

**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 & Matthew Reinhart

October 14, 2021

Members present:

Mrs. Weegie Kuendig, Chairman
Ms. Hymes, Vice Chairman
Mr. Neil Harrington
Mr. Bradford Gonzalez
Ms. Karen Robey
Mr. Reinhart
Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Captain Scott Lee, Daytona Beach Police Department
Mr. Denzil Sykes, Service Manager
Mr. Mark Jones, Field Supervisor
Mr. Daniel Garcia, Code Inspector
Ms. Sara Kirk, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Clifford Recanzone III, Rental Inspector
Mr. John Stenson, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Clearvens Jean-Baptiste, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by: Marylaine "Weegie" Kuendig Chairman

The Chairman called the meeting to order at 9:03 a.m.

Ms. Reno called the roll. Mr. Harrington, Mrs. Robey, Mrs. Hymes, Mrs. Kuendig, Mr. Reinhart, Mr. Gonzalez (not present)

Ms. Kuendig advised we would motion to excuse Mr. Gonzalez at the end of the meeting if needed but she believes he will attend the meeting.

Mr. Harrington asked if Mr. Robinson attended the last meeting. Advised his name was left off the Members present on the September Minutes. Mrs. Hymes motioned to approve the minutes as amended and Mrs. Robey 2nd the motion 5-0.

Mrs. Kuendig approved the September 9, 2021 minutes as amended.

Mrs. Kuendig asked for disclosure of Ex Parte Communications, none noted.

Mrs. Kuendig asked if there were any announcements

Ms. Reno announced the following cases in Compliance

CASE # 2 - CEB 08-21-240 - Fayn M & Allyn Rock LeVeille 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), at **2011 S Peninsula Dr. Violation(s) – Dirt and grime, peeling paint on home rust and corrosion stairway and front door.** First Notified – 5/5/2021

In Compliance October 11, 2021

CASE # 53 - CEB 10-21-316 - Davis Rory Leonard Sr is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19 A.3.c; Art. 9 Sec 9. 2A (Ref FBC Supp IPMC 301.3), at **Lot Rose Ave (Parcel # 5338-70-00-0130).** Violation(s) – **Overgrown lot.** First Notified – 7/30/2020

In Compliance October 7, 2021

Mrs. Reno announced the zoom calls

Page 4 case #7

Page 13 case #41 Case #42 and Case #44

Mrs. Kuendig asked if the zoom cases are aware that when we get to those case, we're going to be doing them and if they're not here, we're going to proceed, no waiting half hour waiting for people to get online.

Captain Lee advised yes they are aware the same rules apply.

Mrs. Reno swore in all code Inspectors testifying.

Mrs. Kuendig stated the rules and process for the hearing then advised if the hearing goes beyond 11:00 am, they would take a short break.

Mrs. Kuendig called the Lien Review first

CEB 07-21-224 - 822 Magnolia Ave - Henry & Edethia Wright TR is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 4.4.S.1, at Violation(s) – **No permit for roof and tree removal**. First Notified – 9/17/2020. **Order Imposing Fine/Lien effective August 12, 2021 \$100.00 per day to a maximum of \$15,000.00. Compliance = September 2, 2021 \$2,100.00 = \$2,100.00**

Mr. Wright sworn in stated the hardship is that he has two daughters in college and spent quite a bit of money just trying to get it up to code. The house was actually done three years ago, And the contractor that he had doing the house had applied for the permit but never got the permit and he did not know that and he went on and completed the job and got it done. The other situation is the fact that he had to pay for a permit, which was \$350. He had to pay a contractor \$800. Then he had to pay for an engineer, which was another \$400 in order to get this up to code. The contractor suggested to sue the other contractor for the permit that wasn't received, but it seemed to be a family member, so he could not do that. He stated it was in his best interest to go ahead and take care of the best way he could. **Mr. Wright** stated he would have been at the previous hearing, he thinks, which was on the 19th and stated he did not know about it.

Mrs. Kuendig asked if he lives there, and somebody does live there.

Mr. Wright advised no he does not, it is rental property

Mrs. Kuendig stated it looks nice.

Mr. Wright stated it was shown, that the tenant had actually cut down a tree, so that was another permit that was not pulled, but he did get a permit for that and then there was the roof. also stated he was trying to figure out if and asking for some type of leniency.

