

**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 & Bradford Gonzalez

July 9, 2020

Members present:

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

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Officer Cortland Lampe, Daytona Beach Police Department
Officer Steve Catalano, Daytona Beach Police Department
Officer Carmen Taylor, Daytona Beach Police Department
Mr. Mike Fitzgerald, Code Inspector
Mr. Mark Jones, Rental Inspector
Mr. Clifford Recanzone III, Rental Inspector
Ms. Sara Kirk, Code Inspector
Mr. John Stenson, Lead Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. June Barnes, Board Secretary

Approval of Minutes by: Mary Louise "Weegie" Kuendig Chairman

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

Ms. Barnes called the roll and all members were present.

Mrs. Kuendig asked the Board Members if they had read the minutes of the January 23, 2020 workshop and the March 12, 2020 meeting and had any changes. There were none. Mr. Gonzalez motioned to approve the minutes with Mr. Harrington seconding the same. Motion approved (5-0).

Mrs. Kuendig asked for disclosure of Ex Parte Communications.

Mr. Harrington stated that he and Mr. Gonzalez were approached in the parking lot by the respondent for Case #15 at the March meeting. He stated they did not discuss the case with the respondent and that a police report had been filed.

Mrs. Kuendig stated that she was aware that a police report had been filed.

Mr. Gonzalez stated the respondent approached him and Mr. Harrington in a threatening manner in the parking lot.

All three Board Members stated they felt they could hear the case and make a fair judgment in the case on the agenda today.

Captain Scott Lee came forward and stated the protocols and procedures put in place for the meeting related to COVID-19.

Mrs. Kuendig asked if there were any announcements and Ms. Barnes announced the following cases.

CASE # 14 - CEB 03-20-44 - Mshende R. Brown 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 **535 Cannon St.** Violation(s) – Dirt & grime, faded and peeling paint. First Notified – 10/10/2019

Compliance 7/9/2020

CASE # 17 - CEB 02-20-27 - John H Sanders is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **Loomis Ave (Parcel # 5339-82-04-0060)**. Violation(s) – Parking on grass lot, trash and debris. First Notified – 10/17/2019

Compliance 7-7-2020

Mrs. Kuendig called the first Lien Review.

CEB 04-14-28 - 129 Pierce Avenue - Mike K. Obrien (Monica Carmargo representing the new owner) is cited for failure to correct violations of The Land Development Code, Art. 18 Sec. 7.3; Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 302.7 & 304.2). Violation(s) – Outside storage; dilapidated fencing; peeling paint. First Notified – 2/1/2014. **Order Imposing Fine/Lien of \$75.00 per day, effective May 8, 2014. Compliance – February 7, 2020. \$10,000.00 plus \$24.00 recording cost = \$10,024.00.**

Respondent was not present.

Mr. Anthony Jackson, Assistant City Attorney, asked the Chairman if they wanted to continue with the case or table it for later in the meeting.

The consensus of the Board was to continue with hearing the case.

Mr. Gonzalez stated he remembered the case and the owner had given the house to his daughter and purchased another house.

Mr. John Stenson, Code Inspector, stated the house has changed hands and is now in compliance. He stated he is asking to reduce the amount of the fine to \$1,500.

BOARD ACTION: Mrs. Kuendig asked for motion to reduce the amount of the fine to \$1,500 payable within 30 days or the fine reverts back to the original amount. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

The respondent did arrive later during the hearing after the case was decided.

CEB 03-09-61 – 641 Fremont Av - Margaret Black Knox & Rose H. Black is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1 (ref. 304.1, 304.13, 302.1, & 302.7 IPMC). Violation(s) – Failure to remove outside storage of trash, building material and debris. Failure to repair broken window(s). Failure to repair fence and keep it in good condition, upright and in good repair. First Notified – 1/8/2009. **Order Imposing Fine/Lien of \$100.00 per day effective April 9, 2009. Compliance – June 1, 2009. \$5,300.00 plus \$24.00 recording costs plus \$4,678.41 interest = \$10,002.41.**

Mr. Ben Knox came forward and was sworn in. He stated he will be speaking on behalf of his wife who was present in the Chamber.

Mr. Jackson stated the inspector is requesting to reduce the amount of the lien to \$2,500.

