

**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

December 12, 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
- Captain Scott Lee, Daytona Beach Police Department
- Officer Steve Jessmer, 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: Marylouise "Weegie" Kuendig Chairman

The Chairman called the meeting to order at 9:00 a.m.

Ms. Barnes called the roll. Mr. Fogarty and Mrs. Hymes were absent. Mr. Cino stated there is a quorum present and the meeting can proceed. Ms. Barnes stated that Mrs. Hymes had called to let her know that she would be a little late but had not heard from Mr. Fogarty.

Mrs. Kuendig asked if the minutes of the November 14, 2019 meeting had been read and asked for any corrections. There were none. Ms. Robey motioned to approve the minutes with Mr. Gonzalez seconding. Motion approved (5-0).

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 # 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.

Compliance 12/11/2019

CASE # 4 - 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.

Compliance 12/4/2019

CASE # 7 - 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

Compliance 12/10/2019

CASE # 24 - 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

Compliance 12/11/2019

CASE # 26 - 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

Compliance 12/11/2019

CASE # 27 - 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.

Ms. Barnes announced this case as withdrawn but Mr. Jackson clarified that the case is coming back for the imposition of a fine and needed to be dismissed due to being sold at Tax Deed sale and now has new owners. Ms. Robey motioned to dismiss the case with Ms. McLean seconding. Motion approved 5-0.

CASE # 36 - CEB 12-19-297 - Maria C Ware is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 303.1), at **208 Zaharias Cir.** Violation(s) – Unmaintained pool. First Notified – 10/25/2019

Compliance 12/10/2019

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

Mrs. Kuendig announced the procedure for the meeting.

Mrs. Kuendig called the first case.

CASE # 3 - 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 that there are matters to resolve with the Building Department and that Captain Lee had met with other departments.

Captain Scott Lee, Daytona Beach Police Department, stated even though the respondent has a lack of progress, he has been in continuous contact with staff through Permits & Licensing. He stated this was causing increased workload for all staff and would like to move up the compliance date from February 5 to January 2. He stated the property and area is in rough condition.

Mr. Harrington asked who was responsible for permits, the contractor or the owner.

Captain Lee stated the contractor is in a difficult position and the owner has made statements that are no cooperative.

Mr. Howard stated he had been speaking to every department. He stated they applied for a master permit, roof, mechanical and plumbing permits but there are issues that need to be addressed. He stated they were only granted an exploratory permit. He stated the house was a mess and the area is a mess. He stated he went through the building and explained to the owner what needs to be done but she doesn't understand. He stated they obtained a 2010 site plan from the building department, had a survey done and are comparing what has been done without permits. He stated he cannot do any work without the permits and cannot get any permits without figuring out what needs to be done. He stated she needs a variance.

Captain Lee stated the respondent has no plan for the property and doesn't know what variances are needed. He stated multiple departments have had to be a part of this. He stated they need a site plan or they need to put all of the unpermitted work back to its original state.

Mr. Gonzalez asked if any work had been done at all.

Mr. Howard stated they had removed a fence to expose the back of the building. He stated they need to come up with an architectural plan.

Mr. Bo Snowden, Deputy Building Official stated they need to combine the property and he has a variance meeting today. He stated it was complicated and it did not meet the setbacks. He stated it was commercial on the bottom and residential on top and they had changed it to all residential. He stated they have parking issues if they are going to use it as residential. He stated the respondents were granted an exploratory permit to see what was unpermitted and return that to their original state.

Ms. Robey asked how long the property owner has owned the property.

Mr. Snowden stated she got it in a divorce.

Mrs. Kuendig asked when the Deputy Building Official told Mr. Howard they needed a site plan.

Mr. Snowden stated they gave him a site plan for 2010 and he has been looking for a new one for a couple of months.

Mrs. Kuendig asked when they were going to have a site plan.

Mr. Howard stated they have the survey but they need to combine the two properties first. He stated she paid the taxes on Monday.

Mr. Gonzalez stated the work Mr. Howard can do depends on permits.

Mr. Snowden stated that is correct. He issued 2 exploratory permits so that Mr. Howard can get in and inspect and remove anything that was done without permits.

Mr. Gonzalez asked if the contractor license is affected by this.

Mr. Jackson stated no. He stated they are moving toward compliance and will re-evaluate in January. Mr. Jackson stated they would be looking for an imposition of a fine.