Inspector Kirk stated the staff was recommending to reduce the amount of the lien to \$1000 considering the information just given and there was a permit applied for by a contractor that ended up being a family member, and the owner did not realize that he did not follow through on the filing the permit.

Mr. Anthony Jackson stated if he could just point out Madam Chair this was something that was opened back in September of 2020. September 17, 2020 and so there was enough there was staff involvement that we think would at least support a reasonable, minimal fine, we think \$1000 would be reasonable.

Mrs. Kuendig asked for any comments from the board. As stated, she thinks it is a minimal issue as well and would like to see it reduced even to seven hundred and fifty or five hundred.

BOARD ACTION: **Mrs. Hymes** mad a Motion to reduce the amount of the lien to \$500 subject to being paid within 30 days or the fine will revert to the original amount. **Mr. Harrington** seconded the same and the motion was approved 5-0.

Mrs. Reno advised **Mr. Wright** she would send him an invoice.

Mrs. Kuendig called the continued cases.

CASE # 1 - CEB 08-21-238 - Louis Mitchell Williams III is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2, at **35 S Hollywood Ave**. Violation(s) – **Unpermitted Fence**. First Notified – 2/16/2021

No Respondent

Inspector Jean-Baptiste stated the facts to the case advised he spoke to Mr. Lewis yesterday significant progress, he did obtain the permit however not finalized; he has turned in the survey that is required. So within a matter of days, the permit should be finalized. Staff recommends to amend to the next cut off.

BOARD ACTION: Mr. Reinhart made Motion to amend the previous order of non-compliance and allow the Respondent until **November 3, 2021**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 5-0.

Case #2 in compliance

Mrs. Kuendig Called Case #3

CASE # 3 - CEB 08-21-261 - Christopher Pozzo 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, 304.3, 304.7), at **2088 Schulte Ave.** Violation(s) – **Exterior sanitation, paint, address numbers, soffit and fascia.** First Notified – 4/8/2021

No Respondent

Inspector Bostwick testified to the status of the case stated he has had plenty of contact with the owner a lot of progress on the house and the hold up on the house is the roof company had to reschedule and the home owner had to reschedule to get the FPL power to be cut off. staff requests to amend to the next cut off.

Mrs. Kuendig asked about the roof

Mr. Bostwick gave the facts regarding to the roof and FPL not being able to turn of the power until October 6th and advised the new date for the roof was October 13, 201

BOARD ACTION: Mr. Reinhart made Motion to amend the previous order of non-compliance and allow the Respondent until **November 3, 2021**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 5-0.

Mrs. Kuendig called case #4

Mr. Keith Thomas spoke up and asked if he could be heard next, he has a doctor's note because he cannot sit long or stand long he was case # 17

Mrs. Kuendig advised let them do this case and then they would call his case.

CASE # 4 - CEB 09-21-270 - Elaine I Thomas 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 **2061 S Peninsula Dr.** Violation(s) – **Damaged fascia and soffit around the house.** First Notified – 4/14/2021

No Respondent

Inspector Bostwick testified to the status of the case no contact and no progress and requested a fine \$100 a day to a max of \$10,000

BOARD ACTION: Mrs. Robey made a motion to impose a fine of \$100 per day effective October 14, 2021 to a maximum of \$10,000 or until compliance is achieved, Mr. Reinhart seconded the same and motion was approved 5-0.

Mr. Gonzalez joined the meeting @ 9:19 am

Mrs. Kuendig called case #17

CASE # 17 - CEB 02-21-44 - Keith Thomas is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 304.7), at **622 Marion St.** Violation(s) – **Damaged roof and rotten decayed wood.** First Notified – 3/6/2020

Mr. Thomas

Inspector Kirk testified to the status of the case and stated the housing development, repair and master list and roofing list. He is confirmed on that list, so he is just kind of waiting for assistance from the city. Mr. Thomas can let you know that he has received a phone call recently from the city regarding this.

Mr. Thomas stated they say the funds supposed to start up in October.

Mr. Thomas was sworn in

Inspector Kirk recommended to amend to the January cut off and Mr. Jackson reminded everyone we would not have a December meeting.