Mr. Gonzalez motioned to approve the City's recommendation of a reduction to \$2,500.

Mr. Knox stated he has a sale pending and has no excuse. He stated they tried to keep it up and relatives were living in the house. He stated his wife's brother denies signing the Certified Mail return receipt that the City has.

BOARD ACTION: Mr. Gonzalez made motion to reduce the amount of the fine to \$1,500 payable within 30 days or the fine reverts back to the original amount. Mrs. Hymes seconded the motion and motion was approved 5-0.

CEB 03-19-39 - 405 N Halifax Ave, #205 - Melissa B. Parlette is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294 Violation(s) – Failure to obtain Rental License (RTL). First Notified – 11/29/2018. **Order Imposing Fine/Lien of \$ 100.00 per day effective April 11, 2019. Compliance June 2, 2020. \$15,000.00 plus \$24.00 recording costs = \$15,024.00.**

Ms. Melissa Parlette came forward and was sworn in.

Mr. Mark Jones, Rental Inspector, stated there were two issues – garbage and a window. He stated the window was replaced without a permit. He stated it took a long time for the window issue to come into compliance. He stated the respondent kept him informed and is requesting to reduce the amount of the lien to \$2,000.

Mrs. Kuendig asked if the property was a rental.

Mr. Jackson and Mr. Jones stated the property was a rental.

Mr. Gonzalez asked if the property was rented.

Ms. Parlette stated that it was. She stated that her deceased husband handled the rentals and that she had not changed the address on the tax roll and did not receive the notices. Ms. Parlette stated she found out when she received a letter from the City Attorney that the window was not up to code and needed to be replaced. She stated she hired a contractor to put in a double slider window and the property was put into compliance.

There was discussion and Mr. Harrington stated he would like to reduce the fine to \$1,500.

BOARD ACTION: Mrs. Kuendig asked for motion to reduce the amount of the fine to \$1,500 payable within 30 days or the fine reverts back to the original amount. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 9 - CEB 03-20-55 - Floyd J Mastronardi is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.19.A.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A; (Ref. FBC Supp. IPMC 304.7, 304.13, 302.7, 304.6, 304.9, 304.2), at **402 Auditorium Blvd.** Violation(s) – Structure and accessory structure (garage) roof damage, window and door frames, protective treatment for all overhangs, overgrown property, retaining wall. First Notified – 4/16/2019.

Respondent was not present.

Mr. Jackson stated the violations still exist on the property, the case started on April of 2019 and nothing has been done. He stated the City is requesting a fine in the amount of \$100 per day to a maximum of \$10,000.

Ms. Kuendig asked if the inspector has had any contact.

Mr. Fitzgerald stated that he had contact and has an update. He stated the respondents have pulled a demolition permit for the garage.

Mr. Jackson asked the inspector if there was a change in the house.

Mr. Fitzgerald stated no. He stated the respondent said he was selling the property but when he went to meet the buyers, they did not show up. He stated there is extensive hurricane damage.

Mrs. Hymes asked if there was anyone in the house.

Mr. Fitzgerald stated no and the property is in the Main Street Redevelopment Zone.

Mrs. Kuendig asked who would perform the demo.

Mr. Fitzgerald stated the respondent would demo the garage.

There was discussion regarding giving the respondent additional time and ordering an auto-fine.

BOARD ACTION: Mr. Gonzalez made motion to impose an auto-fine of \$100 per day, effective September 2, 2020, to a maximum of \$10,000 or until compliance is achieved. Mr. Harrington seconded the same with Mrs. Hymes and Mrs. Kuendig voting no. Motion was approved 3-2.

CASE # 12 - 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.

Andrea Anderson came forward and was sworn in.

Mr. Jackson stated the inspector is asking to amend the case to the next cutoff.

Mr. Fitzgerald stated the respondent was not approved by Rebuild Florida. He stated the house is secure as ordered.

Ms. Anderson stated she had to pay the 2019 taxes and she needs a doctor's excuse to make the house handicapped accessible. She stated once she has that, the work will begin.

Ms. Keundig asked the respondent if she told them she was coming to the Code meetings.