Ms. Robey stated the owner needs to be at the next meeting so she understands what needs to be done and a site plan needs to be done.

BOARD ACTION: Ms. Robey motioned to accept the City's recommendation and amend the previous order of non-compliance and allow the respondent until January 8, 2019 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 5-0.

CASE # 2 - 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 – 7/29/2018.

Respondent was not present.

Mr. Jackson stated the respondents are making progress and are waiting on a roof permit to final. He stated they are not asking for a change in the date for compliance which has already been set for January 2, 2020.

CASE # 5 - 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.

Respondent was not present.

Mr. Jackson stated the respondent has a permit for a garage door and it has been finalized. He stated there was an additional permit she didn't know she needed. He stated they are asking to amend to the next cutoff.

Inspector Jerome McCoy stated permit for front garage door finalized but there are two garage doors and she needs one for the side door.

BOARD ACTION: Mr. Gonzalez motioned to amend the previous order of non-compliance and allow the respondent until January 2, 2020 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 5-0.

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. Jackson stated Inspector Stenson is recommending a fine in the amount of \$100 per day to a maximum of \$10,000. He stated the property remains in non-compliance.

Mr. Stenson stated he had one phone call from the mother.

BOARD ACTION: Mr. Harrington made motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Ms. McLean seconded the same and motion was approved 5-0.

CASE # 8 - 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.

Respondent was not present.

Mr. Jackson stated nothing had been done since and inspection in October and Inspector Jones is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mr. Jones stated he had contact in October which was about 3 weeks ago and received an email. He stated he requested a status report but didn't hear back from him. He stated work had been done without permits and no permits have been pulled.

Mr. Harrington asked if the City was doing anything to notify the community what permits were needed.

There was additional discussion on a list for citizen's of what permits are needed.

BOARD ACTION: Mr. Harrington made a motion to accept the city's request and impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$15,000 or until compliance is achieved. Ms. McLean seconded the same and motion was approved 5-0.

CASE # 9 - 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.

Respondent was not present.

Mr. Jackson stated Inspector Jones reports the property failed inspection and is due to come into compliance for small matters found on December 19 and the Inspector is asking to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 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. Robey seconding. Motion was approved 5-0.

CASE # 10 - 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. Jackson stated Mr. Percy has applied for the license and it is under review and is asking to amend to the next cutoff.

Mr. Jones stated the owner finally agrees that 219 & 223 are separate parcels. He stated the Rental License was submitted and all they need is an inspection and compliance.

Mrs. Kuendig stated taxes were paid on one parcel or two parcels and Mr. Jones stated he doesn't know.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until January 2, 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 Mr. Harrington seconding. Motion was approved 5-0.

CASE # 11 - CEB 11-19-250 - Evelyn Eleanior 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. Jackson stated Inspector Recanzone reports the property remains in non-compliance and he has had no contact with the respondent since the last meeting. He stated the City is requesting a fine in the amount of \$100 per day to a maximum of \$10,000.

BOARD ACTION: Ms. McLean made a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Mr. Harrington seconded the same and motion was approved 5-0.

Mrs. Hymes joined the meeting at 10:50 a.m.

CASE # 12 - 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); City Code 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

Stephanie Robinson came forward and was sworn in.

Mr. Jackson stated inspector Recanzone reports the property remains in non-compliance and he has had no contact or movement since the last meeting and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000 be imposed.

Mr. Recanzone stated nothing has been done.

Mrs. Kuendig asked if the property was occupied and Mr. Recanzone stated he did not know.

Ms. Robinson stated she had been in contact with the inspector and had contact with Jennifer in P & L and needs a second permit for the roof. She stated she couldn't find the permit card and found out it expired. She stated she went to court with the person that did the roofing work and to reinstate the permit, she needs to have engineering plans drawn up. She stated the contractor that did the screens went to jail and was not a licensed contractor for screens. She stated she did not need a contractor for the screens.

Mr. Harrington asked if there was anyone in there.

Ms. Robinson stated she was living there and then her boyfriend stayed there.

Mr. Harrington asked if they order the property to be in compliance by January will the work get done.

Ms. Robinson stated just needs the site plans from the original permit she had and a final inspection, the work is already done. She again explained what permits she needs.

Mr. Jackson stated she needs an after the fact permit and needs it finalized.

Officer Jessmer stated the last contact with Jennifer Bennett was in October.

