

**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

October 10, 2019

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mr. Neil Harrington
Ms. Valoree McLean
Ms. Karen Robey
Mr. Bradford Gonzales ^Z (mlk)
Mr. Josh Fogarty

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
Ms. Barbara Collins, 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, Rental 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 Josh Fogarty to the Board.

Ms. Barnes called the roll and Mr. Gonzales was absent. Motion was made to excuse Mr. Gonzales by Mrs. Hymes with Ms. Robey 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 asked if there were any announcements and Ms. Barnes announced the following cases.

CASE # 5 - 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

Compliance 10/8/2019

CASE # 9 - 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

Compliance 10/9/2019

CASE # 14 - 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

Compliance 10/7/2019

CASE # 16 - 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

Compliance 10/4/2019

CASE # 18 - 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

Compliance 10/9/2019

CASE # 28 - 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

Compliance 10/7/2019

CASE # 30 - 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

Compliance 10/9/2019

CASE # 31 - 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

Compliance 10/9/2019

CASE # 34 - CEB 10-19-243 - Marchalette Corbitt is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1109 Hillcrest Dr.** Violation(s) – New roof without a permit (permit expired 7/28/2019). First Notified – 1/3/2019

Compliance 10/2/2019

CASE # 35 - CEB 10-19-241 - Michael A. & Thomas Boivin is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **1266 Essex Road.** Violation(s) – Outside storage. First Notified – 4/15/2019

Compliance 10/10/2019

Mr. Gonzales joined the meeting at 9:10 a.m.

CASE # 42 - CEB 10-19-231 - Shirley A. Dillard is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.3), at **1022 Clearwater Rd.** Violation(s) – No house numbers, dilapidated fence. First Notified – 5/20/2019

Compliance 10/8/2019

CASE # 46 - CEB 10-19-236 - Steven C. & Camdis Newcomb 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; Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **1114 Berkshire Rd.** Violation(s) – Parking in the yard, failure to obtain Business Tax Receipt (BTR); failure to obtain Rental License (RTL) and inspection. First Notified – 6/15/2019

Compliance 10/9/2019

CASE # 52 - CEB 10-19-224 - Jared Shane Johnson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **417 S Seneca Blvd.** Violation(s) – No address numbers on home. First Notified – 6/27/2019

Compliance 10/4/2019

CASE # 54 - CEB 10-19-223 - Madonna M. Curcio is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **1251 Vine St.** Violation(s) – No address numbers on home. First Notified – 4/30/2019

Compliance 9/26/2019

Mrs. Kuendig announced the procedure for the meeting.

Ms. Barnes swore in members of staff who will be testifying.

Mrs. Kuendig called the first Lien Review.

LR-1 - CEB 06-19-115 - 821 Pinewood St. - 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). Violation(s) – Trailer parking on front lawn, trash and debris. First Notified – 2/16/2019. **Order Imposing Fine-Lien of \$250.00 per day effective July 11, 2019. Compliance July 22, 2019. \$2,750.00 plus \$5.45 interest and \$24.00 recording fees = \$2,779.45.**

Respondent was not present.

Mr. Jackson, Assistant City Attorney, stated the city is requesting to deny reduction of the lien.

Mr. Harrington asked if the property was rented out.

Mr. Jackson stated it was not currently rented.

BOARD ACTION: Mrs. Kuendig asked for motion to deny the request without prejudice. Mr. Gonzales motioned the same with Mrs. Hymes seconding. Motion carried 7-0.

LR-2 CEB 03-19-48 - Robert Matuszczak is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **266 Lexington Dr.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/15/2018. **Order Imposing Fine-Lien of \$100.00 per day effective June 13, 2019. Compliance August 6, 2019. \$5,400.00 plus \$24.00 recording fees = \$5,424.00.**

Christine Henley, sister and POA for the respondent, came forward and was sworn in.

Mr. Jackson stated he would defer to the respondent.

Ms. Henley stated it was a multiple calamity of errors and she should have been the contact person. She stated the information was given to the tenant that she did not know about it. She stated they were going through a hard time. She stated the tenants were evicted and the property was brought up to code.

Mr. Harrington asked what the violations were.

Ms. Robey and Mr. Jackson stated failure to obtain Business Tax License.

Mr. Jackson stated the city is recommending a reduction to \$1,500 and recognized the sister came down and got this done.

Ms. Robey asked if she had changed the address of the property to her address so that she will get any future notices.

Ms. Henley stated yes. She stated she was having it forwarded to her home and she was responding as best she knew.

Mr. Jackson stated we now have this property on file with her name on it.

Mr. Harrington stated a \$5400 was ludicrous for not having a Business Tax License.

Mr. Jackson stated the running fine for the Rental License and the Business Tax Receipt is \$250.

BOARD ACTION: Mr. Harrington made a motion to reduce the amount of the fine to \$750 payable within 30 days. Mrs. Hymes seconded the same and motion carried 7-0.

CASE # 1 - 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. Jackson stated Inspector Recanzone reports the the respondents have a permit for demolition which was finalized and are waiting for the roof permit to final. He stated Inspector Recanzone is requesting to amend to the next cutoff.

Mrs. Kuenig asked why the respondent needed an additional permit.

