CASE # 2 - 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.

Jim Pickens, Esq. came forward.

Mr. Jackson stated Inspector Recanzone reports the property remains in non-compliance and that he has been in communication with the respondents but there were delays because of preparations for the storm and there is still work to be done. He stated staff is asking to amend to the next cutoff.

Mr. Cino asked if there was money in the estate to make the repairs.

Mr. Pickens stated the family is paying for it.

Mr. Recanzone stated what remains to be done.

Mr. Pickens stated the demolition permit had expired on the shed and the contractor needs to reinstate it and that storm prep delayed repairs.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondents until the October 2, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Motion was made by Mr. Harrington. Ms. McLean seconded the same and motion was approved 6-0.

CASE # 3 - 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 Inspector Recanzone is requesting to amend to the November cutoff. He stated the contractor has an issue with the licensing board and the City has become involved.

Mr. Recanzone stated the owner, with City assistance, is taking the contractor to the licensing board and asking for the repairs to be done or his license to be revoked within the next 2 months.

Mr. Jackson stated the City is asking for the contractor to replace the City sidewalk and is involved as an enforcement issue.

There was discussion held as to why the City is involved.

Ms. Robey asked why if the owner can pull his own permit.

Mr. Jackson stated he did not know.

Mr. Cino stated it is the property owner's responsibility to solve the problem. He explained they took out the City sidewalk to put in the pavers and the City want it put back.

Mr. Recanzone stated the permit had expired and they needed to apply for new permit.

Mr. Gonzales stated he thought the Board's issue was separate from the contractor's issue.

Mr. Jackson stated the permit can't be reissued to the contractor on record. He stated he could bring someone from Permits & Licensing to testify if needed. He explained the permit process and stated he did not know enough of what needs to be done to correct the issue.

Mrs. Kuendig stated that was a year ago.

Mr. Jackson stated the respondent is doing everything the City has asked him to do.

Mr. Recanzone stated he has not spoken to the respondent since he's been working with Permits & Licensing. He stated the driveway was installed in 2011 and the Code issue is that the permit is expired.

There was additional discussion on why the permit was not finalized, could not be re-issued and when the original permit was issued.

Mrs. Hymes stated she would like the Permits & Licensing people to explain what is going on with the permit.

There was more discussion on why the permit could not be re-issued and how much time it will take.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the November 6, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion was approved 5-1 with Mr. Gonzales voting no.

CASE # 4 - 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.

Joe Crandall, contractor, came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property failed inspection twice and it is occupied. He stated staff is requesting a fine in the amount of \$100 to a maximum of \$15,000.

Mr. Jones stated the respondent failed inspection in April and he worked with the owners who needed to replace some windows and in August he re-inspected and there were some items from the previous list that needed replacing. He stated he has not heard from the contractor since August until today.

Mr. Crandall stated he had not always been the contractor and was hired recently. He stated he obtained the permit and special ordered the windows. He stated at the inspection there was a second window, found at inspection, that would be done today.

Mr. Jones stated there were other issues from the original list that have not been done. He stated they have paid for the license but has to pass the rental inspection.

Mr. Crandall stated he would be done by the next cutoff. He stated everything would be done today and he needs to call Mr. Jones to re-inspect. He stated he has another case with the same owner who was up in age and that's why the work had not gotten done sooner.

BOARD ACTION: Mrs. Hymes motioned to amend the previous order of non-compliance and allow the respondent until the October, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey seconded the same and motion was approved 6-0.

CASE # 27 - CEB 09-19-192 - Paul A Czajkowski Rev. Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **912 Lora St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/14/2019.

Mr. Crandall stated he had only been aware of the job for a week or two and he is on it.

Mr. Jackson stated Inspector McCoy reports the property remains in non-compliance and he believes the respondent can bring the property into compliance by the next cutoff.

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 or 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 6-0.

CASE # 5 - 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.

Jack Spencer came forward and was sworn in.

Mr. Jackson stated the Inspector is Mark Jones and he is requesting to amend to the next cutoff for compliance.

Mr. Jones stated they were supposed to meet on September 4th and were not able to meet with him. He stated they had some mis-communication via email for a day or two. He stated the respondent reports the safety issues have been corrected and he should be able to get out there in the next few days.

Mr. Spencer stated the inspector told him to take pictures that the safety issues were fixed.

Mrs. Kuendig reviewed the safety issues that needed to be corrected.

Mr. Spencer stated that each issue had been corrected. He stated he hired a handyman and replaced a door. He stated only one side of the duplex is occupied but they plan to refurbish both sides.

Mr. Gonzales stated the respondent has only done 3 things since February.

Mr. Jones stated the respondent applied for his Rental License and did not realize he needed 2 licenses for each side of the duplex. He stated he did the inspection in July and that is when they discovered there were items that needed to be corrected.

Mrs. Kuendig stated Mr. Spencer inherited the property and was not aware of what was going on.

Mr. Spencer stated there is an extensive list of things that need to be done and he is using the money from the one tenant to make the repairs.

There was discussion regarding the pictures and whether the property is still in the same condition.

Mr. Spencer stated that was the unoccupied unit and there is nothing left there. He stated he has water damage from the ceiling and may need roofing, soffits and fascia and is asking for 6 months.

Mrs. Kuendig asked the inspector how long he thinks it will take to make the repairs.