BOARD ACTION: Ms. Robey made a motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzalez seconded the same and motion was approved 6-0.

CASE # 13 - 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.

Ms. Julie Graves, friend of the respondent, came forward and was sworn in. She stated he is in a nursing home.

Mr. Jackson stated Inspector Recanzone has had no contact since the last meeting. He stated Inspector Recanzole went by the property and some things had been done but the property remains in non-compliance and is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

Ms. Robey asked the inspector if anyone had contact with the owner in the nursing home.

Mr. Recanzone stated he has not and he had posted the property.

Ms. Graves stated they go and visit him. She stated they left a message for the Inspector on Friday.

Ms. Robey asked if is customary that friends testify on behave of the owner.

Mr. Jackson stated yes.

Ms. Robey asked if the inspector can get in touch with the respondent.

Mr. Jackson stated the Board can request the inspector to make contact but if the Board accept them as representatives, there would be no need to go to the nursing home.

Ms. Robey asked if repairs had been made.

Ms. Graves stated yes and they would like an extension. She stated she had been sick and in the hospital.

Mr. Harrington asked if the respondent is authorized to spend money and if there was an attorney.

Mr. Gonzalez stated it is his understanding that the owner is responsible but he does not have anything from the owner.

Mrs. Kuendig stated the respondent is here under oath representing the owner.

Mr. Harrington asked for assurance it will be done by the next cutoff.

Ms. Graves stated it would be done. She stated she has lived there for 7 years. She stated the respondent lived in the house for 74 years.

There was extensive discussion regarding whether Ms. Graves is authorized to appear on behalf of the owner.

Mr. Gonzalez made a motion to impose a fine in the amount of \$50 per day until compliance. There was no second and motion was not approved.

Mrs. Kuendig asked if the property is considered rental property.

Mr. Recanzone stated yes.

There was additional discussion on the maximum of the fine and whether they need a Rental License.

Ms. Robey asked if the respondents can bring him in from the nursing home.

Mrs. Kuendig stated no.

Ms. Graves stated they asked to stay on premises. She stated the property is in foreclosure and is set to be sold in January of 2020.

Mr. Jackson stated continuing the case to January won't change the circumstance if the property is in foreclosure and it is scheduled to be sold on January 22nd.

Ms. Robey stated they should amend the order to the January 2, 2020 cutoff.

Mr. Cino stated they are going to lose the place.

Ms. Graves stated she knew they were going to lose the place but they were still going to do the work.

Mr. Jackson stated the circumstances would not change since the action is not until the end of January. He stated they do not usually consider the foreclosure, just compliance.

BOARD ACTION: Ms. Robey made a motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mrs. Hymes seconded and motion was approved 6-0.

CASE # 14 - 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; City Code 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. Jackson stated Inspector Recanzone states 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. He stated the license had been applied for on December 3.

Mrs. Kuendig asked if there had been an inspection or tenant contact.

Mr. Recanzone stated there is a tenant and he has had contact but hasn't seen the paperwork come back yet.

BOARD ACTION: Ms. McLean made a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez seconded the same and motion was approved 6-0.

CASE # 15 - 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.

Respondent was not present.

Mr. Jackson stated the respondent applied for a permits on November 27 and Inspector Recanzone is asking to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 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 Ms. Robey seconding. Motion was approved 6-0.

CASE #16 - 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.

Charlie White came forward and was sworn in.

Mr. Jackson stated Inspector Recanzone reports the property remains in non compliance. He stated the respondent is working on it and is asking for the next cutoff to come into compliance.

Mr. Gonzalez stated the case has been going on since April 30th and asked why it was taking so long.

Mr. White stated he was issued a stop work order on Thursday or Friday and he came in Monday to get a permit. He stated they told him he needed paperwork and a blueprint and so he hired an architect. He stated he came to a hearing and they told him the case was dismissed.

Mrs. Kuendig asked what work he was doing.

Mr. White stated he had a tree service come in and cut down a tree and they dropped the tree on the carport and demolished the roof. He stated he replaced the roof.

Mr. Jackson stated as far as the time period was concerned, it was a mobile home park and they had initially notified land owner and after legal research found out they needed to notify the mobile home owner and so it was originally dismissed. He stated he was asking to amend to the next cutoff.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 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 Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 17 - 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. First Notified – 5/21/2019.

