

**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

November 14, 2019

Members present:

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

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
Officer James Thomas, Daytona Beach Police Department
Mr. Steve Alderman, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Mike Fitzgerald, 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
Mr. Joe Graves, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by: Marylaine "Weegie" Kuendig Chairman

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

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

Mrs. Kuendig asked if the minutes of the October 10, 2019 meeting had been read and asked for any corrections. Mr. Gonzalez stated his name was spelled incorrectly and needed to be

corrected. Mr. Gonzalez motioned to approve the minutes as amended 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 # 7 - 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

Compliance 11/8/2019

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

Compliance 11/13/2019

CASE # 25 - 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

Compliance 11/13/2019

CASE # 33 - CEB 11-19-269 - Walter J. Bryant 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; City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1325 Laurel Dr.** Violation(s) – Outside storage, landscaping, parking in the front yard, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL) and inspection. First Notified – 6/12/2019

Withdrawn

CASE # 46 - CEB 11-19-251 - Aaron L. Sr & Eartha S Watson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **521 S Keech St.** Violation(s) – Peeling paint. First Notified – 3/26/2019

Compliance 11/13/2019

CASE # 50 - CEB 11-19-246 - Dorothy A Orosz is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **555 Sandra Ave.** Violation(s) – Trailer in the driveway. First Notified – 12/13/2018

Compliance 11/13/2019

CASE # 53 - CEB 11-19-255 - John J. & Rita R. Ottolini is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3), at **1170 St Augustine Rd.** Violation(s) – Sidewalks and driveways. First Notified – 2/22/2019

Compliance 11/13/2019

CASE # 56 - CEB 11-19-248 - Kevin B. Shank 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, at **1342 Woodbine St.** Violation(s) – Junk vehicle, lawn maintenance. First Notified – 3/20/2019

Compliance 11/13/2019

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

Mrs. Kuendig announced the procedure for the meeting.

Mrs. Kuendig called the first Lien Review.

LR-1 - CEB 08-19-158 – 428 Auburn #102 - 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. Order Imposing Fine/Lien of \$100.00 per day effective September 12, 2019. Compliance - September 26, 2019. \$1,500.00 plus \$24.00 recording fees = **\$1,524.00.**

Mr. Simon Myara came forward and was sworn in.

Mr. Anthony Jackson, Assistant City Attorney, stated the case was noticed in March and a fine imposed on September 12th. He stated the respondent brought the property into compliance on September 26, 2019. He stated Inspector Mark Jones is requesting to reduce the amount of the fine to \$750.00 from \$1524.00.

Ms. Kuendig asked the City Attorney if the fact that the property was transferred to a family member should have any bearing on their decision.

Mr. Jackson stated that it should not.

Mr. Myara stated that ex-family members purchased the property. He stated he was at the first meeting and there were 3 properties, one was sold but not recorded. He stated the other 2 they were in the process of fixing and selling. He stated he had people to fix the property and they moved in and had to be evicted which took time. He stated he didn't know he could stop the review and inspection. He stated Mr. Jones came after they fixed it. He stated a family emergency prevented him from attending the second meeting and he called Mr. Jones and asked for an extension.

Mr. Charles Cino, Board Attorney, asked when they were evicted.

Mr. Myara stated they first was, #102, was evicted in May and destroyed the place.

BOARD ACTION: Mr. Gonzalez motioned the fine be lowered to \$750, payable within 30 days or the fine reverts back to the original amount. Mrs. Hymes seconded the same and motion was approved 6-0.

LR-2 - CEB 07-19-133 – 439 Auburn #203 - Annie Myara is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **439 Auburn #203.**

Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 4/19/2019. **Order Imposing Fine/Lien of \$1,000.00 per day effective August 8, 2019. Compliance - October 21, 2019. \$15,000.00 plus \$24.00 recording fees = \$15, 204.00.**

Mr. Jackson stated this case is similar to the last except that the fine was \$1000 per day which was imposed on August 8 which accrued to \$15,000 with compliance on October 21, 2019. He stated the City is prepared to reduce the amount of the lien to \$5,000.

Mr. Myara stated circumstances between he and Mr. Jones prevented him from doing what needed to be done.

Mrs. Kuendig asked if the respondent had kept in touch with Mr. Jones.

Mr. Myara stated yes that he made several phone calls. He stated he came and signed a document that he would not rent the property for the case to come into compliance.

Ms. Robey stated neither of these cases are in his name.

Mr. Myara stated it was his sisters and he is Power of Attorney. He stated she lives in Canada.

Ms. Robey asked who lives on Bellaire and Mr. Myara stated he does.

Ms. Robey asked if he had made no attempt to pick up the certified mail.

Mr. Myara stated they came twice he thought they would re-deliver it.

Mr. Harrington stated he thought the fine was excessive.

Mrs. Hymes stated they imposed the fine because it took so long.

Mr. Gonzalez asked Mr. Jones if the respondent had maintained contact with him.

