

**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 & Eugene Robinson

August 13, 2020

Members present:

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

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
Mr. Mike Fitzgerald, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Mark Jones, Rental Inspector
Ms. Sara Kirk, Code Inspector
Mr. Jerome McCoy, Rental Inspector
Mr. Clifford Recanzone III, Rental 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: Marylouise "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. Mr. Harrington stated the motion to hear case # 42 from the last agenda was missing. Mr. Gonzalez motioned to approve the corrected minutes with Mr. Harrington seconding the same. Motion approved (6-0).

Mrs. Kuendig asked for disclosure of Ex Parte Communications.

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

CASE # 5 - 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.

Compliance 8-11-2020

CASE # 9 - 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

Compliance 8-11-2020

CASE # 10 - 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

Compliance 8-10-2020

CASE # 15 - 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.

Compliance 7-31-2020

Mrs. Kuendig called case #1.

CASE # 1 - 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.

Mr. David Schaefer came forward and was sworn in.

Mark Jones, Rental Inspector, stated the property failed inspection in June with 2 minor issues. He stated he is scheduled to reinspect the property on August 26 and is requesting to amend to the next cutoff.

Mr. Schaefer stated the tenant lost their keys and broke the window so he had to get a new permit to put in a new window. He stated the tenant takes the AC in and out of the window.

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

CASE # 2 - 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.

Jerome McCoy, Rental Inspector, stated the Respondent failed inspection on the 16th and is asking to amend to the next cutoff. He stated he expected the Property Manager to attend the meeting. He stated the property changed hands and there were only minor issues left.

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

CASE # 3 - 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.

Mr. Edward White came forward and was sworn in.

Daniel Garcia, Code Inspector, stated some of the vehicles were moved and some of the siding on the rear of the building needs a permit. He stated he has done 5 inspections and 2 courtesy notices. He stated he is asking for a fine in the amount of \$200 per day to a maximum of \$10,000.

Mr. White stated the 2 trailers in the back and the boat are gone. He stated he pulled permits but it needs a Notary signature. He stated inspection was done by the housing authority and has a rental inspection report.

Mr. Harrington asked what percentage of the work was done.

Mr. Garcia stated Mark Jones had done the rental inspection and the property failed.

Mr. White stated money is time and he filled out the paperwork and is waiting for a notary. He stated the tenant is not paying rent since April and that he lives in the front of the house.

Captain Lee stated the permit database shows no permits issued.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$200 per day, effective August 13, 2020, to a maximum of \$15,000 or until compliance is achieved. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

Mr. Gonzalez left the chamber at 9:21 a.m.

CASE # 4 - 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 there was a lot of overgrowth on the property. He stated he spoke to the owner's daughter and the owner is in a nursing home. He stated they did mow is is asking for a fine in the amount of \$100 per day to a maximum of \$10,000. He stated he could not reach the Property Manager and the property had been taken over by the Mortgage Company. He stated they posted No Trespassing signs. He stated the case began as a code walk.

There was discussion regarding the Mortgage Company.

Mr. Gonzalez returned to the Chamber at 9:25 a.m.

Mr. Harrington asked if they were properly notified.

Mr. Garcia stated yes.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective August 13, 2020, to a maximum of \$10,000 or until compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 6 - 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 S Thornton came forward and was sworn in.

Mr. Garcia stated the property remains in Non-Compliance. He stated he spoke to the Respondent yesterday and has to paint the exterior of the house. He stated it was stucco.

Mrs. Kuendig asked if the property needed a roof.

Mr. Garcia stated the roof was not an issue and there were a couple of spots to repair. He stated the Respondent pressure cleaned

Ms. Thornton stated she needs to paint now.

Mrs. Kuendig asked how long she needed.

Ms. Thornton stated 2 months.

Mr. Harrington asked the Respondent if she knew she needed to paint.

Ms. Thornton stated she didn't realize it until she pressure washed.

Mr. Garcia stated Officer Taylor Carmen had to post the property.

BOARD ACTION: Mrs. Hymes made 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. Mr. Harrington seconded the same and motion was approved 5-1 with Mrs. Kuendig voting no.

CASE # 7 - 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.

Mr. Stan Holly, architect, came forward and was sworn in.

Mr. Garcia stated the spoke to Piny and they are moving forward with demolition. He stated he is asking to amend to the next cutoff.