Mr. Pickens stated there were 2 buildings.

Mr. Jackson stated it was for a garage extension.

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 Ms. Robey. Mr. Gonzales seconded the same and motion was approved 7-0.

CASE # 2 - 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 was not present.

Mr. Jackson stated Inspector Recanzone reports he has had no contact with the respondent and nothing has happened since the initial Notice. He stated staff is requesting a fine in the amount of \$100 per day to maximum of \$10,000 be imposed.

BOARD ACTION: Mr. Gonzales made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$10,000 or until compliance is achieved. Mr. Harrington seconded the same and motion was approved 7-0.

CASE # 3 - 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 is in non-compliance and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000. He stated the case originated in February of 2019.

Mrs. Kuendig asked the Inspector if he had contact with the respondent.

Mr. Clig stated no.

Mr. Harrington asked if the property was occupied.

Mr. Jackson stated the inspector says that it is not occupied.

BOARD ACTION: Mr. Gonzales made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean seconded with motion approved 7-0.

CASE # 37 - CEB 10-19-222 - Abel Simon Curiales is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.1.A; Art. 3 Sec. 3.4.S.1, at **501 Bellevue Ave.** Violation(s) – No permits - permits expired. First Notified – 4/10/2019.

Respondent was not present.

Mr. Frank Van Pelt, Director of Technical Service for the City of Daytona Beach, came forward and was sworn in.

Inspector Clifford Recanzone stated this case is for demolition without permits. He stated they are asking for non-compliance and next cutoff to come into compliance.

Mr. Jackson stated they are asking the Board to authorize the removal of a slab that remains and lien the property.

Mr. Recanzone stated there has been no contact with the owner and he posted the property. He stated part of the demolition should have been to remove the slab of the driveway. He stated when you step on it, it is off-balance and is a safety hazard for anyone walking down the sidewalk.

Mr. Jackson stated the City would access the owners for the cost of removing the slab.

Mr. Van Pelt stated this has existed for quite a while and even the safety fence creates a hazard because it's down and projecting out in the sidewalk. He stated the slab needs to be taken out and re-graded so it is not a hazard to people with strollers and little kids.

Mr. Harrington asked if the Board would notify them or City Engineer.

Ms. Kuendig stated they would find them in non-compliance and ask the City to secure the site.

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. It was further ordered that the City is authorized to secure the property and remove the slab and any other safety hazards and lien the property for the cost. Mr. Gonzales motioned the same with Mrs. Hymes seconding. Motion was approved 7-0.

CASE # 4 - 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 done without permits, peeling paint, holes, rotted wood, siding, windows, added addition, failure to obtain Business Tax Receipt (BTR). First Notified – 7/7/2019.

Respondent was not present.

Mr. Jackson stated Inspector Garcia reports the respondent is working with Permits & Licensing and they are requesting an additional 60 days. He stated staff would like to amend to the December cutoff.

Mrs. Kuendig stated there was someone here last time named Taylor.

Inspector Danny Garcia stated that was the contractor who removed the stairs, closed off the door and resolved the safety issues and he is working with the City to fix the safety issues.

Mrs. Kuendig asked if the respondent has their BTR.

Mr. Garcia stated he did not know and that was done by a separate officer.

Officer Steve Jessmer stated they did not.

Mrs. Kuendig asked what has been done.

Mr. Garcia stated the City went out and did an inspection and let them know everything that needs to be done.

Mrs. Kuendig asked if that was an extensive list and Mr. Garcia stated that it was.

Mr. McLean asked if it had been determined exactly how many units are in that building.

Mr. Garcia stated there are 4.

Mrs. Kuendig asked if they were asking to amend to the next cutoff to get permits or do the work.

Mr. Garcia stated the work after they get their permits.

Mrs. Kuendig asked if they had gone to get permits.

Mr. Garcia stated he didn't think so.

Mrs. Kuendig asked what they had done in the last month.

Mr. Garcia stated they took down the stairs and secured the door and some painting and that's all they were allowed to do.

Mrs. Kuendig stated they could have applied for permits and asked why it is the City's position that they allow them so much time.

Mr. Jackson stated that Permits was asking for the additional time so they must be in the process of trying to obtain the permits and they are working with the Division.

Mrs. Kuendig asked the inspector if he knew what kind of permits they need.

Mr. Garcia stated they need electrical, building and demolition permits.

Mr. Robey stated they needed to get an update next month.

BOARD ACTION: Mrs. Hymes made 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. Robey seconded the same and motion was approved 7-0.

CASE # 7 - 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.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports he had anticipation that the respondents had taken certain action that has apparently no occurred and staff is requesting a fine in the amount of \$200 to a maximum of \$15,000.

Ms. Kuendig stated the respondent said at the last meeting he was not doing anything.

Mrs. Hymes stated at the last meeting Mr. Smith stated he may demolish the property.

BOARD ACTION: Mrs. Hymes made a motion to fine the respondent \$200 per day, effective 10/10/2019 to a maximum of \$10,000. Mr. Harrington seconded and motion was approved 7-0.