Mr. Jones stated he had no contact in the beginning, in February 2019, and he posted the property in April. He stated the Notice came back unclaimed. He stated he spoke to the respondent in July and told him he needed to have it inspected or come and get the Rental License or a notarized statement that he wasn't going to rent them. He stated he was only told the property was going to be sold.

Mr. Gonzalez made motion to reduce the amount of the fine to \$2,500. Mr. Harrington seconded the same and motion was not approved 3-3 with Mrs. Hymes, Mrs. Kuendig and Ms. Robey voting no.

Ms. McLean asked if this property had more to do than the other property.

Mr. Jones stated he has never been in the property.

Mr. Myara stated the condition was bad.

Mrs. Hymes stated the fine was imposed for no communication.

Mrs. Kuendig stated and because of the length of time.

There was further discussion regarding contact between the respondent and the inspector. Officer Steve Jessmer stated the property is still in the name of Annie Myara.

Mr. Myara stated it was a quick claim deed and they did tell him it might take awhile to be recorded and gave the Board a document indicating there was a sale. He stated the property closed on October 8th.

Mr. Jackson stated the recommendation to that Board at the time of the fine was to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion that the fine be lowered to \$3,500, payable within 30 days or the fine reverts back to the original amount. Mr. Gonzalez motioned the same with Mr. Harrington seconding the same. Motion was approved 6-0.

LR-3 CEB 07-19-140 - Matilda Riley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.3), at **520 Model St.** Violation(s) – Maintenance Code - maintenance issues, paint fading and peeling, windows sealed closed with expansion foam, missing address numbers, fascia boards fading and peeling, junk vehicles. First Notified – 5/4/2019. **Order Imposing Fine/Lien of \$200 per day effective August 8, 2019. Compliance – October 21, 2019. \$14,000.00 plus \$24.00 recording fees and \$10.08 interest = \$14,034.08.**

Ms. Matilda Riley came forward and was sworn in.

Mr. Jackson stated the pictures are not loaded and Inspector Fitzgerald is requesting to reduce the fine to \$1,500.

Ms. Riley stated there was a mis-communication on her behalf with the inspector and she was at the doctor's office at the time of the last meeting. She stated she has been in communication with Mark Jones.

Ms. Kuendig asked who Emory Brown was.

Ms. Riley stated that is her son.

Ms. Kuendiz asked if he lived at the property.

Ms. Riley stated the he does.

Mr. Gonzalez asked the inspector if he had communication with the respondent.

Inspector Michael Fitzgerald stated yes.

BOARD ACTION: Mrs. Kuendig asked for motion to reduce the amount of the fine to the sum of \$1,500 payable within 30 days or the fine reverts back to the original amount. Mr. Gonzalez motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

LR-4 CEB 06-14-61 – 617 Holmes Street - Jeremiah Shazel (present owner is Lawrence Henry Williams) is cited for failure to correct violations of The Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.3; 304.7). Violation(s) – No address numbers; dilapidated roof (property is vacant and unsafe). First Notified – 4/18/2014. **Order Imposing Fine/Lien of \$200.00 per day effective July 10, 2014. Compliance through demolition May 28, 2019. \$10,000.00 plus \$24.00 recording fees = \$10,024.00.**

Mr. Lawrence Williams came forward and was sworn in.

Mr. Cino asked the respondent when he took possession of the house.

Mr. Williams stated the building was down when he took possession in October of last year. He stated he was in contact with the inspector and the property was demoed.

Mr. Jackson stated the case was noticed in April of 2014 and the property was liened in July of 2014. He stated the property was brought into compliance through demolition on May 28, 2019. He stated the City is willing to accept a reduction to \$5,000 since Mr. Williams was not the owner at the time the violations were written.

Mr. Gonzalez asked who paid for the demo.

Mr. Jackson stated the previous owner demoed the property.

Mr. Williams stated he purchased the property and cleaned up what was left on the ground. He stated he was in communication with Inspector Fitzgerald. He stated they are selling the property and found the lien. He stated any amount would be a hardship.

Ms. Robey stated during this length of time, she believed the City had at least \$1000 worth of time in this property and motioned the same. There was no second and motion was not approved.

Mr. Williams asked if he could have the lien attached to the sale of the property.

Mr. Jackson stated they need a fixed time period customarily within the next 30 days.

There was discussion whether the Board could accept payment on condition of and at the time of sale and what time period should be allowed.

Mr. Gonzalez made motion to reduce the amount of the lien to \$5,000 payable within 90 days or upon sale of the property whichever comes first. Mrs. Hymes seconded the same and motion failed 3-3 with Mr. Harrington, Mrs. Kuendig and Ms. Robey voting against.

BOARD ACTION: Mr. Harrington made a motion to reduce the amount of the fine to the sum of \$2,500 payable within 30 days or the fine reverts back to the original amount. Mr. Gonzalez seconded and motion was approved 6-0.

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 the respondent is working on it and getting close to being in compliance 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 respondents until the December 4, 2019 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000. Motion was made by Ms. Robey with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 36 - CEB 11-19-271 - Herb & Lorin Kawesch is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.14); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **708 S Beach St.** Violation(s) – Outside storage, parking on the grass, failure to maintain roof, no insect screens, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/29/2019.