Respondent was not present.

Mr. Jackson stated Inspector Recanzone has had no contact and there has been no change since the last meeting. He stated the Inspector is requesting a fine in the amount of \$100 to a maximum of \$15,000.

Captain Lee stated important.

BOARD ACTION: Ms. McLean made a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes seconded the same and motion was approved 6-0.

CASE # 18 - 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.

Respondent was not present.

Mr. Jackson stated the parking issues have been corrected and the grass mowed but the premises identification is still in non-compliance and the inspector is asking for a fine in the amount of \$100 to a maximum of \$10,000.

Mr. Recanzone stated they explained to them that numbers on the mailbox is not sufficient and they need to have numbers on the building. He stated he hasn't spoken to them since the last meeting.

Mr. Cino stated they could do an auto-fine.

There was discussion as to how long this has been and that they were at the last meeting.

BOARD ACTION: Mr. Gonzalez made a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Ms. Robey seconded the same and motion was approved 5-1 with Mr. Harrington voting no.

CASE # 19 - 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 and debris. First Notified – 7/16/2019.

Respondent was not present.

Mr. Jackson stated Inspector Kirk reports the respondent is getting the work done and would like to amend to the next cutoff.

Inspector Sara Kirk stated the owner lives in Maryland and because of the holidays asked to come down later.

Mrs. Kuendig stated it isn't fair to hold those people who don't live in the City to a different standard than the people that live in the City.

BOARD ACTION: Ms. McLean made a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez seconded the same and motion was approved 6-0.

CASE # 20 - 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.

Matilda Riley came forward and was sworn in.

Mr. Jackson stated Inspector Kirk has had no contact with the respondent since the last meeting until yesterday and the property remains in non-compliance. He stated there have been 6 inspections since May and is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mrs. Kuendig asked if anyone was living there.

Ms. Kirk stated yes.

Ms. McLean asked if any of the violations have been corrected.

Ms. Kirk stated some of the outside storage was cleaned up.

Ms. Riley stated she is trying to get the people out as of yesterday morning. She stated she has a contractor waiting. She said the tenants told Ms. Kirk they did not want to move during the Holiday and she may have to evict them.

Mrs. Kuendig asked how long the respondent has owned the property.

Ms. Riley stated since 2006.

Mrs. Kuendig stated she was notified in May and were the same tenants there.

Ms. Riley stated yes. She stated they are elderly and the kids do not help them.

Mr. Gonzalez stated the problems still remain.

Ms. McLean asked what the date on the contract was and Ms. Riley stated there was no date.

Ms. Riley stated she got the contract last month and gave the contract to the Board who could find no date.

Mr. Harrington stated some of the violations don't have anything to do with the tenants.

Ms. Riley stated she would like to get in an update the house.

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

CASE # 21 - 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.

Mr. Joseph Whelan came forward and was sworn in.

Mr. Jackson stated Inspector Alderman reports the property remains in non-compliance and the respondent applied for a permit in October. He stated the case has been going on since January and is asking for a fine in the amount of \$200 per day to a maximum of \$15,000.

Ms. McLean asked what work had been done.

Mr. Alderman stated he was there yesterday and the damage was on the NW portion of the garage has board on it. He stated the permit application was not approved and work started on January 29, 2019. He stated he issued a Stop Work Order in October.

Mr. Gonzalez asked if the pictures were up-to-date.

Mr. Alderman stated they were previous pictures. He stated there are some current pictures and some work has been done. He stated the roofing permit is all that is needed.

Captain Lee stated he would like to know the date on the pictures.

Mr. Gonzalez stated it looks the same as last time.

Mrs. Kuendig asked if the property was occupied and Mr. Alderman stated no.

Captain Lee stated he could not tell the Board when the application was received but there are notes on November 19th where they submitted questions to the respondent and they have not received that information.

Mr. Whalen stated he applied for permit and he hasn't heard back. He stated this morning he found out his house is in a redevelopment zone and cannot do any work until the main house roof is done and it has to match. He stated he contacted 4 roofing contractors, he stated one inspected around Thanksgiving and one put together an estimate but he has not inspected yet.

Mrs. Hymes asked the respondent if he had received any communication from the City.

Mr. Whalen stated he has not received any communication from the City.

Ms. McLean asked if this was a rental property.

Mr. Whalen stated it was his homestead but he owns the property across the street also. He stated he uses this house as his guest house when people come to visit.