CASE # 6 - CEB 06-19-121 - Willie May & Rufus McCoy is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.7, 304.6, and 605.1), at **332 Deeley St.** Violation(s) – Off Street Parking, outside storage, junk vehicles, damaged roof, exterior walls and electrical fixtures. First Notified – 2/15/2019.

Respondent was not present.

Mr. Kuendig stated we are here for a progress report.

Mr. John Stenson, Code Officer, stated the respondents are working through the violations and have corrected some. He stated they started the roof and exterior walls will follow.

Mr. Harrington asked if they had permits.

Mr. Stenson stated yes.

Ms. Robey asked if the inspector thinks they will be in compliance by the next cutoff or if that will be a progress report.

Mr. Stenson stated the next cutoff would probably be a progress report and they should be in compliance by December.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of Non-Compliance and allow the respondents until December 4, 2019 to come into compliance or return for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Ms. McLean seconding the motion. Motion carried 7-0.

CASE # 8 - 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. Dominic Madrigrano, son and POA of the respondent, came forward and was sworn in. He stated they removed the windows and applied for a permit to replace all the windows through a contractor this week and then they will work on the stucco.

Mrs. Kuendig asked how long it will take to come into compliance.

Mr. Madrigrano stated the windows and doors will be in late next week and thought they can be done in 3 weeks. He stated he tried to apply for the permits on behalf of his father but they would not accept it so he hired a contractor.

Mr. Jackson stated staff would like to amend until December.

Michael Fitzgerald, Code Officer, stated he would like to have a progress report next month to make sure permits are applied for.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the December 4, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. It was further ordered that respondent must appear at the November 14, 2019 meeting for a progress report. Motion was made by Mr. Gonzales. Mrs. Hymes seconded the same and motion was approved 7-0.

CASE # 10 - CEB 09-19-213 - Joseph & Juhaina 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 he has had no contact with the respondent and there has been no change in the property. He stated staff is requesting a fine in the amount of \$100 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 \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion approved 7-0.

Mr. Jackson stated they have additional information on Case 7 and would like to re-open the case.

Mrs. Hymes made a motion to reconsider the imposition of a fine. Ms. Robey seconded and motion was approved 6-1 with Mr. Gonzales voting no.

Mr. Jackson stated they had been advised by P & L that the property is under review and they may voluntarily demo it and charge the property owner.

BOARD ACTION: Mrs. Kuendig asked for motion to amend to the November 6, 2019 meeting for the property to come into compliance or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1000 per day. Mr. Hymes motioned the same with Ms. Robey seconding. Mrs. Keundig asked for a roll call and motion was approved 6-1 with Mr. Gonzales voting no.

CASE # 11 - 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.

Ms. Andrea Anderson, daughter, came forward and was sworn in.

Mr. Jackson stated this case has been since January 2019. He stated the respondent advises this is estate property and she is seeking help from a program but there is no proof. He stated Inspector Fitzgerald is requesting a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Kuendig asked if this was a rental property and Ms. Anderson stated no.

Mr. Jackson stated the maximum should be to \$10,000.

Ms. Anderson stated her mother is deceased and her brother is fighting over the property. She stated she went to Rebuild Florida yesterday and couldn't get help because the property is in her mother's name. She stated she hired an attorney and has to pay the tax and that will take a little while since she just paid the attorney. She stated if she could have done it faster, she would have. She stated they were going to knock down the whole house and build them another one. She stated her brother came from South Carolina to sign over the paperwork to her because he wanted half of the house.

Mr. Jackson stated they were waiting on the paperwork and are willing to allow some additional time for that to occur.

Ms. Anderson stated it would be Mid December before she is finished paying the tax. Ms. Anderson submitted paperwork from Rebuild Florida to be placed in the case file.

Mr. Jackson stated they would agree to allow the respondent until December and asked for a progress report in 60 days. He stated the outside storage had been taken care of.

Mrs. Kuendig asked if they were going to demo the property.

Ms. Anderson stated yes and that she had the lawn mowed as well.

There was discussion as to when the respondent can pay the property tax and when she should return to the Board for a progress report.

BOARD ACTION: Mr. Gonzales made a motion to order the respondent to return to the December 12 meeting for a progress report. Mrs. Hymes seconded the same and motion was approved 7-0.

Mrs. Kuendig asked if they need to set aside the current compliance date and Mr. Jackson stated no.

CASE # 12 - 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.

Respondent was not present.

Mr. Jackson stated Inspect Fitzgerald reports the property remains in non-compliance and is asking for a fine in the amount of \$400 per day to a maximum of \$15,000. He stated things were close and then went silent.

Mr. Fitzgerald stated they were 98% done and all they needed to do was a few things and move a garbage can to the side. He stated he hasn't spoken to them since last month. He corrected the amount of the fine to \$10,000.

There was discussion with Mr. Fitzgerald pointing out in the pictures what was left to do.

Mr. Jackson stated the City was good with less if the Board would prefer.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$50 per day, effective October 10, 2019, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion approved 7-0.

CASE # 13 - 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 respondents are 98% done, and it just needs windows, and is asking for a fine in the amount of \$50 per day to a maximum of \$10,000.

Mr. Fitzgerald stated they need few jalousie windows. He stated he has painted.

Ms. Robey asked if the inspector has had contact with the respondent.