Mr. Herb Kawesch came forward and was sworn in.

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

Ms. Kuendig asked if there were people living there.

Mr. Clig stated it was vacant.

Mrs. Kuendig asked if this property can be fixed.

Mr. Clig stated the respondent started to clean up the property and took care of a roof permit and stairs.

Mrs. Kuendig asked the respondent how long he had owned the property.

Mr. Kawesch stated about a year. He stated the property is adjacent to a 7-11 and it became home to vagrants. He stated he has never rented it and that he hired someone to do the work and he stayed there to keep the vagrants away. He stated he has hired a new contractor for the inside and a roofer. He stated the outside storage is gone.

Mr. Harrington asked if the property had ever been on the Historic Register.

Mr. Kawesch stated no.

Ms. Robey asked the respondent if he can be done by the next cutoff.

There was discussion as to when the respondent should return to the Board.

Mrs. Hymes stated Mr. Clig could bring his progress report for the next meeting.

BOARD ACTION: Mr. Gonzalez made a motion to find the respondent in non-compliance and ordered the respondent to return to the December 12, 2019 meeting for a progress report. It

was further ordered that respondent must bring the property into compliance by January 2, 2020 or be returned to the Board for consideration of a fine up to \$1,000 until compliance is achieved. Ms. Robey seconded the same and motion was approved 6-0.

CASE # 2 - 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. Jackson stated Inspector Cliff Recanzone is requesting a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Recanzone stated he has had contact with the respondent and they had only cut the grass and got the demo permit to removed the driveway and it expired but nothing else had been done.

Mr. Jackson stated the City has a \$5,000 bid to remove the sidewalk.

BOARD ACTION: Ms. McLean made a motion to impose a fine of \$100 per day, effective November 14, 2019, to a maximum amount of \$15,000 or until compliance is achieved. Mr. Harrington seconded and the motion was approved 6-0.

CASE # 3 - 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. Jackson stated Inspector Recanzone reports the property remains in non-compliance and he has had no contact with the respondent. He stated the City is requesting a fine in the amount of \$100 per day to a maximum of \$10,000.

There was discussion of the owner running a scrapping business on the property.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective November 14, 2019, to a maximum amount of \$10,000 or until compliance is achieved. Ms. Robey motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 4 - 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 reports the property remains in non-compliance and is asking for the next cutoff for compliance.

Mr. Recanzone stated the hearing had occurred and the contractor has promised the work will be done within this month and the permit was reissued.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 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 # 5 - CEB 04-19-71 - Yvonne Bell 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 **1028 Michael Road**. Violation(s) – Damaged roof. First Notified – 12/14/2018.

Respondent was not present.

Mr. Jackson stated Inspector Recanzone reports the respondent is getting assistance from a City program and there are contractor issues. He stated the City is requesting to amend to the February cutoff.

Mrs. Kuendig stated it looks like the property is being kept up.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until February 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 6 - 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.

George Howard, General Contractor, came forward and was sworn in.

Mr. Jackson stated Mr. Stenson is handling the case while Mr. Garcia is off. He stated the inspector is working with the respondent and the City's permitting department is asking to amend to January for compliance.

Mr. Stenson stated the Building Inspector had requested that they can move forward and would like to amend to January.

Mr. Howard stated that he spoke to Mr. Garcia and he said he would have 60 days. He stated he has applied for a master permit and he still needs a roof permit because she did roofing work. He stated the AC and electrical contractors need to combine information and submit a current survey for the variances. He stated there is a lot of work and he is working with the Building Official. He stated there are 3 property addresses 311 Taylor, 542 N Ridgewood and this address.

Ms. McLean stated she knew that variances take two months.

Captain Scott Lee was sworn in. He stated the Building department instructed the respondent to apply for a variance.

Mr. Howard stated he has not done that application yet because the Building Department asked for separate and combined survey's which he now has.

Captain Lee stated on October 31 he was told he could apply and the deadline now may be too late.

Ms. Robey asked why 544 showing and nothing on paper.

Mr. Howard stated it is 542. He stated she applied for a temporary permit at 544.

Mr. Stenson stated he would like a progress report starting in December and compliance in January.

Captain Lee stated the Respondent and inspector need to get together to discuss their timeline.

Mrs. Kuendig stated there was a ton of work and is now being addressed and she would like to see a progress report in December and a progress report in January and compliance in February.

There was additional discussion regarding a temporary fence to keep the vagrants out.

BOARD ACTION: Mr. Gonzalez made a motion to amend the previous order of non-compliance and allow the respondent until February 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. It is further ordered that respondent must appear for monthly progress reports starting with the December and January meetings to include information regarding obtaining a variance and putting permits in place. Ms. McLean seconded the same and motion was approved 6-0.

Mr. Cino left the Chamber at 10:20 a.m.

CASE # 8 - 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. Jackson stated Inspector Garcia informed him that the respondent has done little and the inspector has had no contact and is asking for a fine in the amount of \$250 per day to a maximum of \$15,000.