Mr. Jones stated that depending on permits and that some items will require a licensed contractor, he believes with extensive working on it he should be done in 2-3 months.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous Order of Non-compliance and ordered the respondent to return to the October 10, 2019 meeting for a progress report and the determination of a compliance date. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion approved 6-0.

CASE # 6 - 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.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports there has been some contact with the respondent but the property remains in non-compliance and is asking for a fine in the amount of \$100 to a maximum of \$15,000.

Mr. Jones stated the respondent has paid for the Business Tax License but failed the Rental Inspection in July.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$100 per day, effective September 12, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean motioned the same with Mr. Gonzales seconding. Motion approved 6-0.

CASE # 7 - CEB 08-19-158 - Annie Myara is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **428 Auburn #102**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/27/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and appears unoccupied. He stated the inspector is requesting a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Jones stated he visited the site on Monday and there were sandbags and furniture sitting in front of the unit so it appears occupied. He stated he could not get anyone to come to the door.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$100 per day, effective September 12, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean motioned the same with Ms. Robey seconding. Motion approved 6-0.

CASE # 8 - CEB 08-19-159 - Dora A Dumas is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **610 Winchester St**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 3/28/2019.

Lilly Dumas, mother, came forward and was sworn in. She stated her daughter had done all 22 repairs. She stated she will be back Monday to meet with Mr. Jones and she brought pictures.

Mr. Jackson stated that some of the repairs have been done without a permits.

Ms. Dumas stated there was one thing in that there contractor replaced the panes in the windows but not the windows and the contractor was supposed to get the permit to replace the porch roof. She stated he said he could put up poles and would not need a permit. She stated Mr. Jones came by and did not notify her. She stated she has a copy of where her daughter filled out the application for permit. She itemized the repairs that have been done and provided Mr. Harrington with the pictures.

Mr. Harrington stated the pictures show a very good effort.

Mr. Jones stated that he spoke to the Building Department and plans will have to be submitted by a General Contractor for permits issued after the fact.

BOARD ACTION: There was no action taken as compliance is already set for October 2, 2019.

CASE # 10 - 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) – Outside storage, trash and debris, junk vehicle, dilapidated roof, faded and peeling paint. First Notified – 1/17/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports there has been no progress, no permits pulled and is asking for the next cutoff to come into compliance for a compliance date.

Mr. Michael Fitzgerald, Code Inspector, stated he has heard nothing from the respondent and is asking to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the October 2, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 11 - CEB 08-19-170 - Peter Frank is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **113 N Hollywood.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/26/2019.

Mike Bretzel came forward and was sworn in.

Mr. Jackson stated the property failed inspection of August 27 and the respondent has 30 days to make the repairs. He stated staff is asking to amend to the next cutoff.

Mr. Bretzel stated everything is finished and they had to move the inspection from last week.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the October 2, 2019 cutoff to come into compliance

or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 12 - CEB 08-19-162 - Kevin L Bock is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **419 Golf Blvd.** Violation(s) – No permit - working without a required permit. First Notified – 6/5/2019.

Kevin Bock came forward and was sworn in.

Mr. Jackson stated Inspector Alderman reports that permits have been applied for and is asking to amend to the next cutoff.

Steve Alderman, Code Inspector, stated Mr. Bock moved an accessory structure to the back of his property. He stated he works out of state.

Mr. Bock stated it is a second home for him and he moved a 20 x 12 garage to the back of his house. He stated he applied for a permit but they said it was too big for the setbacks. He stated he was told it had to be 25 feet from the rear and 10 feet from each side. He stated he hired an architect and engineer and made the building less than 200 square feet which would make the setback 7 1/2 feet from each side. He stated he spoke to Angela Cudazzo in P & L and she said there was a problem with the horizontal roof area of the lot so he is not sure what to do next.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the October 2, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzales motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

Mr. Gonzales left the meeting at 10:25 a.m.

CASE # 13 - CEB 08-19-161 - Carolina Wagner is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6); City Code Ch. 90 Sec. 90-297, at **542 N Ridgewood Ave.** Violation(s) – Work without permits, peeling paint, holes, rotted wood, siding, windows, added addition, failure to obtain Business Tax Receipt (BTR). First Notified – 7/7/2019.

Philip Taylor, friend, came forward and was sworn in. He stated Ms. Wagner was sick.

Mr. Jackson stated Inspector Garcia has spoke to them jointly and he is ok with Mr. Taylor testifying. He stated the inspector has a meeting with them and the contractor but does not have the permits in hand yet. He stated he believes they have things in hand and is asking to amend to the next cutoff.

Mrs. Kuendig asked if there were any life safety issues.

Danny Garcia, Code Inspector stated the stairs have been removed and the door is closed off. He stated he is supposed to meet with the contractor today. He stated he is doing a walkthrough with the Building Inspector today.

Mr. Gonzales returned to the meeting at 10:28 a.m.

Mr. Taylor stated he feels like they have made progress. He stated they have hired an engineer but there was a big workload and Ms. Wagner does not have a lot of money and is requesting as much time as they can get.

Mrs. Kuendig asked if there were tenants in the building.

Mr. Taylor stated there are tenants upstairs and downstairs.

Ms. Robey stated the stairs had been removed from unit 544 and asked if the entrance was on the back side.

Mr. Taylor stated yes.

Mr. Gonzales asked if the tenants were up-to-date with their rent.

Mr. Taylor stated yes.

Mrs. Kuendig asked if they have a Business Tax Receipt.