Mrs. Kuendig was unaware that decision was made but that was good for everybody.

BOARD ACTION: Mr. Reinhart made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #5

CASE # 5 - CEB 07-21-204 - Regina W Beauton is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.8.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **321 Cottrill Ave.** Violation(s) – **Leaning retaining wall.** First Notified – 1/19/2021

In Compliance October 13, 2021

CASE # 6 - CEB 09-21-288 - Joseph Berg & Mandy Bazey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2), at **215 Bellevue Ave.** Violation(s) – **Failure to cut grass, weeds, outside storage, mildew on side.** First Notified – 5/10/2021

No Respondent

Inspector Clig testified to the status of the case no contact and no progress

BOARD ACTION: Mr. Gonzalez made a motion to impose a fine of \$100 per day effective October 14, 2021 to a maximum of \$15,000 or until compliance is achieved, Mr. Reinhart seconded the same and motion was approved 6-0.

Called for Zoom

CASE # 7 - CEB 09-21-289 - Wayne Anthony Wright 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, 304.13.2, 304.14, 304.15, 305.6, 309.2, 505.4), at **860 Winchester St.** Violation(s) – **Failure to maintain exterior protective treatment, roof, windows, screens, exterior doors, interior doors, water heater, pest control.** First Notified – 8/9/2021

Mr. Wright sworn in

Mr. Jackson confirmed **Mr. Wright** was in the passenger seat and was able to proceed with the hearing.

Inspector Clig testified to the status of the case that he had no contact no progress staff is recommending a fine of \$100 a day capped at \$10,000.

Mrs. Kuendig asked what is left to do.

Inspector Clig stated the interior hot water, and he needs to do an inspection of the interior and he is a truck driver and no contact to do the inspection yet.

Water heater still needs to be done and a roof finaled

Mr. Wright advised permit # **R2012-490** and All the interior work has been done and inspected. He can go in the building department or pull up the building department permit, and you can see where the inspection was done and all the stuff he said needed to be addressed, was addressed.

Mr. Wright stated when we spoke last when I was supposed to do a zoom meeting the last time, but I assume then I came in person, I spoke to the gentleman there and explained to him that the same day I had the meeting, right after I left the courthouse, I came on the road. I have not been in Florida since. He stated, I explained to him that I would not be in Florida until two months time and I thought we were on the same page. The only thing left to do and is because I am on the road and I need to raise up some more money to close out these permits because he was telling me that if the permits are still open, he cannot close this case and I am telling him, I need some more time. These permits the roof permit and the total renovation permit, which is what I am doing, and all of that's done pretty much. He stated he needs a countertop with a sink to get the final on the plumbing and he needs to finish his roof.

Mrs. Kuendig asked if he had someone actively working on this

Mr. Wright stated no, it was just him when he comes home he works. He pulled the owner built permits. He stated he has two permits one for the total renovation and the other is the roof. He has done the floor did the walls of bathrooms, upgraded electrical, the plumbing.

Mr. Gonzalez stated the case wasn't initiated on 8/9/21, we have to take all of it into consideration, not just the fact that he says, he's saying like the last time that he needs more time, I'm a driver, I need two months, three months, so this is going to continue, it seems. Because he is not available and to get the work done and the inspector couldn't even get in.

Inspector Clig stated that he has been working with him since last year.

Mr. Reinhart questioned that **Mr. Wright** advised he spoke to **Inspector Clig**. And **Clig** confirmed yes he told him about getting the permits finaled. **Mr. Reinhart** stated that **Mr. Wright** did not ask for more time then.

Mrs. Kuendig asked what needs to be done with the roof.

Mr. Wright stated he has to purchase and put on the shingles.

BOARD ACTION: **Mrs. Hymes** made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 4-0. Harrington/no Mrs. Robey/no. Mrs. Hymes/Yes, Mr. Gonzalez/yes, Mr. Reinhart/yes, Mrs. Kuendig/yes.

Mrs. Kuendig called case #8

CASE # 8 - CEB 08-21-244 - Robert & Gloria Long 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 **892 Derbyshire Rd. Violation(s) – Dilapidated unmaintained pool. First Notified – 8/10/2020**

Robert & Gloria Long Sworn in

Inspector Butler testified to the status of the case several contacts with property owner and minimal progress with the demolition of the pool. Staff requesting a fine in the amount of \$100 dollars a day to a maximum of \$10,000. Comments made that they have new pictures of it and we should be finished tomorrow, or by Friday.