BOARD ACTION: Mr. Harrington made a motion to impose a fine of \$250 per day, effective November 14, 2019, to a maximum amount of \$15,000 or until compliance is achieved. Ms. McLean seconded the same and the motion was approved 6-0.

CASE # 9 - 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.

Mr. James Jones and Ms. Barbara Jones came forward and were sworn in.

Mr. Jackson stated the respondents have made good progress and all that's left is painting. He stated Inspector McCoy is asking to amend to the next cutoff.

Mr. Jerome McCoy, Code Inspector, stated all they have left is painting and the roof permit was finalized.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 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. McLean seconding. Motion was approved 6-0.

Mr. Cino returned to the Chamber at 10:24 a.m.

CASE # 10 - 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.

Respondent was not present.

Mr. Jackson stated there have been 2 occurrences of outside storage on November 1 and November 13 since the last meeting and Inspector Stenson is asking for a fine of \$100 each occurrence.

Ms. Kuendig asked the inspector if he has to go there each time.

Mr. Stenson stated yes.

There was discussion regarding the repeat violation status and meaning and what remedies the Board can consider.

Mr. Jackson stated that the property goes in and out of compliance and at the last meeting, the Board ordered the respondent to be in compliance by November 6.

Captain Lee stated he is requesting the Board impose a running fine of \$200 per day to a maximum of \$10,000.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fee of \$200 per occurrence on November 1 and 13 be imposed. Mr. Gonzalez motioned the same with Ms. Robey seconding. Motion approved 6-0. Mrs. Kuendig asked for a further motion to impose a fine in the amount of \$200 per day, effective November 14, 2019, to a maximum amount of \$10,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Mrs. Robey seconding. Motion was approved 6-0.

CASE # 11 - 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. Jackson stated Inspector Stenson reports the property remains in non-compliance and is asking to amend to the next cutoff. He stated the respondent did get the permit for the driveway expansion.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

Mr. Harrington left the Chamber at 10:40 a.m.

CASE # 12 - 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 came forward and was sworn in.

Mr. Harrington returned to the Chamber at 10:42 a.m.

Mr. Jackson stated the respondent reports the property is being foreclosed but it has not been verified. He stated Inspector Stenson has had no contact with the respondent and is asking for a fine in the amount of \$100 per day to a \$10,000.

Mr. Stenson stated there has been no change in the status of the property.

Ms. Riley stated they went to court and the house will be auctioned on January 8.

Ms. Kuendig asked if this was the sinkhole house.

Ms. Riley stated yes.

Captain Lee stated they would request to amend in order to notice the bank.

There was discussion as to who should need to be noticed in light of the foreclosure.

Mr. Jackson stated the bank is auctioning the property and the owner, who should receive notice, will not be known until the property is sold by the bank when it forecloses.

BOARD ACTION: Ms. Robey made motion to amend the previous order of non-compliance and allow the respondent until February 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes seconded the motion and motion was approved 6-0.

CASE # 14 - 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.

Respondent was not present.

Mr. Jackson stated Inspector Michael Fitzgerald reports they are working on it and the respondent expects it to be completed by December 4.

There was no further action as compliance is already set for December 4, 2019.

CASE # 15 - 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 onto the sidewalk, insect screens broken with holes. First Notified – 5/2/2019.

Respondent was not present.

Mr. Jackson stated the respondent is working with Redevelopment and is making progress.

Mr. Fitzgerald stated they got the application and he is filling it out for his father and working with Redevelopment. He stated the respondents have hired someone to take care of the yard on a bi-monthly basis but there is a lot of work to be done and that has been done and he is not prepared to set a compliance date.

BOARD ACTION: Mrs. Kuendig asked for motion to continue the case for monthly progress reports and the determination of a compliance date starting with the December 12, 2019 meeting. Motion was made by Ms. McLean with Mrs. Hymes seconding the same. Motion was approved 6-0.

CASE # 16 - 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

Respondent was not present.

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

Mr. Fitzgerald stated the respondent was here and they have done some painting and removed some of the outside storage and she believes it will be done within a week and a half.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 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 Ms. Hymes seconding. Motion was approved 6-0.

Mr. Jackson stated all of the properties for cases 17-21 have been demoed and are just waiting for final inspections. He stated staff is requesting to amend to the next cutoff for those cases.

CASE # 17 - 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 # 18 - 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 # 19 - 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 # 20 - 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 # 21 - 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

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance for cases 17-21 and allow the respondent until December 4, 2019 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 # 22 - 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.

Mr. Jackson stated the property remains in non-compliance, Inspector Kirk has had no contact with the respondent and is asking for a fine in the amount of \$50 per day to a maximum of \$10,000 for illegal parking.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine of \$50 per day, effective November 14, 2019, to a maximum of \$10,000 or compliance is achieved. Ms. McLean motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 23 - 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.

Mr. Jackson stated the case is here for a progress report and they are awaiting the progress from the respondent.

Ms. Riley stated she had extra garbage bins brought out and has spoken to a contractor to get costs.