Mr. Garcia stated they have applied for it and that Rental Inspector Mark Jones has done an inspection on it but he does not know if it passed.

Mrs. Kuendig asked the respondent if he lives there.

He stated when he is in Daytona.

Mrs. Kuendig asked if Ms. Wagner lives there and Mr. Taylor stated yes.

Mrs. Kuendig asked how many units were in the building.

Mr. Taylor stated he did not know.

Mr. Garcia stated there was one unit on the bottom left, 2 units in the back on the top and another unit on the west side of the property and maybe 2. He stated the first inspection failed and Mark Jones has to schedule another inspection.

Mr. Gonzales asked if most of the work had been done.

Ms. McLean stated they had removed a staircase that was dangerous.

Mrs. Kuendig stated the door had been closed off when the stairs were removed.

Mr. Gonzales stated if the respondent has 4 units and they are all rented she can afford to fix things.

Mrs. Kuendig stated the Board cannot consider that.

Mr. Taylor stated that one of the downstairs units has not been rented. He stated there was a lot of effort done to getting the place looking as good as it does.

Mr. Garcia stated he did not know what the inside looked like but pointed out work done on the pictures and stated they were done without permits. He described the work that was done by the respondent.

Mr. Taylor stated the building was structurally sound.

Mrs. Hymes asked if the property was one building with 2 addresses and Mr. Taylor stated it was.

There was discussion regarding 2 addresses on one parcel.

Mrs. Kuendig stated they needed to get permits by the next time they returned to the Board.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the October 2, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 14 - CEB 09-19-182 - James S. Singleton III 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 304.2 and 304.13), at **547 N Ridgewood Ave.** Violation(s) – Peeling paint, broken windows and outside storage. First Notified – 2/19/2019.

Mr. James Singleton came forward and was sworn in.

Mr. Jackson stated Inspector Garcia reports there has been no contact with the respondent, the property remains in non-compliance and is asking for the next cutoff to bring the property into compliance.

Danny Garcia, Code Officer, stated this is the first time he has spoken to the property owner. He listed the violations on the property and stated that it was not occupied.

Mr. Singleton stated he lives in Jacksonville and cannot get anyone to do the work.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 15 - CEB 09-19-187 - Marilyn Williams 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 304.3), at **1124 Clearwater Rd.** Violation(s) – Parking on the grass, no house numbers. First Notified – 7/18/2019.

Respondent was not present.

Mr. Jackson stated Inspector Garcia reports the property was in non-compliance but is not in compliance and the inspector is requesting a finding of Non-Compliance/Compliance for a will-fine.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent previously in non-compliance and now in compliance and for any future violations be returned to a subsequent meeting for consideration of a fine up to \$5000 per occurrence. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 16 - CEB 09-19-214 - Theresa C Dinkins 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, 304.13), at **626 Fremont Ave.** Violation(s) – Site appearance standards, roofs and drainage, window, door frames. First Notified – 5/10/2019.

Respondent no present.

Mr. Jackson stated Inspector Recanzone reports the property remains in non-compliance, has had no contact with the respondent and is asking for next cutoff for the property to be brought into compliance.

Inspector Recanzone stated the property was posted and that he had no contact with the owners. He stated the roof is damaged.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 17 - CEB 09-19-215 - Terry Arva is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1436 Sunland Rd.** Violation(s) – Work without permits (expired permit). First Notified – 5/24/2019.

Terry Arva came forward and was sworn in.

Mr. Jackson stated the permit expired on the fence and Inspector Recanzone has had no contact since May 1. He stated the respondent had been given an extension to 5/31 on the permit and it had expired again. He stated they are asking for a finding of non-compliance and next cutoff to come into compliance.

Mr. Arva stated he erected a fence. He stated he have a problem with their neighbor. He stated 35 years ago there was a chain link fence erected with an agreement between owners. He stated they got together and took down the chain link fence and connected it with a trap door. He stated the neighbors explained what happened when they moved in and their daughter started renting the place. He stated after she moved in, his plants had been poisoned and 2 of his dogs have died and he has many, many police reports. He stated he pulled a permit for a new fence and do whatever has to be done. He stated he has a fence because he has a pool.

Mrs. Kuendig asked if permits expired in a certain amount of time.

Mr. Recanzone stated usually 6 months.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be

returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 18 - CEB 09-19-212 - Kimberly Mount 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 304.2, 304.13, 302.7), at **418 Maple St.** Violation(s) – Broken windows, dilapidated fence, peeling paint. First Notified – 5/28/2019.

Kimberly Mount came forward and was sworn in.

Mr. Jackson stated Inspector Kirk reports the property remains in non-compliance and she has had no contact with the respondent. He stated she believes the property can come into compliance by next cutoff.

Mr. Harrington asked if the case was complaint driven?

Inspector Kirk stated it was not, that it was field generated and the peeling paint and broken windows showed out.

Mr. Gonzales asked if the work had been done.

Inspector Kirk stated she had gone there yesterday and they are working on it.

Mrs. Kuendig asked the respondent if the property was rented.

Ms. Mount stated that is was and the tenant had broken the window.

Mr. Harrington asked how long the tenant had been ther with the broken window.

Ms. Mount stated 30 days. She stated she noticed the posting prior to the storm and the peeling paint was 95% done and the windows will be completed in 2 weeks. Dilapidated fence down.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzales motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 19 - CEB 09-19-211 - Matilda Riley is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1, 304.14, 309.1, 302.3, 304.3, 302.7, 304.10, 305.5); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **636 Eldorado St.** Violation(s) – No address numbers, rotted wood, outside storage, junk and debris, dilapidated fence and porch, cracked walkway and driveway, screens, pest infestation, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/28/2019.