Mr. Holly stated he applied for a permit yesterday and they will tear down the building. He stated he is designing the new building.

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 Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 14 - 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.

Mr. Larry Sanders came forward and was sworn in.

Ms. Kirk stated the Respondent has started working and has 2 permits, one to demo the front porch and the other for rebuilding. She stated the Respondent is low on funds and she offered assistance and he is only a waiting list. She stated she is asking to amend to the next cutoff for a progress report.

Mr. Sanders stated he lives there.

Mrs. Kuendig stated at the last meeting there was an issue with the survey.

Mr. Sanders stated yes and that had been taken care of.

Mr. Robinson stated the Respondent is being cooperative and suggested discussing Compliance monthly.

BOARD ACTION: Mrs. Kuendig asked for a motion to amend the previous Order of Non-Compliance and ordered the Respondent to appear for monthly progress report beginning with the October 8, 2020 meeting until Compliance is achieved. Ms. Robey motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 16 - 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.

Ms. Dorothy Richardson came forward and was sworn in.

Ms. Kirk stated she had been speaking to Mr. Hill and he told her he could not get the family members to comply and nothing had been done. She stated she spoke to Ms. Carol Frazier who said that Mr. Hill was the holdout. She stated they had buyers for the property but were unable to make any progress. She stated she is asking for a fine in the amount of \$100 per day to a maximum of \$10,000.

Mrs. Kuendig asked if anyone lived there and Ms. Kirk stated no.

Ms. Richardson stated this has been going on so long. She stated they had been trying to sell and now they can't sell because of liens. She stated they have not decided anything and she cannot afford to fix the house. She stated her sister told her there were liens.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective August 13, 2020, to a maximum of \$10,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Mr. Harrington seconding. Motion was approved 6-0.

CASE # 22 - CEB 08-20-162 - Bryan Scurry Sr 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 **Model St (Parcel ID 5338-98-91-9950)**. Violation(s) – Damaged trees, damaged chain-link fence. First Notified – 1/14/2020.

Mr. Brian Scurry Sr. came forward and was sworn in.

Mr. Fitzgerald stated he posted the property and it is still in Non-Compliance and is asking to amend to the next cutoff.

Mr. Scurry stated he has updated photos where the trees have been removed. He stated the fence fell on the fence. He stated he never saw the postings.

Mr. Fitzgerald stated it was posted in two places and showed the pictures of the posting on the fence and the damaged fence.

Mrs. Kuendig stated the fence is broken.

Mr. Scurry gave the Board Secretary his new address.

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

Mrs. Kuendig stated there is still a tree to be removed.

Captain Lee cautioned the Respondent may need documentation.

Mr. Harrington asked if he needs a permit.

Mr. Fitzgerald stated damaged trees require no permit.

CASE # 23 - CEB 08-20-153 - Charles J Slappy 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; City Code Ch. 26 Sec. 26-294, at **322 Fulton St.** Violation(s) – Additional fencing with no permit, failure to obtain Rental License (RTL). First Notified – 7/31/2019.

Mr. Charles Slappy came forward and was sworn in.

Mr. Fitzgerald stated the property remains in Non-Compliance and his asking for a finding of Non-Compliance and next cutoff to come into compliance.

Mr. Slappy stated he is trying to get a permit. He stated he got a survey and the price was too much.

Mrs. Kuendig asked if the property was rented.

Mr. Slappy stated no, he lives there.

Mr. Fitzgerald stated the case started as a citizen complaint and he will removed the failure to obtain Rental License from the violations.

Mr. Slappy stated AAA put the fence in.

Captain Lee stated the fence put in is different from the rest of the fence.

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 5-1 with Mr. Gonzalez voting no.

CASE # 24 - CEB 08-20-164 - Dale Wilson 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, at **Madison Ave (Parcel ID 5338-47-00-0020)**. Violation(s) – No permit for fence, no permit for accessory structures (multiple sheds), no permit for electric added to exterior structures, no permit for new AC, no permit for exterior patio with roof, no permit for new wooden 6' fence. First Notified – 9/9/2019.

Mr. Frederick Sorenson came forward and was sworn in.