There was no action taken as compliance is set for December 4, 2019.

CASE # 24 - 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. Jackson stated the property remains in non-compliance and is asking for a fine in the amount of \$200 per day to a maximum of \$10,000.

Mr. Alderman stated he has had no contact with the respondent since March and the property is condemned. He stated the sign is off and it is condemned as well.

Ms. Robey asked if anyone was living there and Mr. Alderman stated it was vacant.

Mr. Harrington asked if the property comes here before it goes to the building board.

Captain Lee stated the cases run at the same time.

Mr. Alderman stated the original owner is deceased and the children have never respondent.

Captain Lee stated there are vagrant issues.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine of \$200 per day, effective November 14, 2019, to a maximum of \$10,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Ms. McLean seconding. Motion was approved 6-0.

CASE # 26 - 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 overhang and roof, protective treatment to structure, accessory structure, window and door frames. First Notified – 1/29/2019.

Respondent was not present but the Board Members were provided with a letter from Mr. Whelan sent in advance which they considered as a progress report.

Mr. Recanzone stated he is asking for compliance and next cutoff.

Mrs. Kuendig asked if the respondent needed permits.

Mr. Alderman described some of the work that was done and stated that he does need permits to address the structural issues.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 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 Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 27 - 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. Jackson stated Inspector Alderman reports the property remains in non-compliance and is asking for a fine in the amount of \$200 per day to a maximum of \$10,000.

Mr. Alderman stated he has had no contact ever and the property was a police issue and a mowing issue.

There was discussion as to whether the current condition of the pool is secure.

BOARD ACTION: Mrs. Kuendig asked for motion to impose a fine of \$400 per day, effective November 14, 2019, to a maximum of \$10,000 or until compliance is achieved. It was further ordered that the Board authorizes the city to secure the pool and property. Mr. Gonzalez motioned the same with Ms. McLean seconding. Motion was approved 6-0.

Ms. McLean left the chamber at 10:57 a.m.

CASE # 28 - 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.

Kelly Riley came forward.

Mr. Jackson stated the property remains in non-compliance and Inspector Alderman is requesting a fine in the amount of \$100 per day to a maximum of \$10,000.

Mr. Alderman stated the property is vacant and they have made some progress. He stated they did window repairs in the front from a window on the side. He stated it was not in foreclosure.

Ms. Riley stated they had replaced the glass and the wood. She stated they need to replace the lock.

Ms. McLean returned at 10:59 a.m.

Mr. Gonzalez asked the respondent if she has a POA.

Mr. Kelly stated no. She asked to be given until the end of the month and she will have it done.

Mr. McLean asked if that includes the roof.

Ms. Kelly stated she couldn't do anything about the roof because it is in her deceased father's name. She stated they could not afford a probate attorney and you cannot probate in the state of Florida without an attorney. She stated she and her mother pay the taxes.

Mr. Gonzalez asked if there was a POA.

Ms. Kelly stated no.

Mr. Jackson asked the respondent what they intend to do with the property.

Ms. Kelly stated that is where her mother was going but it is not a duplex.

Mrs. Kuendig restated the facts and dates of the case.

Mr. Harrington read the violations and asked what had been done individually and Mr. Alderman stated yes it was done or no it was not.

BOARD ACTION: Mrs. Gonzalez made a motion to impose a fine of \$50 per day, effective November 14, 2019, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes seconded the same and motion was approved 6-0.

CASE # 29 - CEB 09-19-173 - Gema Vazquez is cited for failure to correct violations of Code Ch. 26 Sec. 26-294, at **426 Flushing Ave.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/15/2019.

Respondent was not present.

Mr. Jackson stated inspector Jones reports the property remains in non-compliance and is asking to amend to the next cutoff.

Mr. Jones stated the property is occupied and the respondent applied for a rental license but the Permits department cannot locate where the check was applied.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until December 4, 2019 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 30 - 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.

Respondent was not present.

Mr. Jones stated the respondent purchased the property with another property on one warranty deed and thought they were all one parcel. He stated he is seeking to combine 2 properties at the corner of Madison and Ridgewood. and did not know that he needed separate licenses. He stated he is asking for a finding of non-compliance and next cutoff for license and inspection.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

Mrs. Kuendig called for a break at 11:22 a.m.

The meeting resumed at 11:30 a.m.

CASE # 35 - CEB 11-19-291 - Emma J Morris is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4, at **S Martin Luther King Blvd (Parcel #5339-90-05-0010)**. Violation(s) – Parking on unimproved surface. First Notified – 10/23/2019.

Emma Morris and Mathis Morris Jr came forward and were sworn in.

Mr. Jackson stated Inspector Kirk reports the property was in non-compliance and is now in compliance. He stated staff is requesting a will-fine.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent was previously in non-compliance and is now in compliance and for any future violations may be returned to the Board for consideration of a fine of up to \$5000 per occurrence. Mr. Harrington made the motion and Ms. Hymes seconded the same. Motion was approved 6-0.

Mr. Morris stated the parking lot is their business parking lot and they have been using it for many years.