Ms. Anderson stated she told them and they will demo the house and rebuild.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until September 2, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 18 - CEB 03-20-65 - Cathy Moutsopoulos is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **940 N Halifax. Violation(s)** – Failure to obtain Rental License (RTL). First Notified – 9/2/2019.

Cathy Moutsopoulos came forward and was sworn in.

Mr. Jackson stated the respondent failed inspection and advised the Inspector they are 8 weeks out for windows due to factory issues. He stated the inspector requested a copy of the contract but only received copies of quotes. He stated the property has been occupied since September 2019 and is asking for a fine in the amount of \$100 to a maximum of \$15,000.

Mr. Jones stated they did not have a contract for repairs and have made no progress. He stated the property has been unoccupied the whole time.

Ms. Moutsopoulos stated she was waylaid with home schooling and problems with the contractor.

Ms. Robey asked the respondent if the windows were in.

Ms. Moutsopoulos stated they are 10 weeks out.

Ms. Robey asked the respondent if she would be good with a cutoff date of September 2 and Ms. Moutsopoulos stated yes.

Mr. Harrington stated as a condo owner, there are not many rehabilitation contractors available in Daytona Beach.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until September 2, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 24 - CEB 04-20-67 - Eva Knight 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 **542 Cannon St.** Violation(s) – Paint fading and peeling. First Notified – 10/9/2019.

Mary Moore and Joseph Sturse came forward and were sworn in.

Mr. Fitzgerald stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated the respondents have gotten estimates for painting.

Ms. Moore stated nobody lives there.

Ms. Kuendig stated the house needs painting.

Mr. Sturse stated they are not trying to flim flam just asking for more time.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Ms. Hymes seconding. Motion was approved 5-0.

Ms. Robey left the chamber at 10:09 a.m.

CASE # 25 - CEB 04-20-93 - Henry C & Edethia L Wright Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 704.2, 304.2, 305.1, 305.3, 308.1, 602.1, 602.3, 604.3), at **257 Jefferson St.** Violation(s) – Exterior paint fading and peeling fascia boards, damaged interior surfaces to include bathroom tile, floors, walls and ceilings, missing smoke detectors, heater not working, plumbing issues, electrical issues, exposed wires, outside storage, trash and debris. First Notified – 10/9/2019.

Henry Wright came forward and was sworn in.

Mr. Fitzgerald stated he is asking for a finding of Non-Compliance and next cutoff to come into compliance.

Ms. Robey returned to the chamber at 10:11 a.m.

Mr. Wright stated he evicted a tenant and they got code involved.

Mrs. Kuendig asked if there was also exterior work to be done and how many units there are. She asked if the property was occupied.

Mr. Wright stated the property is occupied but he needed time to get the electrical work done.

Mrs. Kuendig asked if he had applied for the permits.

Mr. Wright stated yes.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 26 - CEB 04-20-97 - Locksley Newton is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 107.1, 302.7, 304.2, 505.3), at **360 Weaver St.** Violation(s) – Damaged fence, paint fading and peeling, unsecured, no water. First Notified – 10/21/2019.

Mr. Locksley Newton came forward and was sworn in.

Mr. Fitzgerald stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated all he has to do is trim work.

Ms. Robey asked if the water was on.

Mr. Fitzgerald stated yes.

Mr. Newton stated he does not live there that his cousin lives there.

Mr. Fitzgerald stated there are 2 units in back and 1 person lives there. He stated it is a single family home in front.

Mr. Newton stated the city changed the water pipe and it's on now.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 27 - CEB 04-20-96 - Nellie Mae Smith 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 302.8), at **1042 Sheridan Rd.** Violation(s) – Junk vehicle, parking on an unimproved surface. First Notified – 9/30/2019.

Ms. Nellie Mae Smith came forward and was sworn in.

Mr. Fitzgerald stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated there is one vehicle left and all of the others have been moved.

Ms. Smith stated they had bought insurance on the car.

Mr. Fitzgerald asked the respondent if the car was running.

Ms. Smith stated it was not.

Mr. Fitzgerald stated it's not drivable because the tires are flat.