Mrs. Kuendig asked why nothing had been done for a year.

Mr. Whalen stated he works on it every day and it was built in 1924. He stated the hurricanes were the destruction of the garage and he was given bad information about permitting. He stated they told him he could pull the permit and do the work on the house and that he did not have to get a roof permit because of the hurricanes. He stated he is doing the work on a financial budget. He stated he has no intention to rent it. He stated he was confused about the barrels, they are water barrels.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 22 - 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.

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 \$100 per day to a maximum of \$15,000 be imposed.

Mr. Gonzalez asked the inspector if he had contact.

Mr. Alderman stated he has had contact and was supposed to be here today. He stated he is not done. He stated there was a lot done. He stated he lives in the front house and the back house is vacant.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective December 12, 2019, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

Mr. Harrington left the chamber at 10:44 a.m.

CASE # 23 - 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.

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 \$100 per day to a maximum of \$15,000.

Ms. McLean asked if anything has been done.

Mr. Alderman stated she brought in a couple of junk vehicles and she is moving from the sinkhole house. He stated some Christmas decorations have been put up and she is trying to paint the front of the house.

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

Motion was struck and new motion to reduce the maximum to \$10,000 was made by Mrs. Kuendig and seconded by Ms. Robey. Motion was approved 6-0.

Mr. Harrington returned to the Chamber at 10:46 a.m.

CASE # 25 - 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 came forward and was sworn in.

Mr. Jackson stated the case is before you for a progress report and Mr. Fitzgerald reports that progress is poor and is asking for compliance by the next cutoff.

Mr. Fitzgerald stated the junk vehicle is back.

Ms. McLean asked if she obtained a permit for the roof and Mr. Fitzgerald stated no.

Ms. Anderson stated her car is in the shop, the guy fixed it and her girlfriend broke the windows out and she has a police report so she had to bring the car back to her house. She stated she has a letter from Rebuild Florida. She read the letter stating that she has reached out to them.

Mrs. Kuendig asked if she has heard from them since July.

Ms. Anderson stated she made the application since July and received this letter November 22nd. She stated a property assessment was done last Monday. She stated she has completed the application and is moving to the eligibility stage. She stated she has to pay the 2018 taxes and hopes to have it paid on January 15th. She stated she lives there but cannot afford the windows and taxes.

Mr. Cino left the Chamber at 10:55 a.m.

Mrs. Kuendig asked if it had been cleaned up.

Ms. Anderson stated yes.

Mr. Fitzgerald stated there was stuff in front of the garage.

Ms. Anderson stated they are sandbags and she has done everything the inspector asked. She stated she had to hire a probate lawyer and get the property in her name. There was discussion on the work that Rebuild Florida will do.

Mr. Jackson told the respondent to make sure she is doing what Rebuild Florida asks her to do.

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. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 31 - 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.

Ms. Shawnea Dent came forward and was sworn in.

Mr. Cino returned to the Chamber at 11:04 a.m.

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

Ms. Dent stated she is working on it, has removed fences and rotten wood, and is using Rebuild Florida for the roof. She stated the neighbors put their trash in her yard so she called the police. She stated it should be done by January.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until January 2, 2020 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 # 32 - 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.

Mr. Dehaven Carter came forward and was sworn in.

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

Mr. Carter stated the tenant was causing problems and she wouldn't let him in the house. He stated he evicted her and can now get in to do the work.

There was discussion regarding a compliance date and Mr. Carter stated he has started and can have the work done by the February cutoff.

BOARD ACTION: Mr. Harrington 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. Mr. Gonzalez seconded the same and motion was approved 6-0.

Mrs. Hymes left the meeting at 11:40 a.m.

CASE # 37 - CEB 12-19-285 - Warren Christie is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **455 Zelda.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/2/2019.

Ms. Christie Warren came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and was re-inspected in June and is asking for non-compliance and next cutoff to bring the property into compliance.

Mr. Jones stated there is a lot left but they are minor issues.

Ms. Warren stated they moved from Denver. She stated she received the Notice of Violation and applied for it. She stated they had the inspection and got a punch list. She stated she had that taken care of June 19th. She stated the house is from the mid 50's and one of the jalousie windows would not open so she hired a window guru. She stated in the meantime she lost her son and the papers when to her home in Denver which is on the market and the PO didn't forward and her Property Manager moved to a different office. She stated last Wednesday her realtor in Denver told her she had mail. She stated she would like to live in the house so she is replacing all of the jalousie windows and has a signed contract from Monday. She stated she is waiting for a permit number and had a cancelled check.