Mrs. Kuendig stated the violation is parking on a unimproved surface.

There was further discussion and the respondent was told to get with the Code Inspector.

Mr. Daniel P Adsed came forward and was sworn in. He stated he noticed other locations where they park on unimproved lot and he believes he is being targeted. He stated he was told the case originated from a noise complaint.

CASE # 38 - CEB 11-19-263 - Kelly Lynne Riley 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, 304.6, 304.7, 304.9, 304.13, 304.10), at **105 N Peninsula Dr.** Violation(s) – Paint all structure, repair overhangs, wall damage, remove roof jacks, broken windows. First Notified – 4/16/2019.

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

Mr. Alderman stated the property was vacant.

Mr. Riley stated no one lives there, she has owned the property over 10 years and she is probably going to live there.

Mr. Alderman stated it needs a lot of work.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 39 - CEB 11-19-264 - Ralph & Susan Sullenberger is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **348 Fordham Dr.** Violation(s) – Installing a paver driveway without a permit. First Notified – 4/4/2019.

Mr. Ralph Sullenberger came forward and was sworn in.

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

Mrs. Keundig stated the respondent needs to get a permit for the pavers that were installed.

Mr. Alderman stated that is correct and the respondent has an application for permit.

Mr. Sullenberger stated he lived there for 20 years and has made several improvements. He stated he hired a contractor who came and did the work when he was not home, they paid him and was told he was getting the permit. He stated the permit is for a walkway and pathway. He stated the generator was placed too close to the driveway.

Mr. Alderman stated the original permit was denied and the driveway is too close to the easement and propane tank and he will have to remove some of the pavers to get the permit.

Mr. Sullenberger stated this has been going on since March and he has another driveway in the front of the house.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes made the motion and Ms. Robey seconded the same. Motion was approved 6-0.

CASE # 45 - CEB 11-19-277 - William Warren Thompson, Jr. 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, 304.7, 308.1), at **307 Garden St.** Violation(s) – Dilapidated front porch roof, outside storage, trash and debris, missing address numbers, paint fading and peeling. First Notified – 8/7/2019.

Mr. William Warren Thompson and Katurah Thompson came forward and were sworn in.

Mr. Jackson stated the property remains in non-compliance and is asking for the January cutoff to come into compliance.

Mr. Fitzgerald stated he believes the respondent can be in compliance by the next cutoff.

Katurah stated they have had contractor issues and 3 other properties they are trying to bring in to compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the January 2, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 47 - CEB 11-19-261 - Alan Wayne Lafland Jr & Jennifer L Adams Lafland is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **450 Tarragona Way.** Violation(s) – Junk vehicle, parking on the front lawn. First Notified – 4/4/2019.

Alan Wayne Lafland Jr came forward and was sworn in.

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

Mr. Recanzone stated the tires are in the dirt and parked on the grass.

Mr. Lafland stated there is a driveway there. He stated the vehicle is registered. He stated he has never seen the inspector and has had no contact. He stated the other black truck is gone.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 48 - CEB 11-19-252 - Barbara J. Benjamin Estate is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.7), at **549 S Keech St.** Violation(s) – Damaged roof, disabled vehicle. First Notified – 2/21/2019.

Mr. Dwight Benjamin came forward and was sworn in.

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

Mr. Benjamin stated the roof had been done.

Ms. Keundig asked if the vehicle had been removed and the respondent stated yes.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 52 - CEB 11-19-266 - Frank P & Carole E Cone Estate is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **192 Bermuda Petrel Ct.** Violation(s) – No permit for siding. First Notified – 8/6/2019.

Carol Cone came forward and was sworn in. She stated there is an error with the name on the case and the last name was left off.

The Board Secretary stated she would fix it.

Mr. Jackson stated the property remains in non-compliance and the inspector has had no contact.

Mr. Recanzone stated they had put up new siding on the other side of the duplex and came into compliance.

Ms. Cone stated she did not know she needed to get in contact. She stated they were going to paint in Pelican Bay for the wood rot and she did not get a permit. She stated her son did the work and he is a contractor.

Mrs. Kuendig told the respondent she still needs to get a permit.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 54 - CEB 11-19-274 - Johnnie E. & Randy E. Richardson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.3), at **1436 Golfview Dr.** Violation(s) – Parking on the front lawn, high grass, premises identification. First Notified – 6/28/2019.

Mr. Johnnie Richardson came forward and was sworn in.

Mr. Jackson stated the property remains in non-compliance and Inspector Recanzone is asking for next cutoff to come into compliance.

Mr. Richardson stated the car had been removed, the grass is cut and the letters put on. He stated everyone in his neighborhood parks in the yard.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 55 - CEB 11-19-259 - Keith W. Beachman is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.4, 302.7, 302.8, 304.2, 304.6), at **222 Blanche Pl.** Violation(s) – Sidewalks and driveways, weeds, accessory structures, exterior walls, motor vehicles, protective treatment. First Notified – 1/2/2019.

Julie and Robert Graves, friends of the respondent, came forward and were sworn in.