Captain Lee stated the car is parked on the side of the house past the plane of the front of the house.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 31 - CEB 04-20-88 - Willis Hill, Jr, Carol R Frazier, Gloria Hill Estate, Dorothy Ann Richardson, Tracy Hill, Gary Hill, Kenneth Gregory Hill, Tamika Hill, Angela Mobley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 304.13, 304.15), at **911 Sycamore St.** Violation(s) – Dilapidated roof and fence, peeling paint. First Notified – 10/9/2019.

Mr. Willis Hill Jr and Robin Hill came forward and were sworn in.

Ms. Kirk stated that Mr. Hill had not been able to get all of the owners on the same page with what they would like to do with the property.

Ms. Hill stated it was the family estate. She stated Mr. Hill would like to live in the property but other family members wanted to sell. She stated they moved out in order to take care of their granddaughter because DCF would not allow them to live in this property. She stated they had been working with an organization to get things fixed but cannot get any help. She stated she found out the property was already liened when she contacted a roofer. She stated at one point they had hired Rice and Rose to take care of coordination of distribution of the property.

Mr. Jackson explained the lien process and that all owners will be encumbered if a lien is imposed.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 32 - CEB 04-20-83 - Dennis Dale Thomas is cited for failure to correct violations of Code Ch. 90 Sec. 90-297, at **130-132 Madison Ave.** Violation(s) – Failure to obtain Business Tax Receipt (BTR). First Notified – 6/14/2019.

Ms. Michelle Thomas, wife, came forward and was sworn in. She stated the property has had multiple units since August 10, 1998. She stated when the City transferred to a new system, the property was zoned as a single family unit. She stated the two buildings have separate water and electric services. She stated they are requiring her to obtain a state rental license since she has 5 units and she would be glad to get a Business Tax Receipt for each building.

Mrs. Kuendig asked the inspector if the only violation wasn't not having a Business Tax Receipt.

Mr. Garcia stated yes. He stated the City will not give them the license because of the 911 system and combined the property with the two buildings into one parcel so that she needs a state rental license.

Ms. Thomas stated they have spoken to an attorney.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 37 - CEB 04-20-73 - Louis Dellacamera 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 302.1, 304.2, 304.3, 304.7, 304.14, 308.1), at **350 Fulton St.** Violation(s) – Outside storage, damaged fence, soffit, fascia, peeling paint, dirt & grime, no address numbers, trash & debris, rubbish, garbage. First Notified – 7/31/2019.

Mr. Louis Dellacamera came forward and was sworn in.

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

Mrs. Kuendig asked if anything had been done.

Mr. Garcia stated no.

Mr. Dellacamera stated he spoke to the Code Inspector and thought things were taken care of. He stated work is being done.

Mr. Garcia stated he is making some progress.

There was discussion regarding the respondent not receiving the notices. He asked that the notices be mailed to his home address at 558 N Ridgewood Ave.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and ordered the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 38 - CEB 04-20-78 - Marie S Thornton is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.7), at **619 Mulberry St.** Violation(s) – Damaged roof, dirt & grime on exterior surfaces. First Notified – 7/18/2019.

Ms. Marie Thornton came forward and was sworn in.

Mrs. Hymes left the chamber at 10:49 a.m.

Mr. Garcia stated the property remains in non-compliance and has a damaged roof. He stated there is also dirt and grime on the house and he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated he spoke to the owner one time.

Ms. Thornton stated she lives there and is working on it. She stated the tarp is off the roof.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 4-0.

Mrs. Hymes returned to the Chamber at 10:52 a.m.

Mr. Gonzalez left the Chamber at 10:52 a.m.

CASE # 40 - CEB 04-20-81 - Sasiwan Rasniyom 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 **610 S Ridgewood Ave.** Violation(s) – Dilapidated driveway. First Notified – 5/24/2019.

Ms. Sasiwan Rasniyom came forward and was sworn in.

Mr. Garcia stated the respondent has a big job to pave her driveway. He stated she has a contractor but water is getting into the building.

Ms. Rasniyom stated Mr. Berger in Development Services told her the property was too narrow and she needed to do something with the property because it will put more water into the building. She stated she paid Zahn Engineering and that it will take about 10 weeks. She stated they are waiting for permits from the City and produced a survey of the property.

Mr. Gonzalez returned to the Chamber at 10:55 a.m.