Mr. Jackson stated she is in contact with the inspector and asked that it be amended until she finishes the windows.

Ms. Warren asked to be given until February because she is having 6 custom windows made.

Mr. Gonzalez asked if the issue is failure to obtain Rental License and asked how they were to address issues not included like the windows.

Mr. Jackson stated in order to obtain a rental license, the respondent needs to have an inspection and those issues, such as windows, are a part of the inspection process. He stated they did not know all that needed to be done until they inspect the property.

Mrs. Hymes joined the meeting at 11:43 a.m.

Ms. Warren stated she received a renewal and sent in the payment for the license.

Mr. Jones stated the payment was for the Business Tax Receipt.

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 February 5, 2020 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 5-1 with Mr. Gonzalez voting no.

CASE # 39 - CEB 12-19-287 - Gayl Lucinda Smith is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **443 Walker**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/27/2019.

Ms. Gayl Lucinda Smith came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property remains in non-compliance and is asking for a finding of non-compliance and next cutoff for the property to be brought into compliance. He stated the application was submitted on December 6 and they are waiting to do the inspection.

Ms. Smith stated they had a family emergency and would like to go to February.

Mr. Jackson stated the City is ok with giving the respondent until February.

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 February 5, 2020 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 # 43 - CEB 12-19-292 - Lori L. & Albert W. Smola is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **212 Fairview**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/6/2019.

Mr. Albert Smola came forward and was sworn in.

Mr. Jackson stated Inspector Jones reports the property was reinspected in June and there were some things that need to be done. He stated he is asking for a finding on non-compliance and next cutoff for the property to be brought into compliance.

Mr. Smola stated he is working on it and that he has been out of work for a while. He stated the property is literally a football field.

Mrs. Kuendig asked if there was a lot of work to be done.

Mr. Jones stated yes there are items in the house plus the back of the house.

Mr. Smola stated he needs the extra time to get rid of the outside storage. He stated he has a boat, bobcat and trailer in addition to a 47 volkswagen.

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 February 5, 2020 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 6-0.

CASE # 45 - CEB 12-19-299 - Richard Clifford Waters is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A; (Ref. FBC Supp. IPMC 304.1.1, 304.2, 304.6, 304.12, 304.13, 304.14, 305.5, 302.7), at **601 University**. Violation(s) – Overhangs, window sills, electrical power line, damaged windows, paint, stair railing rotted, holes in walls, window screens, accessory structure doors and paint. First Notified – 8/6/2019.

Ms. Lucie Denault, new owner, came forward and was sworn in. She stated the property has all kinds of problems they are trying to fix. She stated they live across the street.

Mr. Jackson stated Inspector Alderman had been advised the property has changed hands.

Mr. Jackson stated the Inspector hand delivered the posting to the respondent and respondent agreed.

BOARD ACTION: Mr. Harrington made a motion to continue the case to the January 9, 2020 meeting. Mrs. Hymes seconded the same and motion was approved 6-0.

CASE # 46 - CEB 12-19-300 - Suzelene Naara Michel is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.A; Art. 6 Sec. 6.10.A.3; Art. 6 Sec. 6.8.G; Art 6 Sec. 6.29.A.4, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **314 University**. Violation(s) – Parking, paint retainer wall, property maintenance, gutter, fascia, com lines hanging. First Notified – 7/23/2019.

Ms. Angela Damon, Property Manager, came forward and was sworn in.

Mr. Jackson stated Inspector Alderman 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.

Mr. Alderman stated there are com lines on the ground and dishes on the roof.

Ms. Damon stated they took over in July and have been working on the violations. She stated she met with Mr. Alderman last Thursday and everything is done as of this morning.

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 Mrs. Hymes seconded the same. Motion was approved 6-0.

CASE # 47 - CEB 12-19-294 - St Johns Revoc Living Trust is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **15 Lantana Ter.** Violation(s) – No permit. First Notified – 8/7/2019.

Mr. Donald Kane, sole survivor, came forward and was sworn in. He stated he changed the property to his name and applied for a permit. He stated they requested a survey for the driveway and walkway and that was the reason for delay.