Ms. Graves stated Mr. Beachman is in a nursing home for the last year and a half and they are taking care of the property. He stated there is a bankruptcy and the property is in foreclosure.

Mr. Jackson stated Inspector Recanzone believes the property to be in foreclosure. He stated the property remains in non-compliance and is asking for next cutoff for compliance.

Mrs. Kuendig asked the inspector if this case started in January.

Mr. Recanzone stated he held it because of the foreclosure. He stated the car was moved and the driveway cleared. He stated the side of the building was power washed.

Mr. Graves stated they are living in the house and removed the mold from the house and started painting.

Mr. Jackson stated the inspector has had no contact with the property owner.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington made the motion and Mrs. Hymes seconded the same. Motion was approved 6-0.

CASE # 59 - CEB 11-19-247 - Preston Leonard Postell 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 **551 Mark Ave.** Violation(s) – Damaged roof. First Notified – 12/13/2018.

Mr. Preston Leonard Postell came forward and was sworn in.

Mr. Jackson stated the property remains in non-compliance and is asking for next cutoff.

Mr. Postell stated he is working on it now. He stated during the probate, they dropped the insurance and he has a claim number with Roof Insurance Co and is under investigation. He stated his mom passed and gave him the house.

Mrs. Kuendig stated the first notification was December 2018.

Mr. Postell stated she passed on February 5th of last year.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 58 - CEB 11-19-249 - Naleah N. Tomoah is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.1, 304.15, 308.1), at **236 N Frederick Ave.** Violation(s) – Storage, dumping, windows, doors, unsecure. First Notified – 5/10/2019.

Naleah N Tomoah and Ms. Orlean Newby, mother, came forward and was sworn in.

Mr. Jackson stated Inspector Recanzone reports the property remains in non-compliance, he has had communication with the mother and he believes they can be in compliance by next cutoff.

Mr. Recanzone stated his first contact with respondent was yesterday. He stated it is a vacant office building and he believes it can be put in compliance by the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 37 - CEB 11-19-262 - John J. Nicholson 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 302.1, 304.2, 304.7, 304.13.1), at **413 N Grandview Ave.** Violation(s) – Broken windows (both structures), missing siding (both), paint structures, gutters, landscape maintenance, fence, flat roof, outside storage. First Notified – 5/8/2019.

John J Nicholson came forward and was sworn in.

Mr. Jackson stated Inspector Alderman reports the property remains in non-compliance and is requesting next cutoff for compliance.

Mrs. Kuendig asked about the second structure.

Mr. Alderman stated the garage is a second address.

Mr. Nicholson stated the garage is the second structure and a second address now – 411 & 413. He stated it used to be 1/2.

Mr. Alderman stated this was a complaint and he has had no contact with the respondent since the case started. He named the violations on the property and stated the respondent is waiting for his contractor to stucco.

Mr. Nicholson stated the guy doing work says he has been contacting him throughout, he has put \$25,000 into buying the materials and is having a problem getting the guy to do the work. He stated he boarded the windows after they were repaired. He stated there are 3 things left that need to be done.

Mr. Alderman stated he is looking 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 ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. McLean made the motion and Mrs. Hymes seconded the same. Motion was approved 6-0.

CASE # 31 - CEB 11-19-265 - Linda C Alderette is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **113 Palm**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/17/2019.

Respondent was not present.

Mr. Jones stated he is requesting non-compliance and next cutoff. He stated he has a reinspection scheduled for November 19th.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 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. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 32 - CEB 11-19-281 - Nancy B Beckman is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **915 S Palmetto Ave**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/24/2019.

Mr. McCoy stated the property failed inspection and needs minor repairs and is asking for a finding of non-compliance and next cutoff.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 34 - CEB 11-19-267 - Allen M. Anglemyer is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **557 Park Dr**. Violation(s) – Trash & debris. First Notified – 7/16/2019.

Respondent was not present.

Ms. Kirk stated she is asking for a finding of non-compliance and next cutoff. She stated the owner lives in Baltimore and is coming to town to fix the violations.

Ms. Robey asked if the property was vacant.

Ms. Kirk stated yes. She stated he may need to apply for a fence permit.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 cutoff date or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington made the motion and Mrs. Hymes seconded the same. Motion was approved 6-0.

Mr. Jackson stated the City is requesting to continue cases #40-44 for the determination of compliance or non-compliance while the Inspector posts the property.

CASE # 40 - CEB 11-19-280 - Annie J. Davis Estate 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 301.3, 304.6, 304.13, 304.13.1), at **535 Oak St.** Violation(s) – Abandoned building, vacant building, exterior structure damage including faded and peeling paint, rotten wood, damaged windows. First Notified – 8/19/2019.

CASE # 41 - CEB 11-19-275 - Carrie B. Clark 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 301.3, 302.1, 302.4, 304.1.1, 304.2, 304.3, 304.6, 304.9, 304.13, 304.13.1, 304.13.2; 304.15), at **868 Kingston Ave.** Violation(s) – Abandoned building, dilapidated house, unsafe conditions, paint fading and peeling, damaged exterior walls, damaged roof (including rotten wood, fascia board and soffit), damaged windows and doors, overgrown yard, no yard maintenance, weeds, missing address numbers. First Notified – 8/20/2019.