Mr. Garcia stated he spoke to the owner and had allowed more time. He stated the respondent used and created another driveway on a different side of the property.

Captain Lee stated she was using a corner lot but was not sure who owns it.

Ms. Rasniyom stated she owned the vacant lot.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by September 2, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 1 - CEB 02-20-39 - Neil & Cora Hitchman is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **312 Frances Ter.** Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 12/10/2019

Respondent was not present.

Mr. Harrington left the chamber at 11:05 a.m.

Mr. McCoy stated he is requesting to amend to the next cutoff. He stated inspection is scheduled for the 17th.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until August 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 4-0.

Mr. Harrington returned to the chamber at 11:08 a.m.

CASE # 2 - CEB 03-20-53 - Rosa Lee Wiggins Estate 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, 305.3, 308.1, 504.1, 505.3, 506.1), at **841 School St.** Violation(s) – Work without permit, roofs and drainage, interior surfaces, rubbish and garage accumulation, plumbing systems and fixtures, water system, sanitary drainage system. First Notified – 5/14/2019

Mr. Recanzone stated on March 9th the property was in non-compliance. He stated the respondents acquired new permits which are now expired and he has had no contact with the respondent. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 3 - 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. Recanzone stated the roof is being repaired by the City. He stated they have found a contractor and pulled a permit and is asking for 90 days for compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until September 30, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 4 - CEB 02-20-15 - Audrey Broxton is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7), at **824 Derbyshire Rd.** Violation(s) – Parking in yard, peeling paint, damaged roof. First Notified – 10/18/2019.

Respondent was not present.

Mr. Stenson stated he would like to amend to the next cutoff. He stated he had been in contact with the owner and that no one lives there.

Ms. Kuendig asked if the respondent has a permit.

Mr. Stenson stated no.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until August 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 5 - CEB 03-20-56 - Balkrishna, Sanjiv & Ramrajie Birsen is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **257 Fountain Lake Blvd.** Violation(s) – Off-street parking. First Notified – 12/17/2019.

Mr. Stenson stated the property is in compliance as of July 2, 2020.

CASE # 6 - CEB 03-20-43 - Edward Jr & Deloris Alexander 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), at **925 W Millard Ct.** Violation(s) – Peeling paint, dirt and grime on exterior surfaces. First Notified – 12/27/2019.

Mr. Stenson stated the property is in compliance as of July 8, 2020.

Ms. Barnes left the Chamber at 11:12 a.m. and returned at 11:15 a.m. The City Attorney and Code Officer were in conference during the Board Secretary's absence.

CASE # 7 - 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.

Respondent was not present.

Mr. Jackson stated the property is in foreclosure but certificate has not been issued and the bidder filed a motion to vacate the sale. He stated it is still pending in the courts and may be closed by next cutoff and asked to continue the case.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until September 30, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 8 - CEB 03-20-51 - Daniel O. Yancey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.7), at **723 N Peninsula Dr.** Violation(s) – Paint fading and peeling, damaged fascia board, damaged rain gutters. First Notified – 8/7/2019.

Respondent was not present.

Mr. Fitzgerald stated the property remains in non-compliance and he is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

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

Mr. Fitzgerald stated no.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$10,000 or until compliance is achieved. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 10 - CEB 03-20-48 - Fredy & Victor Peralta is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.13.1, 306.3); City Code Ch. 90 Sec. 90.297, at **961-859 Dr. Mary McLeod Bethune Blvd.** Violation(s) – Fire damaged unit, paint discolored by smoke and fire, broken windows, fire damage to interior surfaces, failure to obtain Business Tax Receipt (BTR). First Notified – 4/30/2019.

Respondent was not present.

Mr. Fitzgerald stated the work was done but the permit was not finalized. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000. He stated the last time he spoke to the respondent he told him to get the permit finalized.

Mr. Harrington stated he would be good with \$50 per day.

Mr. Fitzgerald stated the respondent has gotten several permits and at least one of them has failed inspection.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$15,000 or until compliance is achieved. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 11 - CEB 03-20-47 - Janice F & Phillip P Rodenbaugh is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 304.2, 304.7), at **1105 Clearwater Rd.** Violation(s) – Exterior wall paint fading and peeling, damaged siding, fading and peeling paint on fascia boards. First Notified – 5/1/2019.