Mr. Fitzgerald stated no.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine in the amount of \$50 per day, effective October 10, 2019, to a maximum of \$10,000 or until compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion approved 7-0.

CASE # 15 - 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

Respondent was not present.

Mrs. Kuendig stated the Property Manager was here last time.

Mr. Jackson stated Inspector McCoy reports the property remains in non-compliance and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mrs. Hymes asked if the license had been applied for.

Jerome McCoy, Rental Inspector, stated yes the license was applied for but he hasn't been called for re-inspection. He stated the last meeting was the first time he had spoken to the respondent. He stated an inspection was scheduled but he could not get in the property. He stated he hasn't been inside the property.

Mr. Harrington asked if he had any contact with the actual owner.

Mr. McCoy stated he was going through the Property Manager.

BOARD ACTION: Mr. Gonzales made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes seconded the same and motion was approved 7-0.

CASE # 17 - 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. Joe Crandall, contractor, came forward and was sworn in.

Mr. Jackson stated Inspector McCoy reports he did an inspection on October 4 and had windows that weren't here yet and a re-inspection is scheduled for October 10th and staff is requesting 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 November 6, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 7-0.

CASE # 19 - CEB 09-19-175 - Ana Maria Sanzo is cited for failure to correct violations of City 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 remains in non-compliance and he has had no contact. He stated the property is occupied and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

BOARD ACTION: Ms. McLean made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzales seconded and motion was approved 7-0.

CASE # 20 - 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.

Ms. Dora Dumas came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property is an occupied structure and failed inspection on September 16. He stated she is working on it but the work was done without permits. He stated it is still in non-compliance and is asking to amend to the next cutoff for compliance.

Ms. McLean asked if the permits had been applied for.

Mr. Mark Jones, Rental Inspector, stated no. He stated she needs to apply for a structure permit and that she has a permit for electrical which hasn't been finalized. He stated there was an inspection scheduled for October 2nd but they could not get in the space because the tenant wasn't there and they have a dog. He stated they enclosed the structure without a permit because of the roof which is sagging and not being held up by the supports. He stated the work was done by an unlicensed contractor.

Mr. Harrington asked if it was safe.

Mr. Jones stated he cannot say it is safe until it is inspected by the Building Department.

Mr. Gonzales asked if it was rental property.

Ms. Dumas stated it is rented and she has been working hard. She stated she called more than a dozen contractors to get the work done and found one on Thursday to do the work and she called the permit office to see if they were licensed and late Thursday she received a contract in her email. She stated she called them and they stated they did not have a license. He stated she spoke to P & L Friday and asked them about a contractor and they had never heard of them and they did not have a license. She stated the guy who emailed her was going to charge her double the price and he isn't licensed. She stated there were 25 things to be done and she has done 21.

Mr. Gonzales asked the respondent if they have a Rental License.

Mr. Jones stated she will not be able to obtain a license until the property passes inspection.

Mrs. Hymes asked the respondent what she plans to do.

Ms. Dumas stated she was going to go on the web and start calling contractors from the State website.

Mrs. Kuendig asked what kind of contractor she is looking for.

Mr. Jones stated it needs to be a licensed General or Building contractor approved by the state.

Mrs. Hymes asked if the respondent can be done by the next cutoff.

Mr. Jones stated it is possible if she can get a contractor and the Building Department approves the work.

Mr. Gonzales asked the Inspector if the respondent will need an engineer.

Mr. Jones stated it is a structural issue and may need an engineer if the City requests it.

Mr. Kuendig stated she believes the respondent needs more time.

BOARD ACTION: Mr. Gonzales made a motion to amend the previous order of non-compliance and ordered the respondent to appear at the December 12, 2019 meeting for a progress report. Mr. Harrington seconded and motion was approved 7-0.

CASE # 21 - 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 owner, the property remains in non-compliance and is asking for a fine in the amount of \$100 to a maximum of \$15,000.

BOARD ACTION: Ms. McLean made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes seconded and motion was approved 7-0.

CASE # 22 - 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 he has had some recent contact where they called and got an application but hasn't moved forward. He stated the property is occupied and staff is asking for a fine in the amount of \$100 to a maximum of \$15,000 be imposed.

BOARD ACTION: Mr. Gonzales made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes seconded and motion was approved 7-0.

CASE # 23 - 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 he has had no contact with the respondent, the property is occupied and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000 be imposed.

BOARD ACTION: Mrs. Hymes made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000. Mr. Gonzales seconded the same and motion was approved 7-0.

CASE # 24 - 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 the application is under review and Inspector Jones is asking to amend to the next cutoff.

Ms. Koenig stated she went downstairs after the last meeting to speak with Karen because her check has cleared and she is waiting.

BOARD ACTION: Mrs. Hymes made a motion to amend the previous order of non-compliance and ordered the respondent to come into compliance by the November 6, 2019 cutoff or be returned for consideration of a fine of up to \$1,000 per day. Ms. McLean seconded and motion was approved 7-0.

CASE # 25 - 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. Jackie Spencer came forward and was sworn in.

Mr. Jones stated the safety violations have been taken care of and he inspected the empty unit. He stated there were minor problems in the other unit with a GFCI that had been taken care of on October 2nd. He stated he still needs to inspect the other unit and would like a progress report for the unit that is occupied in 60 days.