Respondent was not present.

Mr. Jackson stated Inspector Kirk reports the property remains in non-compliance and she had contact with the tenant but not the owner.

Inspector Kirk stated the property is a single family home and tenant occupied. She stated there is a separate case for no rental license.

Mr. Gonzales asked if there was any improvement to the property.

Inspector Kirk stated some outside storage has been removed, police activity and they are evicting the tenants and getting a contractor.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 20 - CEB 09-19-180 - Matilda Riley is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **520 Model St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/8/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance.

Inspector Jones stated violations were generated and he received a call from the owner on May 8. He stated she indicated they were going to sell the property but they were going to go ahead and apply for the rental license the next day. He stated he received a call last Monday and the owner stated there are relatives living there that are not paying rent.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Mrs. Kuendig called for a break at 11:01 a.m.

Mrs. Kuendig called the meeting back to order at 11:10 a.m.

CASE # 24 - CEB 09-19-181 - Kishor & Kavita Bupathi is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **848 School St.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/22/2019.

Ms. Paula Meneses, Property Manager, came forward and was sworn in.

Mr. Jackson stated Inspector McCoy reports the property remains in non-compliance and he has had contact with them and they are trying to evict the tenant. He stated staff is asking for a finding of non-compliance and next cutoff for the property to come into compliance.

Mrs. Kuendig asked how much work needs to be done.

Inspector McCoy stated he did not know. He stated the respondent has paid for the license but he has not done the inspection yet. He stated he is waiting for him to go through the process with the tenant.

Mr. Harrington asked how long the property manager had managed this property.

Ms. Meneses stated about 3 months. She stated the tenants were in place when she took over. She stated she manages a lot of properties in Florida and we are the only County in Florida that requires a rental license.

Mrs. Kuendig asked what was the status of the tenant.

Ms. Meneses stated they do not want to pay rent and have damaged everything. She stated they were served and Mr. McCoy was there and she was moving out yesterday.

Mrs. Kuendig asked if there was still stuff outside.

Inspector McCoy stated they needed to care for the lawn and they are waiting for the tenant to move.

Mr. Gonzales stated he sees the violation as failure to obtain Business Tax Receipt and Rental License.

Mr. McCoy stated it is part of the Rental License process.

Mr. Gonzales asked if that was the responsibility of the tenant.

Mr. McCoy stated never the tenant, it is the responsibility of the owner.

Mr. Gonzales stated he is hearing about evicting the tenant but nothing failure to obtain the rental license or Business Tax Receipt.

Ms. Meneses stated they have applied for the license and paid the necessary fees but the inspection cannot be conducted until the tenant is evicted.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 25 - CEB 09-19-183 - James Chester & Barbara J. Jones is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.10.G; 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, 304.13.1, 304.18, 604.3), at **537 Dr Mary M Bethune Blvd.** Violation(s) – Roof/Paint/Window/Permits. First Notified – 2/22/2019.

James & Barbara Jones; owners and James Patterson, Property Manger, came forward and was sworn in.

Mr. Jackson stated Inspector McCoy reports the property remains in non-compliance and he has had no contact with the respondent until today. He stated there appears to be someone doing work and is asking for a finding of non-compliance and give them until next cutoff to bring the property into compliance.

Mrs. Kuendig asked if this was a business property.

Mr. McCoy stated it was and there are no tenants involved.

Mr. McCoy stated they have a re-roof permit and there are issues with broken out windows. He stated there were exposed wires on some of the lights. He corrected himself regarding the exposed wires as he was looking at a different case.

Ms. Jones stated the notice had been sent to Maryland. She stated they haven't lived there in 3 years. She stated the property had 3 different addresses and last week they received the notice attached to 537. She stated they should complete the roof by this week and will address the electric and windows.

Mr. Patterson stated they are also working on the signs.

Mr. Gonzales stated the issues left are the windows, paint, and the roof.

Ms. Jones stated they were finding a contractor for the windows, she wasn't sure about the roof and would get with Mr. McCoy and the roof is in process.

Officer Steve Jessmer stated there is a reinspection of the roof scheduled for October 10.

Mr. Harrington asked if they had the permits in place for the windows.

Ms. Jones stated they are not replacing the frames, only the glass.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the November 6, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 28 - CEB 09-19-193 - Mark C W Dowst is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.6, 304.7, 604.3), at **212 Fremont St.** Violation(s) – Roof leak, electrical system hazards, junk vehicles, exterior walls; Structural Appearance Standards - loose or rotting materials. First Notified – 12/27/2018.

Ms. Janessa Whalen, Property Manager, came forward and was sworn in.

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

Mrs. Kuendig asked the inspector if anyone was living there.

Inspector McCoy stated yes. He stated he conducted several inspections and 2 units passed. He stated there is a new roof and rotted materials that need to be removed and replaced. He stated there is leaking upstairs in one of the apartments. He stated there are 4 units in the building.

Mr. Gonzales read the list of violations.

Mr. Harrington asked Ms. Whalen how long she had managed the property.

Ms. Whalen stated 1 year.

Mr. Harrington asked if they rent properties out in this condition.

Ms. Whalen stated she came in and things were already in place. She stated the first time she saw the property was at the first inspection.