Respondent was not present.

Mr. Fitzgerald stated he has had contact with the respondent and he is a painter but his house is still not painted. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$10,000 or until compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 13 - CEB 03-20-45 - Thomas H Veal Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp. IPMC 302.2, 304.2, 304.6, 304.13.1, 304.13.2, 304.15, 305.3, 309.1, 604.3, 604.3.1, 605.2), at **635 N Nova Rd.** Violation(s)

– Exterior walls dirt and grime, faded and peeling paint, damaged exterior surfaces, exterior electrical receptacle missing approved cover and hanging from wall, bathrooms missing ground fault electrical receptacle, missing smoke detectors in hallway and bedrooms, damaged interior surfaces, signs of a water leak, damaged interior surfaces on wall under sink, damaged windows and unable to open - some screwed shut, missing window screens, damaged-broken window, missing glazing, outside storage, trash and debris and insect infestation. First Notified – 10/22/2019.

Respondent was not present.

Mr. Fitzgerald stated the property is still in non-compliance and is asking for a fine in the amount of \$100 to a maximum of \$15,000. He stated he has had contact with the respondent and he has pulled the permits for the windows. He stated there was also a Rental Inspection and there are a lot of issues. He stated the property is rented and the owner needs to obtain an electrician for the GFCI issues. He stated the owner told him he was doing the work as the renter pays.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 15 - CEB 03-20-50 - William H Laneave 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 **1236 Bel Aire Dr.** **Violation(s)** – Paint fading and peeling. First Notified – 6/17/2019.

Respondent was not present.

Mr. Fitzgerald stated he is asking for a fine in the amount of \$100 to a maximum of \$10,000. He stated he spoke to the respondent the last time he was here for the meeting. He stated the respondent only has a 4 foot section left to paint.

Mr. Gonzalez stated he would be good with a fine of \$25 per day.

Mr. Fitzgerald stated he has finished the rest of the house. He stated the respondent started over a year ago.

BOARD ACTION: Mr. Gonzalez made motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$10,000 or until compliance is achieved. Mrs. Hymes seconded the same and motion was approved 4-0 with Mrs. Kuendig voting no.

CASE # 16 - CEB 02-20-25 - Deborah Wilkerson 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, 304.14), at **534 Live Oak Ave.** **Violation(s)** – Peeling paint, windows, screens, fence. First Notified – 4/5/2019.

Respondent was not present.

Ms. Kirk stated the property was sold on April 10, 2020. She stated she spoke to the new owners and they are aware of the code case. He stated she is asking to dismiss the case and will recite the new owners for the violations after giving them some time to come into compliance.

Mr. Jackson stated a second alternative is to add the new owner to the case.

There was discussion as to whether to add the new owner to the case or dismiss the case.

BOARD ACTION: Mrs. Kuendig asked for motion to dismiss the case. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 19 - CEB 03-20-60 - David D Schaefer is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **444-440 Walnut St.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/17/2019.

Respondent was not present.

Mr. Jones stated he conducted a rental inspection on June 19 and one unit passed but the other was missing a window crank and screen. He stated he is asking to amend to the next cutoff for compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to amend the previous order of non-compliance and allow the respondent until August 5, 2020 to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 20 - CEB 03-20-59 - Kinsey & Debbie Whaley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **152 Madison.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/12/2019.

Respondent was not present.

Mr. Jones stated the respondent applied for a license in March but has not called for inspection yet. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$15,000 or until compliance is achieved. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 21 - CEB 03-20-61 - Bobby L Caldwell is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1311 Hillcrest Dr.** Violation(s) – Failure to obtain Rental License (RTL). First Notified – 9/23/2019.

Respondent was not present.

Mr. Jones stated he has made numerous attempts to inspect the property. He stated on July 17, the owner told him he was evicting the tenant.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective July 9, 2020, to a maximum of \$15,000 or until compliance is achieved. Mrs. Hymes motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 22 - CEB 04-20-94 - Bobby L Caldwell is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.2; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7), at **1311 Hillcrest Dr.** Violation(s) – No permit for repair of flat roof, paint fading and peeling. First Notified – 7/25/2019.