Mr. Fitzgerald stated the property remains in Non-Compliance and he is asking for next cutoff to come into Compliance. He stated the owner added sheds to a vacant lot and needs a permit. He stated a vacant lot cannot have structures without a main structure.

Mr. Cino stated there has to be a principle use established for a property.

Mr. Fitzgerald stated the structures have electricity and AC and he doesn't know how they did it.

Mr. Harrington asked who installed the electrical.

Mr. Fitzgerald stated he does not know and they did not get permits.

Mr. Wilson stated the original building is next door and when he purchased it he got the lots and combined them. He stated he had permits on the shed from Volusia County. He stated the fence in the front was a privacy fence and already existed.

Mr. Fitzgerald stated there was a dirt road with no permit.

Mr. Sorenson stated the AC was not functional. He stated they have no decision yet on the use of the property and has generators to power lights.

Ms. Robey asked if the sheds on the lot was used for storage.

Captain Lee stated there was no combination of the lots.

Mrs. Hymes asked if there is a home on the lot.

Mr. Fitzgerald stated there is a 2 story building on the lot next door.

Mr. Jackson stated the City is looking for a finding of Compliance or Non-Compliance.

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. Gonzalez seconding. Motion was approved 5-1 with Mr. Gonzalez voting no.

CASE # 25 - CEB 08-20-163 - Emma R Jean 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, 302.1), at **927 Kingston Ave.** Violation(s) – Junk vehicles, parking on the grass in the front yard, dirt and grime on bottom of wall , faded paint and outside storage. First Notified – 9/24/2019.

Ms. Emma Rogers and Mr. Frederick Rogers, son, 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.

Mrs. Kuendig asked if he had spoken to the Respondents.

Mr. Fitzgerald stated he got a phone call and they left a name and number. He stated he called and did not receive a call back. He stated the violations came from the Rule of 6.

Ms. Rogers stated it wasn't her and she does not know anything about it.

Mr. Rogers stated he owns the house and he hasn't been out there. He stated his son is a construction worker and lives there.

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

Mr. Harrington left the Chamber at 10:22 a.m.

CASE # 26 - CEB 08-20-165 - Ernestine England is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.7, 505.1, 505.3), at **1045 Peter Rd.** Violation(s) – Damaged roof, fascia board and soffit, dirt and grime, peeling paint. First Notified – 10/10/2019.

Ms. Christine Hadley came forward and was sworn in.

Mr. Fitzgerald stated the property remains in Non-Compliance and is asking for next cutoff to come into compliance.

Mrs. Kuendig asked if anyone lives there.

Ms. Hadley stated no.

Mrs. Kuendig asked if the property was vacant and what needs to be fixed.

Ms. Hadley stated they need to do the roof. He stated she has a contract to sign.

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. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 5-0.

Mr. Harrington returned to the Chamber at 10:27 a.m.

CASE # 29 - CEB 08-20-157 - Connie & George 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 302.8), at **551 Eldorado St.** Violation(s) – Outside storage and unlicensed vehicles. First Notified – 6/17/2020.

Mr. George Riley came forward and affirmed his testimony.

Ms. Kirk stated the case started as a citizen compliant. She stated she was not sure about the black mercedes but there was still outside storage.

Mr. Riley stated he uses the cars for parts and that he is an auto mechanic. He stated anything the City wants done, he will do it.

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. Mrs. Hymes motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 30 - CEB 08-20-156 - Do'Shan Edwards Wilder is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A

(Ref. FBC Supp. IPMC 302.7, 302.8, 303.1, 303.2, 304.2, 304.6, 304.7, 304.13, 308.1), at **564 Magnolia Ave.** Violation(s) – Outside storage, junk and debris, peeling paint, damaged fence, rotted wood on exterior of home, dilapidated shed, broken windows, unsanitary pool. First Notified – 1/25/2020.

Mr. Do'Shan Edwards Wilder came forward and was sworn in.

Ms. Kirk stated the case started as the result of a citizen compliant with multiple violations. She stated there has been no progress and he needed 2 permits. She stated he applied for permits on July 1 to repair and remodel and stucco. She stated the compliant addressed mosquitos because of the pool.

Mr. Wilder stated he lives there and there are a lot of repairs. He stated he replaced some trees, cut some back, replaced the gate and wood on the side.

Mr. Cino asked if the pool was secure.

Mr. Wilder stated yes.