Mr. Spencer stated he started on the cosmetic stuff on the outside. He stated he needs a permit for the fascia and roofing. He stated he has a retired handyman helping him do some stuff but he needs a contractor and permit for the windows, roof and to replace the fascia wood. He stated the main thing inside is plumbing and he needs permits for that. He stated he thought he could get everything done in about 60 days.

Mr. Spencer had questions about the permit process and the Board directed him to the Rental Inspector.

Mr. Gonzales stated he noticed the case began in February.

Mr. Spencer stated February wasn't the actual date because he purchased and thought he had the license. He went in and applied for it and it was granted and he paid. Then they told him he

owed additional money since there are two units, which he paid in July, and then they told him he needed an inspection and he is now working through the items from the inspection.

Mr. Gonzales asked the respondent when he can have the work done.

Mr. Spencer stated he should have it done in 60 days.

Mr. Jones stated he can probably be done in 60 days.

BOARD ACTION: Mr. Gonzales made a motion to amend the previous order of non-compliance and allow the respondent until the December 4, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean seconded the same and motion was approved 7-0.

CASE # 26 - 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 Inspector Jones reports the property remains in non-compliance and is asking to amend to the next cutoff.

Mr. Jones stated he did a re-inspection on September 25 and a gas stove needed to be replaced because one burner did not fully light. He stated he would like to amend to the next cutoff.

Ms. Robey stated the last time the respondent said everything was done.

Mr. Bretzel stated he put in a new stove and the tenant damaged it and one of the burners does not work. He stated they are going to put a brand new stove in.

Mr. Gonzales asked if that was the only outstanding issue.

Mr. Jones stated there are 4 units and that is the only outstanding issue left. He stated the next cutoff is easily attainable if he can get the tenant out.

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. Motion was made by Ms. Robey. Mrs. Hymes seconded the same and motion was approved 7-0.

CASE # 27 - CEB 08-19-166 - Thomas C Weatherford is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **209 Taylor**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 5/6/2019.

Respondent was not present.

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

Ms. Robey asked the inspector if he had any contact from the respondent.

Mr. Jones stated he had contact with the respondent on October 1 and the status is it is still not ready. He stated the respondent told him in May he needs about 60 days. He stated he was originally told the respondent was selling the property and now he is not selling.

Mr. Kuendig asked what was left to do.

Mr. Jones stated he did not know he has not been able to inspect the properties.

BOARD ACTION: Mr. Gonzales made a motion to impose a fine in the amount of \$100 per day, effective October 10, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean seconded and motion was approved 7-0.

CASE # 29 - 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 is asking to amend to the December cutoff because the respondent just evicted the tenants and still has some work to be done.

Sara Kirk, Code Inspector, stated Mrs. Riley believes that will be enough time for her have a contractor come out and bring the property into compliance. She stated yesterday there was a dumpster outside the property and she believes the tenants are moving out.

There was discussion regarding what had been done and what could have already been taken care of.

Mr. Jackson pointed out that Case #28 was the same respondent and it did come into compliance.

Ms. McLean stated she would like a progress report at the next meeting.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until the December 4, 2019 cutoff to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. It was further ordered that respondent must appear at the November 14th meeting for a progress report. Motion was made by Mr. Gonzales. Ms. McLean seconded the same and motion was approved 7-0.

Mrs. Kuendig called for a break at 10:40 a.m.

The meeting resumed at 10:47 a.m.

CASE # 32 - CEB 10-19-240 - A Helping Hand LLC is cited for failure to correct violations of Code Ch. 90 Sec. 90-297, at **732 Mason Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 2/13/2019.

Mr. Donald Moore, tenant, came forward and was sworn in. He presented the Board with a letter giving him permission to testify.

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

Mr. Moore stated when he was first given the violation he applied for the BT but his agreement with the owner is that the property was as is and he agreed to clean the property out but he knew right away that the inside of the property wouldn't pass fire inspection as there are no fire extinguishers or smoke alarms. He stated the previous tenant left stuff and he was in the process of cleaning that out. He stated they came across filing cabinets that had people's personal information with driver's licenses and they had to shred that. He stated that was the delay and this was going to be a retail showroom to sell dock supplies. He stated in April they received a very large contract in Titusville so they had been gone and nothing has happened. He stated is going to comply and asked the Board what they want him to do.

Ms. Kuendig stated he needs to get a Business Tax Receipt.

BOARD ACTION: Mrs. Hymes made a 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 seconded the same and motion was approved 7-0.

Mr. Moore stated there would be no fine if he gets it done by November 6.

Various Board Members stated no.

CASE # 33 - CEB 10-19-244 - Johnny Bret Jones 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, at **1912 S Peninsula Dr.** Violation(s) – Outside storage and illegal trailer parking. First Notified – 6/19/2019.

Johnny Bret Jones came forward and was sworn in.

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

Mr. Jones stated he had cleaned up some and there were a couple of trailers still there.

Mr. Harrington stated they haven't been in non-compliance since June.

Mrs. Collins stated there was one trailer there now that was not there when she wrote the Notice.