Respondent was not present

Mr. Fitzgerald stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated the property has roof issues and is occupied.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 23 - CEB 04-20-69 - Donald & Ida S. Crosby 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 301.3), at **Cannon St (Parcel ID #5338-72-02-0120).** Violation(s) – Junk vehicle parked on vacant lot, no grounds maintenance, overgrown grass and weeds. First Notified – 10/16/2019.

Respondent was not present.

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

CASE # 28 - CEB 04-20-87 - Estelle Marion Clay 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 304.13), at **550 Wallace St.** Violation(s) – Peeling paint, dilapidated porch, broken windows, overgrown lawn. First Notified – 5/13/2019.

Respondent was not present.

Ms. Sara Kirk stated she is asking for a finding of non-compliance and next cutoff to come into compliance. She stated she received notification on the green card and that the owner is deceased. She stated the address goes to the Council on Aging.

There was discussion regarding the role the Council on Aging may play on guardianship and probate.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

There was further discussion regarding how the Council on Aging is involved.

Ms. Robey made motion to reconsider the ruling and continue the case to the August 13, 2020 meeting. Mr. Harrington seconded the motion and motion was approved 5-0.

CASE # 29 - CEB 04-20-84 - Larry Sanders is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4, at **721 Loomis Ave.** Violation(s) – No permit for exterior addition, peeling paint, rotted wood, windows. First Notified – 8/16/2019.

Respondent was not present.

Ms. Kirk stated she is asking for a finding of non-compliance and next cutoff to come into compliance.

Mr. Sanders stated he applied for two permits and they are under review. He stated one is a demo permit for the front porch. He stated he is waiting for a survey for the added addition.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 30 - CEB 04-20-86 - Viola Cooper is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **330 Lockhart St.** Violation(s) – Parking in yard. First Notified – 8/2/2019.

Respondent was not present.

Ms. Kirk stated she has had contact with the respondent and they are making progress on the parking issues. She stated she is asking for a finding of non-compliance and next cutoff to come into compliance.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 5-0.

CASE # 33 - CEB 04-20-79 - Edward R White 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 302.8, 304.2), at **634 Mulberry St.** Violation(s) – Outside storage, peeling paint, parking on the grass, unregistered and disabled vehicles. First Notified – 5/23/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated he has had contact with the respondent and the compliants are coming from the neighbors.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 5-0.

CASE # 34 - CEB 04-20-74 - Francisco & Fatima Maldonado 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 **1116 Clearwater Rd.** Violation(s) – Damaged driveway. First Notified – 5/23/2019.

Compliance 7-8-2020

CASE # 35 - CEB 04-20-72 - Jasodra Rangasammy 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), at **349 Fulton St.** Violation(s) – Damaged retaining wall, wooden fence, outside storage. First Notified – 7/19/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated he spoke to the owner and he had made some repairs to the retaining wall.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Harrington seconding. Motion was approved 5-0.

CASE # 36 - CEB 04-20-76 - Lena M Keefer Estate 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 **1132 Clearwater Rd.** Violation(s) – Faded paint. First Notified – 7/18/2019.

Respondent was not present.

Mr. Garcia stated he has had no contact with the respondent.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 5-0.

CASE # 39 - CEB 04-20-82 - Pinchas & Eva Mamane 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, 304.13), at **820 N Beach St.** Violation(s) – Rotting, damaged and peeling siding, broken windows, dirt and grime on the exterior surface (bricks). First Notified – 6/20/2019.

Respondent was not present.

Mr. Garcia stated he is asking for a finding of non-compliance and next cutoff to come into compliance. He stated he has had contact with the respondent and they said they were going to demo the property but it has not been done. He stated they are maintaining the grass but has not obtained permits for the demo and it is vacant.

BOARD ACTION: Mrs. Kuendig asked for motion to find the respondent in non-compliance and order the respondent to come into compliance by August 5, 2020 or be returned to a subsequent

meeting for consideration of a fine up to \$1,000 per day. Mr. Gonzalez motioned the same with Ms. Robey seconding. Motion was approved 5-0.

Mrs. Kuendig asked for any miscellaneous business.

Captain Lee explained the difficulty with staff for an auto-fine.

The meeting was adjourned at 12:01 p.m.