CASE # 42 - CEB 11-19-276 - Donald Chester, as Trustee of the H. Donald Chester Declaration of Trust 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 **Mason Ave (5338-60-00-0100)**. Violation(s) – Vacant lot, no yard maintenance, outside storage, trash and debris. First Notified – 6/12/2019.

CASE # 43 - CEB 11-19-278 - Shawnea Dent 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 302.7, 304.2, 304.6, 304.7, 304.13, 304.14), at **322 N Keech St.** Violation(s) – Damaged exterior surfaces including rotten wood, dirt and grime, peeling paint, damaged roof, fascia boards, damaged fencing, outside storage, trash and debris, damaged or missing window screens. First Notified – 7/10/2019

CASE # 44 - CEB 11-19-279 - Theodore Carter Estate 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 704.2, 302.1, 302.7, 302.8, 304.2, 304.3, 304.4, 304.6, 304.7, 304.8, 304.10, 304.13, 304.13.1, 304.14, 304.15, 305.6, 308.1, 309.1, 504.1, 602.2, 604.3, 605.2, 605.3), at **332 N Caroline St.** Violation(s) – Zoning violation (more than 2 unrelated persons living in this property), peeling and flaking paint, rotten wood, damaged exterior walls, damaged windows and glass, damaged exterior doors, damaged bathroom fixtures, missing hallway lights, missing smoke detectors, damaged interior surfaces, damaged exterior surfaces. First Notified – 6/24/2019.

BOARD ACTION: Mrs. Kuendig asked for a motion to continue cases 40-44 to the December 12, 2019 meeting for a finding of compliance or non-compliance. Mr. Harrington made the motion and Ms. Robey seconded the same. Motion was approved 6-0.

Mr. Robey asked Captain Lee to change the notice to state they needed to contact the inspector.

Captain Lee stated he had made a note of it and they are planning to revise the letter.

CASE # 49 - CEB 11-19-270 - Charlie White is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **3 Wagon Wheel Ct.** Violation(s) – No permit - building permit expired. First Notified – 4/30/2019.

Respondent was not present.

Mr. Jackson stated inspector Recanzone reports the property is still in non-compliance and work was done without permits to replace part of the roof and he hasn't pulled a permit yet. He spoke to Mr. White a couple of times.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 51 - CEB 11-19-250 - Evelyn Eleanor Hannans is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8, 304.13.1, 304.14, 308.1), at **614 Orange Ave.** Violation(s) – Off-street parking, accessory structures, motor vehicles, glazing, insect screens, accumulation of rubbish or garbage. First Notified – 5/24/2019.

Respondent was not present.

Mr. Recanzone stated he has had no contact with the respondent, he has started cleaning a little but the property still remains in non-compliance.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzalez made the motion and Mrs. Hymes seconded the same. Motion was approved 6-0.

CASE # 57 - CEB 11-19-272 - Kishor & Kavita Bupathi is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 605.3, 704.2, 602.5, 603.1), at **848 School St.** Violation(s) – Luminaires, smoke alarms, heating facilities, mechanical appliances (oven does not work). First Notified – 5/21/2019.

Respondent was not present.

Mr. Recanzone stated the spoke to the new Property Management Company is working on getting the work done and getting the rental license. He stated the light fixtures inside are sparking.

Ms. Kuendig asked if anyone was living there.

Mr. Recanzone stated no.

Ms. Kuendig asked if the electric is on.

Mr. Recanzone stated no.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 60 - CEB 11-19-260 - Ryan Nunes 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. 6.2.A; Art. 6 Sec. 6.2.H.7.A; Ch. 26 Sec. 26-294, at **935 School St.** Violation(s) – Off-street parking, junk vehicles, failure to obtain Rental License (RTL). First Notified – 12/29/2018.

Respondent was not present.

Mr. Recanzone stated the respondent removed the vehicles and stated he is not renting. When he went to the property the tenant opened the door and said he was renting and now they are working on getting the license.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 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 6-0.

CASE # 61 - CEB 11-19-254 - Stephanie Robinson 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 304.7, 304.13.1, 304.14); Ch. 26 Sec. 26-294, at **590 Shady Pl.** Violation(s) – Roofs and drainage, work without a permit, glazing, insect screens, failure to obtain Rental License (RTL). First Notified – 2/17/2019.

Respondent was not present.

Mr. Recanzone stated the owner was present but had to leave because of an issue at school and will make contact with him later today.

BOARD ACTION: Mrs. Kuendig asked for a motion to find the respondent in non-compliance and ordered the respondent to come into compliance by the December 4, 2019 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Harrington made the motion and Ms. Robey seconded the same. Motion was approved 6-0.

Mrs. Kuendig asked if there was any miscellaneous business. There was discussion regarding a workshop.

The meeting was adjourned at 1:25 p.m.