Mr. Jackson stated Inspector Alderman reports they need a survey and is requesting a finding of non-compliance and next cutoff for the property to be brought into compliance.

Mr. Alderman stated Amy in P & L had Mr. Kane transfer from the Trust to himself by quick claim so that he could pull the 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 February 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Mr. Gonzalez made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 34 - CEB 12-19-284 - Okey & Lelita Emejuru 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, 304.8), at **1156 St Augustine Rd.** Violation(s) – Dirt and grime, peeling paint, missing shutters. First Notified – 5/13/2019.

Respondent was not present.

Mr. Recanzone stated when he posted the property there was someone working and they said it should be 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 January 2, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 35 - CEB 12-19-298 - Lillian J Johnson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, at **645 McCormick St.** Violation(s) – Dilapidated roof. First Notified – 9/20/2019

Respondent was not present.

Ms. Kirk stated she 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 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. McLean made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 38 - CEB 12-19-286 - Scott Alan & Patrica B Reid is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **644 Madison**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 4/1/2019

Respondent was not present.

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

Mr. Kundig asked if there was a lot of work to be done.

Mr. Jones said he hasn't been able to inspect it that the respondents cancelled the 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 January 2, 2020 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.

CASE # 40 - CEB 12-19-288 - Pamela B Lovatt, as Trustee of The Celia Burton Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **124 Wilmans** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 7/1/2019.

Respondent was not present.

Mr. Jones stated he is asking for a finding of non-compliance and compliance by the next cutoff. He stated they haven't filed for an application.

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. Mr. Gonzalez made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 41 - CEB 12-19-289 - George Caffery is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **312 N Wild Olive**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 5/6/2019.

Respondent was not present.

Mr. Jones stated he spoke with the property owner on December 9th and sent him a copy of the inspection and he feels he will be ready 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 January 2, 2020 or be returned to

a subsequent meeting for consideration of a fine up to \$1000. Ms. Robey made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 42 - CEB 12-19-290 - Benjamin J Suarez is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **415 N Halifax #103**. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 8/12/2019.

Respondent was not present.

Mr. Jones stated he spoke to the Property Manager and they some inspections that were cancelled because the tenant won't allow anyone on the property and he is asking for a finding of non-compliance and next cutoff for the property to be brought 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 January 2, 2020 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 # 44 - CEB 12-19-295 - Luigi & Andrea Cerasuoli is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **1808 N Halifax**. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 8/5/2019

Respondent was not present.

Mr. Jones stated he had contact yesterday with the owner and it is a joint owner between him and his father and he said they will apply for the license. He stated he is asking for a finding of non-compliance and next cutoff to bring the property 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 January 2, 2020 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 # 28 - CEB 09-19-208 - Eugene Harris is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 302.4, 302.1, 304.2, 304.3, 304.6); Ch. 78 Sec 78-112, at **348 Ellsworth St**. Violation(s) – Outside storage, trash and debris, unsatisfactory lawn maintenance, overgrown bushes and weeds, exterior paint fading and peeling, rotten wood, address numbers missing or faded away, exterior walls, rotten wood, bushes and grass growing over into the sidewalk, insect screens broken with holes. First Notified – 5/2/2019.

Respondent was not present.

Mr. Jackson stated Inspector Fitzgerald reports the respondent is seeking assistance through one of the City programs and the program has asked if we can give them to the February cutoff.

Mrs. Kuendig asked if any progress had been made.

Mr. Fitzgerald stated she has been working on the property every day and he thinks they will be done.

BOARD ACTION: Mrs. Kuendig asked for 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. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 29 - 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.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a finding of Compliance or Non-compliance due to service issues. He stated the respondents have not done anything.

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. Mrs. Hymes made the motion and Ms. McLean seconded the same. Motion was approved 6-0.

CASE # 30 - 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.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a finding of Compliance or Non-compliance due to service issues. He state he has had no contact.

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. Mrs. Hymes made the motion and Mr. Gonzalez seconded the same. Motion was approved 6-0.

CASE # 33 - 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.

Respondent was not present.

Mr. Fitzgerald stated he has had contact from a relative and the property is going to probate. He stated he is asking for a finding of non-compliance and next cutoff for the property to be brought 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 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.

Mrs. Kuendig asked if there was any miscellaneous business and there was none.

The meeting was adjourned at 11:55 a.m.