Mr. Jackson stated he would like a shorter window to comply for the pool.

Mr. Gonzalez asked how old the pictures were.

Ms. Kirk some were August 12th and the storage was from yesterday. She stated there is also storage in the back yard.

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. Mr. Harrington motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0. It is further ordered that an inspection must be conducted on the pool within 10 days for be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day.

CASE # 31 - CEB 08-20-152 - Mairead A Wilt 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 304.13), at **1157 St Augustine Rd.** Violation(s) – Broken window, outside storage, overgrown lawn, dirt and grime. First Notified – 12/28/2019.

Mr. Mairead Wilt came forward and was sworn in.

Ms. Kirk stated the violations continue and began as a citizen complaint. She is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mr. Wilt stated he wants the case dismissed as the Inspector came on his property without his permission. He stated he did not sign a green card.

Ms. Kirk stated she received a compliant on Novement 27 of an inoperable moped. She stated she is allowed to walk to the front door. She stated that is how she saw the broken window. She stated on December 13 she received an additional complaint, she opened the case and

and the moped was removed. She stated she received the signed green card on August 7. She stated she posted the property.

Mr. Jackson stated that it is no illegal for use a standard entry, in this case the driveway to a home.

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

CASE # 33 - CEB 08-20-149 - William & Myrna J Henry 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 301.3, 302.7, 304.6, 304.7, 304.14), at **1319 Shangri La Dr.** Violation(s) – Missing siding, broken garage door, peeling paint, damaged fence, dirt and grime and dilapidated roof. First Notified – 5/8/2020.

Respondent was not present.

Ms. Kirk stated the case began as a complaint and the Respondent has taken no action. She stated she has had no contact with the respondent.

Mr. Harrington asked if anyone was living there.

Ms. Kirk stated no.

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

CASE # 28 - CEB 08-20-158 - Charles Thomas 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 604.3), at **703-701 W Intl Speedway Blvd.** Violation(s) – Broken window, crumbling exterior and broken lighting fixture. First Notified – 10/11/2019.

Mr. Charles Thomas came forward and was sworn in.

Ms. Kirk stated she had no contact with the property owner until last week and is asking for a finding of Non-Compliance and next cutoff to come into compliance.

Mr. Thomas stated the building structure is fixed, the light removed and they have an appointment scheduled for the window.

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. Hymes seconding. Motion was approved 6-0.

CASE # 8 - 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.

Michael Fitzgerald, Code Inspector, stated the property remains in Non-Compliance and is asking for a fine in the amount of \$150 per day to a maximum of \$15,000.00.

Mrs. Kuendig asked if he had any contact and was it occupied.

Mr. Fitzgerald stated no.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$150 per day, effective August 13, 2020, to a maximum of \$15,000 or until compliance is achieved. Ms. Robey motioned the same with Mr. Gonzalez seconding. Motion was approved 6-0.

CASE # 11 - 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.

Respondent was not present.

Mr. Fitzgerald stated the Respondent was at the last hearing and all that he needed to do was finish painting. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mrs. Kuendig asked if the water had been turned back on.

Mr. Robinson asked if the junk vehicle was gone and stated if the Board finds out Mr. Newton is sick, the fine can be rescinded.

BOARD ACTION: Mr. Gonzalez made motion to impose a fine of \$25 per day, effective August 13, 2020, to a maximum of \$10,000 or until compliance is achieved. Ms. Robey seconded and motion was approved 6-0.

CASE # 12 - 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.

Respondent was not present.

Mr. Fitzgerald stated 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. He stated there is one vehicle left and he has no information on where it is tagged or not. He stated the Respondent was at the last meeting.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective August 13, 2020, 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.

CASE # 13 - 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. Kirk stated she is asking to continue to the next meeting to ensure proper notice is given.

Mr. Jackson stated this is a guardian situation.

BOARD ACTION: Mrs. Kuendig asked for a motion to continue the case to the September 10, 2020 meeting for a finding of Compliance of Non-Compliance and the determination of a Compliance date.

CASE # 17 - 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 was at the property yesterday and it remains in Non-Compliance. He stated he is asking for a fine in the amount of \$100 per day to a maximum of \$15,000.

Mrs. Kuendig asked if they have permits.

Mr. Stenson stated no.