Mrs. Kuendig stated the Property Manager was not the one accountable and that would be the owner.

Mr. Harrington stated she is the one responsible for making sure the property is maintained.

Mr. Gonzales stated this case goes back to last year and asked about the roof leak.

Ms. Whalen stated they are working on the roof leak but they can't figure out where it is coming from. She stated they have had 3 people there to try and figure out where the leak is coming from. She stated she is asking for more time to hire a new plumber.

Mr. Gonzales itemized the violations and asked the respondent what progress had been made on each one.

Ms. Whalen indicated they are addressing each of the issues he inquired about.

Mrs. McLean asked how much time the respondent thinks she will need.

Ms. Whalen stated a month or two.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the November 6, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Hymes motioned the same with Ms. Robey seconding. Motion was approved 4-2 with Mr. Harrington and Mr. Gonzales voting no.

CASE # 29 - CEB 09-19-177 - Marie Thompkins is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **327 Deeley St.** Violation(s) – Parking in the yard and dilapidated roof. First Notified – 2/15/2019.

Marie Thompkins came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking for a finding of non-compliance and the next cutoff to bring the property into compliance.

Mrs. Kuendig asked if the roof was fixed.

Inspector Stenson stated no and that the fascia board and trim on top needs to be fixed and painted. He stated there is a white van parked which is a violation.

Ms. Thompkins stated her whole house had been painted since he issued the violations. She stated someone had left the van there and has not come to pick it up yet.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 31 - CEB 09-19-196 - Ann S. Gavin as Trustee under agreement dated August 4, 1995 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC302.8); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1180 Dal Maso Dr.** Violation(s) – Off street parking, junk vehicles, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/12/2019.

Terry Huerta came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance. He stated he had a rental inspection scheduled for 9/13 and believes they can be in compliance by next cutoff.

Ms. Huerta stated the tenant has the car without the license and she has been told she needs a license so she backed it in to street and she does not know what to do about it. She stated everything else has been done since August 25th.

Mrs. Kuendig stated they Board cannot advise her on what to do and she should speak to Mr. Stenson.

Officer Jessmer stated he would go by the property and check.

Ms. Huerta stated the car was maroon and pointed it out on the picture. She stated she has another inspection scheduled for Monday.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 30 - CEB 09-19-186 - Rosa Lee Riley 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 304.6 and 304.7), at **1132 Lakewood Park Dr.** Violation(s) – Outside storage, damaged exterior walls and dilapidated roof. First Notified – 6/19/2019.

Kelly Riley, daughter of respondent, came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance had he has contact with the respondent.

Inspector Stenson stated the violations were written on a code walk and there are issues with the roof, foundation and a sink hole in the area and this is the 3rd house that has been affected.

Ms. Riley stated she had given the property back to the mortgage company last year because of the structural problems and they said the house had to be move-in ready or it would go into foreclosure on May 28. She stated next week there is a foreclosure hearing. She stated she had lived in the house since 1968 and is under water on it. She stated she took a loan and owes \$184,000 that may be worth \$75,000. She stated the house had been paid for in 1999. She stated the sink hole is between the two houses.

Mrs. Kuendig stated after the foreclosure next week, the bank will own the house.

Mr. Cino recommended to amend to the next cutoff.

Mr. Jackson agreed and asked for a finding of non-compliance.

Mr. Gonzales stated it did not make sense to fine them.

Mr. Jackson agreed.

Mr. Gonzales stated she should bring back paperwork from the bank.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the November 6, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 32 - CEB 09-19-173 - Gema Vazquez is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **426 Flushing Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/15/2019,

Nancy Koenig, Property Manager, came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and they are asking for a finding of non-compliance and next cutoff for the property to be brought into compliance. He stated it is rental property and is unoccupied.

Mrs. Kuendig asked if there had been a rental inspection.

Mr. Jones stated there was a rental inspection in May when the property was occupied. He stated he inspected again in July and it was still occupied but when he inspected this past week, it appears vacant and the Property Manager confirmed it was vacant. He stated they have not applied for a Rental License.

Ms. Koenig stated the property has been vacant for a number of months and they are not ready to rent it and are not marketing it at this time. She stated it was a new property for her. She stated they need a new AC system.

Mr. Gonzales asked how long she had been managing the property but Ms. Koenig did not know.

Mr. Gonzales asked the respondent if she had all of the permits in place.

Ms. Koenig stated they need a permit to put the new AC in and the property is not ready for inspection.

Ms. Robey stated the notice was before Ms. Koenig started managing the property.

Ms. Koenig stated she only received the notice because she went to the property and it had been posted.

Ms. Robey stated they need to find a compliance date since it is in non-compliance.

Ms. Koenig stated since it is not currently rented or a rental property she did not need a rental license but she has the application with her.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000 a day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 36 - CEB 09-19-194 - Jose F. Percy is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **223 Madison**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/4/2019.

Mr. Percy came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property is in non-compliance and is asking for a finding of non-compliance and next cutoff for the property to be brought into compliance. He stated there is an explanation that he needs to give to the respondent he may not be aware of.

Mr. Jones stated this morning he met Mr. Percy and that he was under the assumption that he had a 5 unit rental license by the State but it was not for this property, it was for 227 Madison. He stated this property has 2 units. He stated he has not applied for a Business or Rental license and had no inspection.

Mr. Percy stated he has an application.

Mr. Jones stated he has an application for a different property.