Mrs. Long stated as far as cleaning it out, we have got one person that's supposed to start come and dump the dirt and promised to come but never showed up.

Mrs. Long stated she was gone 5years and the only one with an income.

Mr. Gonzalez stated whomever did the chipping could have bagged up some and cleaned it up.

Mrs. Long stated it was too expensive to do the pool so they have been attempting to get help

BOARD ACTION: **Mrs. Robey** made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion failed 3-3. Mr. Harrington/no, Mrs. Robey/yes, Mrs. Hymes/yes, Mr. Gonzalez/no, Mr. Reinhart/No, Mrs. Kuendig/yes.

BOARD ACTION: **Mr. Gonzalez** made a motion to impose a fine of \$50 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 5-1. Harrington/yes Mrs. Robey/no. Mrs. Hymes/Yes, Mr. Gonzalez/yes, Mr. Reinhart/yes, Mrs. Kuendig/yes.

Mrs. Kuendig called case #9

CASE # 9 - CEB 02-21-15 - Levercia Anthony is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1649 Cedar Highlands Blvd. Violation(s) – No permit, installing a roof without a permit. First Notified – 4/29/2020**

Earnest Price (son in law) & Kimberly Anthony (daughter) sworn in

Mrs. Kuendig stated this is a Probate issue; did you get an attorney yet?

Earnest Price Still waiting, talked to someone about three weeks ago and it was like; they are still trying to find someone.

Mrs. Kuendig asked **Inspector Butler** for his recommendation.

Inspector Butler testified to the status of the case since July hearing and no change in the current status, and requested a fine of \$100 a day to a max of \$10,000.

Mr. Gonzalez asked if they went to the court to the probate and ask them to appoint an administrator out of your group, your family, the court can appoint an administrator and then you do not have to bother with a lawyer, necessarily.

Mrs. Kueding stated they should not give out advice.

Mr. Gonzalez stated it was just a question.

Mr. Jackson stated that it would be the initiation of probate, and that is they have indicated they have not done. And stated if they were trying to pull it with a contractor he thinks the contractor could probably pull that permit, and does not know if they have or been told otherwise.

Mr. Price stated they could not do anything unless they went through the probate.

Captain Lee stated I think that if I recall because we have tried our best to help in this case. So what I recall best here is that the issue here is they can't pull an owner occupied permit because it's not in one of their names because they haven't went through probate and the contractor can't pull the permit because they don't have an authorization letter from the owner of the property because the owner is deceased. So that's the issue here and both of those scenarios, probate is what is holding up the issue, so they would need to initiate probate, in this case, they didn't have the funds to hire a lawyer in order to initiate probate. So we had taken an extra step, Inspector Butler took it upon himself to initiate a letter to the bar association locally to try to see if anybody would try to take it pro-bono, we let that circulate for about two months, and nobody never built any traction, were just at a point where we have to take some kind of action, but we are at a loss for any other assistance for them at this time, for this particular type of issue.

Mrs. Kuendig stated so, the court does not appoint someone to I am just asking the question.

Captain Lee stated the question that Mr. Gonzalez brought up, that is something that would happen or could happen during the probate process, and I think Mr. Jackson could probably speak to that better than I could. But that's something that happens after you initiate the probate process.

Mrs. Kuendig stated you have to have an attorney to initiate probate.

Mr. Gonzalez stated he has done two of them and the process is they will have to pay the court fee of \$500, then they will have to have an agreement as to who they choose to be the administrator, then the administrator can move forward to do the same thing that the lawyers do.

Mr. Jackson That's not matter of law but if Mr. Gonzalez has done it before then, I think maybe the question would probably be for their sake, would be going to the clerk of court and just asking the clerk of court instructions.

Mr. Harrington advised were getting way out of range here.

Mrs. Kuendig stated for Mr. Harrington to make a motion

Mr. Harrington made the motion to accept the city recommendation

BOARD ACTION: **Mr. Harrington** made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, no one Seconded, Motion failed.