Mr. Jones stated it was brought in during the hurricane because it was parked on the beach.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Ms. McLean seconded the same. Motion was approved 6-1 with Mr. Gonzales voting no.

CASE # 40 - CEB 10-19-233 - Linda A. Smiley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IMPC 304.2), at **357 Manhattan Ave.** Violation(s) – Peeling paint. First Notified – 4/16/2019.

Ms. Linda Smiley came forward and was sworn in.

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

Ms. Smiley stated she hoped it would be in compliance by today. She stated everything has already been primed and garage painted. She stated she would definitely be in compliance by next cutoff.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Mr. Harrington seconded the same. Motion was approved 7-0.

CASE # 43 - CEB 10-19-237 - Elmer L. & Sarah A. Flanary 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 302.7); Art. 6 Sec. 6.19.A.3, at **1356 Continental Dr.** Violation(s) – Outside storage - REPEAT VIOLATION. First Notified – 3/21/2019.

Ms. Christy Bichay, POA and daughter, came forward and was sworn in.

Mr. Jackson stated the case is before the Board for the imposition of a fine as a repeat violation. He stated Inspector Stenson reports the property has had previous violations for outside storage and parking in the yard and was adjudicated in June 2019. He stated it has now fallen into a similar condition and staff is recommending \$100 per occurrence. He stated there are 4 occurrences on September 9, 13, 24 and October 9 and as of yesterday it was not in compliance and is asking for a finding of non-compliance and next cutoff for the property to be brought into compliance.

Mr. Stenson stated he has pictures of the different dates and violations.

Ms. Bichay asked the inspector to point out the violations of outside storage in the pictures. There was further discussion as to what is considered outside storage and what is not and what was in the yard.

Mr. Jackson stated they are not making an argument about the quantity, just that there is outside storage and it is a violation. He explained they are asking for a finding of non-compliance and to be returned to the next meeting as opposed to asking for a fine by occurrence.

Ms. Bichay stated the trailers were actually someone moving and they are gone. She noted other things in the picture that have been done in two weeks. She stated when he came out it was a Monday and the things in the yard were people moving.

Mr. Harrington stated this has been going on since March and wanted to know why she couldn't understand you can't have rubbish sitting out in the yard.

Ms. Bichay stated her father is elderly and he can barely stand. She stated he has had several falls and she takes care of him inside the home.

Mr. Harrington asked where the rubbish kept coming from.

Ms. Bichay stated siblings. She stated she did not live there with him.

BOARD ACTION: Mr. Gonzales made a motion to fine the respondent \$100 per day for violations that occurred on September 9, 13, 24 and October 9th for a total of \$400 payable within 30 days. It was further ordered the property is found 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 per day. Mrs. Hymes seconded the same and motion was approved 7-0.

CASE # 45 - CEB 10-19-235 - Le Thi Vo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i, at **1134 Lewis Dr.** Violation(s) – Location of off-street parking (in front yard). First Notified – 7/23/2019.

Mr. Le Thi Vo came forward and was sworn in.

Mr. Jackson stated Inspector Stenson reports the property remains in non-compliance. He stated there is a language barrier and Mr. Stenson had spoken to his son and believes it can be in compliance by the next cutoff.

Mrs. Kuendig asked the respondent if he can get it fixed by next month.

Mr. Vo stated he would have it done by November 6. He stated he did not know what to do about the parking

Mr. Jackson told the respondent to get in touch with the Inspector.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Mrs. Hymes seconded the same. Motion was approved 7-0.

The following cases were heard together.

CASE # 47 - CEB 10-19-227 - Bethune-Cookman College Inc. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec.6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.13), at **127 Jesse St.** Violation(s) – Dilapidated fence, rotted wood, windows. First Notified – 4/25/2019

CASE # 48 - CEB 10-19-228 - Bethune-Cookman College Inc. 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 304.2, 304.6, 304.13, 308.1), at **106 Jesse St.** Violation(s) – Rotted wood, windows, peeling paint. First Notified – 7/25/2019

CASE # 49 - CEB 10-19-229 - Bethune-Cookman College Inc. 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 302.7, 304.5, 304.10, 304.13), at **131 Jesse St.** Violation(s) – Dilapidated fence and porch, windows, cracked exterior wall. First Notified – 4/25/2019

CASE # 50 - CEB 10-19-230 - Bethune-Cookman College Inc. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **140 S Lincoln St.** Violation(s) – Junk and debris, overgrown lot. First Notified – 6/28/2019

CASE # 51 - CEB 10-19-239 - Bethune-Cookman College Inc. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 302.7), at **635 W Intl Speedway Blvd.** Violation(s) – Rotted wood, crumbling/missing bricks, dilapidated fence. First Notified – 4/25/2019.

Mrs. Kuendig stated the respondents can stipulated to non-compliance.

Ms. Althea Kennedy, Director of Emergency Management, and Mr. Barry Carter, Director of Operations, came forward and were sworn in.

Mr. Jackson stated the respondent plans to demo the properties and is asking for compliance by the next cutoff.