BOARD ACTION: Mrs. Kuendig asked for a motion to impose a fine of \$100 per day, effective August 13, 2020, to a maximum of \$15,000 or until compliance is achieved. Mr. Gonzalez motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 18 - 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 foreclosure has gone through and the property has a new owner. He stated he is asking to dismiss the case and recite the new owners.

BOARD ACTION: Mrs. Kuendig asked for a motion to dismiss the case. Mr. Harrington motioned the same with Mrs. Hymes seconding. Motion was approved 6-0.

CASE # 19 - CEB 08-20-161 - Mary Angela Gamble & Timothy D Hudson Sr 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, 304.13), at **219 Haynes St.** Violation(s) – Outside storage, exterior surfaces, broken windows. First Notified – 2/17/2020.

Respondent was not present.

John Stenson, Code Inspector, stated the cases started as a complaint and there has been no change. He stated the property was posted and he is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mrs. Kuendig asked if anyone lives there.

Mr. Stenson stated he doesn't know and has had no contact with the owners.

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 6-0.

Mrs. Hymes left the Chamber at 11:10 a.m.

CASE # 20 - CEB 08-20-159 - Roberta S Saunders and Wade E Saunders is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1), at **934 W Millard Ct.** Violation(s) – Unsafe structure - fire damage. First Notified – 6/1/2020.

Respondent was not present.

Mr. Stenson stated there was a fire on the property and the owner no longer lives there. He stated the outside storage was removed but it is still unsecure. He stated he is asking for a finding of Non-Compliance and next cutoff to come into Compliance. He stated there is also a blighted property case on this property.

Mr. Gonzalez asked if the property can be brought into compliance.

Mrs. Hymes returned to the Chamber at 11:13 a.m.

Mr. Stenson stated he did not know and would need to confer with the Building Department.

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. Gonzalez seconding. Motion was approved 6-0.

CASE # 21 - CEB 08-20-155 - Anthony Ray Teel 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, 304.6, 304.7, 304.13.1, 305.3, 603.1), at **611 North St.** Violation(s) – Smoke detector missing, paint fading & peeling, rotten wood, exterior siding. First Notified – 8/12/2019.

Respondent was not present.

Mr. Fitzgerald stated he has had no contact with the Respondent and posted the property. He stated he is asking for a finding of Non-Compliance and next cutoff to come into compliance.

Mrs. Kuendig asked if he lives there.

Mr. Fitzgerald stated 2 renters live there. He stated there is also a Rental case on the property. He stated the case started from a tenant complaint.

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. Mr. Gonzalez motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 27 - CEB 08-20-139 - Allen Todre 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 301.3, 304.3, 304.13), at **614 Marion St.** Violation(s) – Unsecure structure, broken windows, dirt and grime and crumbling exterior. First Notified – 3/5/2020.

Respondent was not present.

Ms. Kirk stated the case came from the Rule of 6 and that some things had been fixed. She stated there is still a broken window and she is asking for a finding of Non-Compliance and next cutoff to come into Compliance.

Mrs. Kuendig stated they can't just leave the boards on the windows.

Denzil Sykes, Neighborhood Services Manager stated there are some exceptions and they can leave the boards there up to a year in some cases.

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. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 6-0.

CASE # 32 - CEB 08-20-150 - Prem K Bhandari is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 304.14, 305.3, 308.1), at **433 Warner Pl.** Violation(s) – Missing insect screens, dilapidated roof, rusted and damaged interior and exterior surfaces, outside storage, trash and debris. First Notified – 8/19/2019.

Respondent was not present.

Ms. Kirk stated the property remains in Non-Compliance. She stated there are multiple violations and the realtor is local. She stated she is asking for a finding of Non-Compliance and next cutoff to come into compliance.

Ms. Robey asked if this was a rental.

Ms. Kirk stated it is vacant and for sale.

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. Mr. Harrington motioned the same with Ms. Robey seconding. Motion was approved 6-0.

Mrs. Hymes left the Chamber at 11:00 a.m.

Mrs. Kuendig asked if there was any Miscellaneous Business.

Mr. Harrington shared a catalog from the City of South Daytona regarding Code Enforcement.

Mrs. Hymes returned to the Chamber at 11:13 a.m.

The Board welcomed Mr. Robinson to the Board.

The meeting was adjourned at 11:16 a.m.