Mr. Percy stated he didn't understand that and the state came to him. He stated to him it is one property. He stated he bought 1 property.

Mr. Jones stated the property is on 2 parcels.

Mr. Jackson stated there are 2 parcels side by side and the owner, in a separate case, had always operated as one parcel but Mr. Percy's property is 2 parcels and needs to be in our jurisdiction and not the state. He stated Mr. Percy will need a use determination to combine the parcels if he can.

Mrs. Kuendig stated she did not feel they could move forward until it is resolved that it is 2 parcels. She advised the respondent to discuss the matter with the inspector.

Mr. Percy stated he paid downstairs for 5 units and that he paid the State.

Mr. Jackson stated once a determination is made they will know how to go forward.

Mr. Gonzales made amendment to continue the case to the November meeting.

BOARD ACTION: Mrs. Kuendig asked for motion to continue the case until the November 10, 2019 meeting. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 38 - CEB 09-19-190 - Loron Anthony & Shawn Yvette 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, 302.3, 302.8, 304.2, 304.3, 304.6, 304.7, 308.1), at **1054 Michael Rd.** Violation(s) – Exterior surfaces, paint fading and peeling, overgrown grass and weeds in backyard, damaged fascia and soffit, junk vehicle, damaged concrete driveway, outside storage, trash and debris (including building materials), missing address numbers. First Notified – 6/12/2019

Shawn Yvette Brockington came forward and was sworn in.

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

Mr. Michael Fitzgerald stated the property is vacant due to a fire.

Ms. Brockington stated she is having insurance issues and the contractor out of Miami stole her money. She stated they are having a hard time finding him. She stated she has an escrow account and the mortgage company is giving her a hard time getting the money and she needs to find a new contractor. She stated she has done all she could.

Mrs. McLean asked the respondent what all she has done on the house.

Ms. Brockington stated she put the house numbers on the house and removed the boat, removed storage, got the yard cut. She stated she hasn't removed the blocks yet which should be done today or tomorrow. She stated she has someone working on the house. She stated she did not know what she was going to do about the fascia on the house.

Ms. McLean asked if the junk vehicle was gone and Ms. Brockington stated yes.

Mr. Fitzgerald stated the back yard is overgrown.

Ms. Brockington stated that was getting cut today.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the November 6, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzales motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 39 - CEB 09-19-200 - Edward & Darlene Potter is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.7), at **1324 Eugene Black St.** Violation(s) – Damaged fascia board, peeling paint, rain gutters dislodged from fascia board. First Notified – 5/21/2019.

Darlene Potter came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff for the property to be brought into compliance.

Mr. Fitzgerald stated the respondents are working on it and has replaced the rotten wood and is waiting for it to be painted.

Ms. Potter stated it was supposed to be done this weekend.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 40 - CEB 09-19-201 - Eduardo Madrigrano 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, 304.6), at **1225 Waverly Dr.** Violation(s) – Abandoned Building - paint fading and peeling, damaged exterior wall, no address numbers. First Notified – 6/5/2019

Mr. Eduardo Madrigrano came forward and was sworn in.

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

Mr. Madrigrano stated he spoke to a contractor for the exterior and windows and they told him it would be about 3 months on the windows and installed and then refinish the exterior. He stated he is moving into the property. He stated they have measured but he has not signed the contract. He stated the contractor would pull the permits.

Mrs. Kuendig stated she would like to see the permits issued by the next cutoff and would need a progress report.

Mr. Madrigrano asked if he had to be here for that and stated he lives in Canada. He stated the contractor said it would take about a month to get the windows. He stated he could not do anything until the windows are installed.

Mrs. Kuendig stated he could give his progress report to the inspector.

Mr. Fitzgerald stated the roof was done a couple of months ago.

Mr. Madrigrano stated the day they got the property the roof was contracted out and they were doing some changes to the house and the city refused architect. He stated the address is above the garage but it doesn't stick out.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to appear at the October 10, 2019 meeting for a progress report and the determination of a compliance date. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 41 - CEB 09-19-202 - Lonnie Davis is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 308.1); Art. 6 Sec. 6.2.H.7.A, at **420 Fletcher Ave.** Violation(s) – Outside storage, trash and debris, trailer parked in front yard. First Notified – 6/3/2019.

Mr. Lonnie Davis came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance. He stated the respondent still has some work to do and is asking for a finding of non-compliance and next cutoff for the property to be brought into compliance.

Mr. Fitzgerald stated they removed the trailer but the outside storage needs to go away and the garbage can needs to go to the side of the house.

Mr. Davis stated he was working on it and couldn't get it all done because of the hurricane.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

Mr. Harrington left the chambers at 12:02 p.m.

CASE # 44 - CEB 09-19-205 - Bernard W Jr & Alma Smith is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.2, 304.4, 304.7, 304.8, 304.13, 304.13.1, 304.13.2, 304.15); Art. 6 Sec. 6.19.A.4, at **730 Flanders Ave.** Violation(s) – Abandoned building, dilapidated building, overgrown grass and yard, dead trees, paint fading and peeling, damaged fascia boards, damaged exterior walls, boarded up and broken windows, doors, window panes. First Notified – 6/3/2019.

Mr. Bernard Smith came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance, it is not occupied, and is asking for the next cutoff to be brought into compliance.

Mr. Harrington returned to the chambers at 12:05 p.m.

Inspector Fitzgerald stated the windows are boarded, has a bad roof, people are in and out and pointed out the open door on the picture. He stated they need to obtain a demo permit and demolish the property.