Mr. Carter agreed that they were going to demo the houses and clear the lots. He stated they had applied for demo permits and would start everything on Jesse Street. He stated they were using the same contractor on Lincoln Street but they were vacant lots and would also be cleared.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in case CEB 10-19-227, CEB 10-19-228, CEB 10-19-229, CEB 10-19-230 at Lincoln Street and CEB 10-19-239 at W Intl Speedway in non-compliance and order 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 per day. Ms. Robey made the motion and Mrs. Hymes seconded the same. Motion was approved 7-0.

CASE # 57 - CEB 10-19-220 - Joseph P. & Cheryl E. Whelan is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.4.S.2; Art. 3 Sec. 3.4.S; Art. 6 Sec 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2,

302.7, 302.1), at **318 Ora St.** Violation(s) – Permit needed, storage, damaged structural overhand and roof, protective treatment to structure, accessory structure, window and door frames. First Notified – 1/29/2019.

Mr. Joseph Whelan came forward and was sworn in.

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

Mr. Whelan stated the property sustained hurricane damage.

Mrs. Keundig stated he had been noticed at the first of the year.

He stated he went to the post office to pick up the notice but it wasn't open because of their hours and they sent it back.

Mrs. Kuendig asked the respondent if he lives there.

Mr. Whelan stated that he does. He stated he went on his porch on October 2nd and found the posting.

Mrs. Kuendig stated it will take some work to fix the property.

Mr. Whelan stated the Hurricane blew the roof off of his garage. He stated he went to the permit office to pull the permits and he has the paperwork

Mr. Harrington asked if the respondent was planning on hiring a contractor.

Mr. Whelan stated he has had problems with contractors in the city and he has worked extensively with contractors. He stated he built two homes in Vermont. He stated the permits department will probably tell him he needs to hire a contractor. He stated he was told that he could do the work himself and he would like that in writing.

Mr. Jackson stated Inspector Alderman is asking for the next cutoff because he has had no contact with the respondent until Monday. He stated until the respondent takes action they won't know how long he needs to come into compliance.

Mr. Whelan stated he probably would have had the work done but he has issues with a next door neighbor who just purchased the property. He stated the Property Manager put a fence right up against his garage and he has to lean over the roofline to get to the soffit.

BOARD ACTION: Mrs. Kuendig asked for motion to order the respondent to return to the November 14 meeting for a progress report and the determination of a compliance date. Mr. Hymes motioned the same with Ms. Robey seconding. Motion was approved 7-0.

CASE # 59 - CEB 10-19-216 - Norman H. 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 304.9, 304.14, 304.2, 304.1, 304.7, 304.13, 304.13.1, 304.6), at **215 Auditorium Blvd.** Violation(s) – Paint overhangs, fascia, window frames and structure,

landscape maintenance, screens, roof damage, missing-broken windows. First Notified – 5/18/2019.

Ms. Kelly Riley, daughter, came forward and was sworn in.

Mr. Jackson stated Inspector Alderman report 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.

Ms. Riley stated they were pretty close to having the front done, she has everything primed but the weather has kept her from finishing.

Ms. Kuendig asked if she inherited the property and does not live there.

Ms. Riley stated she did not and it was not a rental.

Mr. Alderman stated he opened the case a while ago and there has been sitting too long and named the violations on the property and said she needs to get it painted, roof repaired for compliance. He stated he hasn't spoken to her to find out when she can be in compliance.

Mr. Jackson asked the Inspector, based on his knowledge, when he believes the respondent can come into compliance.

After a lengthy explanation, Mr. Alderman stated no more than 30 days.

Ms. Riley agreed.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Mrs. Hymes seconded the same. Motion was approved 7-0.

Mrs. Kuendig called for a break at 11:25 a.m.

The meeting resumed at 11:50 a.m.

CASE # 36 - CEB 10-19-242 - Michael Nelson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.a.3, at **1237 Essex Road**. Violation(s) – Outside storage. First Notified – 5/23/2019.

Respondent was not present.

Ms. Collins stated she is asking for a finding of non-compliance and compliance by the next cutoff. She stated they have done major work and have a little bit more to do.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Mr. Harrington made the motion and Mr. Gonzales seconded the same. Motion was approved 7-0.

CASE # 38 - CEB 10-19-221 - Arlene M. Rogers is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 308.1); Ch. 90 Sec. 90-297, at **724 Marion St.** Violation(s) – Roofs and drainage, rubbish and garbage, failure to obtain Business Tax Receipt (BTR) for scrapping business. First Notified – 9/27/2018.

Respondent was not present.

Mr. Recanzone stated he has had no contact with the respondent since posting the property.

Mrs. Kuendig asked if this was a business.

Mr. Recanzone stated it was scrapping.

Mr. Harrington asked if it was zoned for that.

Mr. Recanzone stated he is asking for a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Mr. Gonzales seconded the same. Motion was approved 7-0.

CASE # 39 - CEB 10-19-232 - Lanell Harton DeLoach 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, 304.7, 304.13, 308.1), at **101 Fairview Av.** Violation(s) – Broken windows, trash, debris, dirt, grime, gutter, weeds. First Notified – 7/15/2019.

Respondent was not present.

Mr. Garcia stated he has had contact with the respondent and they are making progress. He stated they ordered the windows to be replaced and fix the gutters. He stated they removed the trash and need to do some pressure cleaning. He stated he is asking for non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Ms. Robey made the motion and Mr. Harrington seconded the same. Motion was approved 7-0.