Mrs. Kuendig asked the respondent if he knew who the man in the picture was.

Mr. Smith stated it could be his son, he is not sure.

Mrs. Hymes asked the respondent if he was pulling a demo permit.

Mr. Smith stated he wasn't pulling nothing and was through with it. He stated that everything that needs to be done is going to out cost him.

Mrs. Kuendig stated they are left with getting rid of the building.

Mr. Harrington asked if the City will consider it abandoned.

Mr. Cino referred the respondents to the Board of Building Codes.

Mr. Robey stated he could put the property up for sale.

Mr. Jackson stated they are asking for a finding of non-compliance. He stated if the respondent chooses to do nothing, that is remaining in non-compliance.

Mr. Gonzales asked how they were going to entertain fining him \$1000 dollars if he doesn't have the money to pay.

Ms. Robey stated he may come into compliance by doing other things.

Mrs. Kuendig stated the motion is framed to impose a fine up to \$1,000 a day and they will decide that when the case comes back.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 47 - CEB 09-19-208 - Eugene Harris is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 302.4, 302.1, 304.2, 304.3, 304.6); Ch. 78 Sec 78-112, at **348 Ellsworth St.** Violation(s) – Outside storage, trash and debris, unsatisfactory lawn maintenance, overgrown bushes and weeds, exterior paint fading and peeling, rotten wood, address numbers missing or faded away, exterior walls, rotten wood, bushes and grass growing over into the sidewalk, insect screens broken with holes. First Notified – 5/2/2019.

Ms. Linda Harris, daughter, came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance, it is not occupied, and is asking for the next cutoff to be brought into compliance. He stated the owners intent is to seek assistance through a City program

Mrs. Kuendig asked if the property is in a redevelopment zone.

Inspector Fitzgerald stated yes.

Mrs. Kuendig asked if he lives in the house.

Ms. Harris stated yes.

Inspector Fitzgerald stated the yard and the sidewalk have been cleaned up and they are working toward compliance.

Ms. Harris stated she relocated back from South Florida to take care of her dad. She stated they are in receipt of the violations and they will work with the city to bring the home up to code. She stated she has asked family members and friends to help with the landscaping but she hired a lawn service once a month. She stated she has been in contact with community development so she is in the process of obtaining a Power of Attorney. She stated it will take time and she was told she would be put on a waiting list. She stated she is looking at other agencies that may assist them. She stated the POA should be done within the next 2 weeks and is also looking at Habitat for Humanity.

Mr. Harrington stated he thinks they will not be done until the first of the year and thinks they should give them the time they need.

Mr. Gonzales agreed and stated they should give them sufficient time.

Mrs. Kuendig asked if there were other things on the list that are not expensive to do could they work on those.

Ms. Harris stated she has a brother and they would work on the smaller things. She stated she could not afford it financially.

Mr. Gonzales asked the respondent if her father was a veteran.

Ms. Harris stated no.

Mrs. Kuendig asked if the property was in a CRA.

Mr. Charles Bryant, Redevelopment came forward and was sworn in.

Mrs. Kuendig asked Mr. Bryant if the property is in a CRA and would there be funds for redevelopment.

Mr. Bryant stated he believes it may be in mid-town and if so there may be funds available. He stated he would speak with her and that he may require for some other government programs.

BOARD ACTION: Mrs. Kuendig asked for motion to order the respondent to appear at the November, 14 2019 meeting for a progress report and the determination of a compliance date. Mr. Hymes motioned the same with Mr. Gonzales seconding. Motion was approved 6-0.

CASE # 45 - CEB 09-19-206 - Patricia B Davis is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 304.8), at **813 Forest Ln.** Violation(s) – Junk vehicle, peeling fascia board, exterior paint, dirt and grime. First Notified – 6/18/2019.

Ms. Patricia Davis came forward and was sworn in.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and acknowledged that the junk vehicle has been removed. He stated they are asking for a finding on non-compliance and the next cutoff for the property to be brought into compliance.

Inspector Fitzgerald concurred.

Ms. Davis stated that her son did the work and it is done.

Mrs. Kuendig asked if it had been painted and Ms. Davis said yes. She stated the respondent needs to speak to Mr. Fitzgerald and have him come out and put the property in compliance.

Mrs. Kuendig asked if anyone lives there.

Ms. Davis stated no, the property is empty.

Mr. Jackson stated Inspector Fitzgerald reports he was there yesterday.

Mrs. Kuendig stated it does not look like it was complete from the pictures.

Inspector Fitzgerald told the respondent what needs to be done.

Inspector Fitzgerald said he would come out today.

Mr. Jackson clarified Mr. Fitzgerald was there on the 3rd.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Mrs. Robey seconding. Motion was approved 6-0.

CASE # 48 - CEB 09-19-209 - Robert Williams is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.4, 304.2, 304.3); Ch. 78 Sec 78-112, at **338 Ellsworth St.** Violation(s) – Dirt and grime, faded and peeling paint, rotten wood, broken screens, dilapidated fascia board and soffit, broken fence, outside storage, trash and debris. First Notified – 5/21/2019

Mr. Robert Williams came forward and was sworn in.

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

Inspector Fitzgerald stated they were working diligently, they just ran out of time and expects they can be in compliance by the next cutoff.

Mr. Williams stated he could get it done. He stated the only thing left is painting but requested to amend the notice and stated he did leave messages but wasn't able to speak to the inspector. He stated he would bet it done in about a week. He stated he tried to get the property into compliance before the meeting.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Ms. Robey left the meeting at 12:37 p.m.

CASE # 49 - CEB 09-19-213 - Joseph & Jouhaina Abichaker is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 308.1), at **Rose Ave (Parcel #5338-66-00-0170)**. Violation(s) – Outside storage, trash and debris. First Notified – 7/31/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and he is asking to amend to the next cutoff for compliance.

Ms. Robey returned to the meeting at 12:39 p.m.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 46 - CEB 09-19-207 - Frank C Heitman & Nancy L Elliot 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 **1132 Waverly Dr.** Violation(s) – Faded and peeling paint, damaged fascia board and soffit. First Notified – 6/5/2019

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property remains in non-compliance and they are working on it and he 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 ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

Ms. Robey returned to the meeting at 12:18 a.m.

CASE # 43 - CEB 09-19-204 - Gloria A Smith is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 308.1), at **Rose Ave**

(Parcel #5338-66-00-0150). Violation(s) – Outside storage, trash and debris, no lot maintenance. First Notified – 7/31/2019

Respondent was not present.

Mr. Jackson stated Inspector Alderman reports the property is now in compliance and based on the nature of the violations and is seeking a will-fine.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent previously in non-compliance and currently in compliance and for any future violations be returned to a subsequent meeting for consideration of a fine up to \$5000 per occurrence and case be dismissed. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 42 - CEB 09-19-203 - Milton J. Patrick is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7, 304.7, 304.13, 304.13.1); Ch. 78 Sec. 78-112, at **356 Ellsworth St.** Violation(s) – Paint fading and peeling, dirt and grime, fascia board and soffit, rotten wood and peeling paint, broken or missing jalousie windowpanes, unmaintained sidewalks with grass growing over, rusted fence and bent top rail. First Notified – 5/6/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the property is in non-compliance but they are working on it. He stated the inspector is requesting a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 37 - CEB 09-19-195 - Ella L. Sullivan is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **439 N Lincoln St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/29/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff to come into compliance. He stated there has been no contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Mr. Gonzales seconding. Motion was approved 6-0.

CASE # 35 - CEB 09-19-185 - Frederic Khai Dangngoc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **415 N Halifax #105.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/28/2019

Respondent was not present.

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

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 34 - CEB 09-19-175 - Ana Maria Sanzo is cited for failure to correct violations of Code Ch. 26 Sec. 26-294, at **802 Lewis Dr.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/20/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property failed inspection on May 18 and it is unoccupied. He stated staff is requesting a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzales motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Mrs. Hymes left the chamber at 12:44 p.m.

CASE # 33 - CEB 09-19-174 - Edward R. White is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **634 Mulberry St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/23/2019.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports he has had no contact with the respondent and the property is occupied. He stated the respondent picked up an application back in May but has not done anything with it. He stated staff is requesting a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Ms. McLean seconding. Motion was approved 5-0.

CASE # 26 - CEB 09-19-184 - Susan Headley is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **843 S Palmetto Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/24/2019.

Respondent was not present.

Mrs. Hymes returned to chamber at 12:47 p.m.

Mr. Jackson stated Inspector McCoy reports the property remains in non-compliance. He stated the property previously failed inspection and is asking for a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Mr. Gonzales seconding. Motion was approved 6-0.

CASE # 23 - CEB 09-19-199 - Sara Young 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 **625 Russell Dr.** Violation(s) – Failure to maintain roof. First Notified – 2/7/2019.

Respondent was not present.

Mr. Jackson stated Inspector Clig reports the property remains in non-compliance and is asking for a finding of non-compliance and for next cutoff to be brought into compliance. He stated the inspector has had no contact with the respondent and no permit has been issued.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the October 2, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 21 - CEB 09-19-178 - William J & Pia A. McNeill is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **320 Woodland Ave.** Violation(s) – Parking camping trailer in driveway. First Notified – 3/27/2019.

Respondent was not present.

Mr. Jackson stated Inspector Alderman reports the property is now in compliance and is seeking a will-fine.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent previously in non-compliance but currently in compliance and for any future violations be returned to a subsequent meeting for consideration of a fine up to \$5000 per occurrence and case be dismissed. Ms. Robey motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Mrs. Kuendig asked if there was any Miscellaneous Business.

Mr. Jackson stated Business Tax Receipts used to be the Occupational License and now it is a Tax. He stated it stands alone and when someone pays it, there is no other penalty. He stated once it is obtained it is joined with the Rental License which is a Chapter 162 violation. He stated the Rental License is first the application, then applied, then an inspection. He stated the first Notice is “we know you are renting and you don’t have a license”. He stated it

hasn't been inspected yet and sometimes we don't know because we haven't been into inspect it yet.

Ms. Kuendig stated they used to order a fine for no BT.

Mr. Jackson stated we still do that if they don't obtain in. He stated because it is a tax, once it is paid there is no basis to pursue anything more and if they did, it would go to circuit court.

There was mention of a workshop and discussion on where to have it.

Mr. Gonzales asked for a copy of the actual codes.

Mr. Jackson stated they needed a copy of the by-laws.

Ms. Barnes stated they were provided to them when their packets were delivered.

Mr. Gonzales stated he would like a copy of the actual codes.

Mr. Jackson stated they are available electronically and told him how to access at codb.us.

The meeting was adjourned at 12:57 p.m.