CASE # 41 - CEB 10-19-234 - Russell L. Chiodo is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A,3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2, 304.6, 304.8, 308.1), at **1120 Clearwater Rd.** Violation(s) – Dirt and rotted material on exterior surface, rotted planter box, trash and debris, overgrown grass and weeds. First Notified – 5/20/2019

Respondent was not present.

Mr. Garcia stated 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 no contact with the respondent and they have only cut the grass.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 made the motion and Mrs. Hymes seconded the same. Motion was approved 7-0.

CASE # 44 - CEB 10-19-238 - Kelley Alice Shirazi is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1215 Continental Dr.** Violation(s) – No permit for driveway expansion. First Notified – 8/10/2019

Respondent was not present.

Mr. Stenson stated the property remains in non-compliance and they have submitted a permit which is under review. He stated he is asking for non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Ms. Robey made the motion and Mr. Harrington seconded the same. Motion was approved 7-0.

CASE # 53 - CEB 10-19-226 - Kaitlin M. Harkin is cited for failure to correct violations of The Land Development Code, Art. 6 Sec.6.2.H.7.a, at **611 Tarragona Way** Violation(s) – Illegal parking. First Notified – 7/30/2019.

Respondent was not present.

Ms. Kirk stated she is asking for non-compliance and next cutoff to come into compliance. She stated she has had no contact with the respondent there is still a trailer there and issues with parking.

Mr. Harrington stated you cannot tell if one family lives there or more.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Mrs. Hymes made the motion and Ms. McLean seconded the same. Motion was approved 7-0.

CASE # 55 - CEB 10-19-225 - Robert Johnson, Jr. 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 **Whitehall St (parcel #5339-03-71-0052)**. Violation(s) – Dilapidated fence. First Notified – 6/5/2019.

Respondent was not present.

Ms. Kirk stated she is asking for non-compliance and the next cutoff. She stated she spoke with Mr. Johnson, who lives in Georgia, and he is making arrangements to have the fence removed.

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. McLean seconding. Motion was approved 7-0.

CASE # 56 - CEB 10-19-217 - Buford R. Harellson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.1.A; Art. 6 Sec. 6.19.A.4; Art. 3 Sec. 3.4.S.2; Sec 22-47; Art. 6 Sec. 6.19.A.3; Art 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1, 108.1, 304.6, 304.13, 108.1.1, 304.7, 304.4, 304.2, 302.3, 302.1, 108.2), at **524 Hillside Ave.** Violation(s) – Trash and debris, broken windows, crumbling siding, deteriorating exterior walls, protective treatment, unsafe structure, holes in walls, window and door frames, abandoned property, overgrown property, roof damage, structural deterioration, driveway damage, building permits required. First Notified – 2/21/2019.

Respondent was not present.

Mr. Alderman stated he was informed by a police officer that the owner would be here in March and he posted the structure. He stated he spoke to the daughter in April and she said they were going to get a contractor and permits and fix the foundation but that didn't happen. He stated the demolition process has started. He stated he is asking for non-compliance and next cutoff.

Mr. Gonzales asked Mr. Jackson if they could do non-compliance with a fine at this stage.

Mr. Cino stated they have to give the respondent time to correct the violations and asked if the respondent was notified.

Mr. Alderman explained he has spoken to them and it was posted.

Mr. Jackson stated we can't fine them until they fail to comply with an order by the Board.

Mr. Cino stated unless it is a health safety situation and then they can fine them.

There was additional discussion regarding the condemnation process.

BOARD ACTION: Ms. McLean made 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 seconded the same and motion was approved 7-0.

CASE # 58 - CEB 10-19-219 - Lynn Stepp is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.2, 301.3, 308.1), at **44 N Halifax Ave.** Violation(s) – Unsafe structure, pool unsecure, trash and debris, paint all structural-window frames, door frames, pool unsanitary, property overgrown. First Notified – 5/20/2019.

Respondent was not present.

Mr. Alderman stated this property is a police issue and is on trespass arrest. He stated there are transients getting through the fence and there is a pool in the back yard which is a safety issue and the city is cutting the grass. He stated he is asking for non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Ms. Robey made the motion and Ms. McLean seconded the same. Motion was approved 7-0.

CASE # 60 - CEB 10-19-218 - Rose Elizabeth Green Wilson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 301.3), at **128 N Adams St.** Violation(s) – Damaged siding, vacant structure/land, landscape, yard overgrown. First Notified – 7/10/2019.

Respondent was not present.

Mr. Alderman stated the owner lives in New York and has hired someone to maintain the lot. He stated the respondent is trying to find someone to fix the siding. He stated they removed the trash and need to do some pressure cleaning. He stated he is asking for non-compliance and next cutoff to come into compliance. He stated no one lives there, the owner is deceased and the son is in New York.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and order 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 per day. Mr. Gonzales made the motion and Ms. Robey seconded the same. Motion was approved 7-0.

Mrs. Kuendig asked if there was any miscellaneous business. There was discussion regarding availability for a workshop. It was decided Ms. Barnes would send an email regarding dates.

The meeting was adjourned at 12:15 a.m.