BOARD ACTION: **Mr. Gonzalez** made a motion to impose a fine of \$50 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved **Mr. Reinhart** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #10

CASE # 10 - CEB 09-21-280 - Elmer L & Sarah A Flanary 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, 304.7), at **1356 Continental Dr.** Violation(s) – Unmaintained property landscaping, outdoor storage, junk vehicle and damaged fascia. First Notified – 4/27/2021

Mr. Flanary sworn in

Inspector Butler testified to the status of the case. Contact with the owner minimum progress, a lot of junk remains at the property, numerous complaints coming into our office pertaining to this property. Requested a fine in the amount of \$200 a day to a max of \$10,000.

Mr. Flanary advised I'm working on it if you look at the pictures they have cut the bushes back and called for it to be picked up and called and has not heard from him. Called waste management and they have not picked it up yet. Stated they do not scrap.

BOARD ACTION: **Mr. Reinhart** made a motion to impose a fine of \$200 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #11

CASE # 11 - CEB 09-21-283 - Jack Jarvis 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, 304.9), at **108 Hibiscus Dr.** Violation(s) – **Dilapidated over hang on carport, illegal parking & peeling paint.** First Notified – 3/10/2021

Jack Jarvis sworn in

Inspector Butler testified to the status of the case and requested a fine in the amount of \$100 to a max of \$10,000

Mrs. Kuendig advised that was all that was left last time,

Inspector Butler stated yes

Mrs. Kuendig stated and was it determined that he needs a permit or no permit?

Inspector Butler stated a survey and a permit.

Mrs. Kuendig asked if he had those.

Jack Jarvis testified that he went down after the last meeting and thought they gave you the permit that day and he had to wait 7 to 10 business days and 11 days later he got a letter stating he needed a survey because they think it sticks out to far and he stated it's been like this for 22 years. Apparently, their records only go back until 1998 and showed a list of surveyors said they are 3 to 4 months out. and does not understand why they would ask for something in 30days when they know everybody is backed up because of the pandemic.

Jack Jarvis asked permits and licensing if he cut it back to the joint will he still need a survey?

Captain Lee stated we know about the delays in the system and we know that surveys take 14 weeks and that's why we are trying to get people to move on, taking the action they need to take so when were sending notices and people aren't taking the action that they need to take, that's creating even further delay in getting things done and improved in the city, so that's why

were trying to move these things along. So in this case we need to see this move along in an expeditious manner. So if you give additional time I would encourage you to not give much.

Mr. Jarvis 14 weeks not much I can do about that.

Mrs. Kuendig asked now you have other things that evidently you need to do right?

Mr. Jarvis. No everything else is done.

Mr. Butler advised when he goes out to the properties he tries to educate them and he did this about 4 or 5 months ago.

BOARD ACTION: **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Reinhart** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #12

CASE # 12 - CEB 06-21-180 - Reginald & Gwendolyn Moore 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, 304.2, 304.7, 304.13, 304.14, 308.2.2), at **437 - 439 N Caroline St.** Violation(s) – **Outside storage, damaged windows and screens, damaged fascia boards, paint.** First Notified – 2/24/2021

Abda Ammiel sworn in (nephew) no one is living their
Inspector Fitzgerald testified to the status of the case and requested a fine for 100 a day to a max of 15,000.

Mr. Ammiel stated he stated everything that was done and screen going in, junk removed, rotten wood done and thinks everything should be done by January.

No permit for the windows yet. Only need to replace two windows on the porch and get the permit for those but is repairing the other windows.

BOARD ACTION: **Mrs. Robey** made Motion to amend the previous order of non-compliance and allow the Respondent until **November 3, 2021**, 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 4-2. (Mr. Gonzalez and Mr. Reinhart NO)

Mrs. Kuendig called case #13

CASE # 13 - CEB 06-21-185 - Jacqueline P Jackson is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8, 304.3, 304.6, 304.10, 307.1), at **811 Harrington St.** Violation(s) – **exterior steps, accessory structure roof, crawl space, no address numbers, junk cars.** First Notified – 2/25/2021

No Respondent

Inspector Fitzgerald testified to the status of the case and advised he has had contact with the owner and her representatives. A roof permit was issued on September 8, 2020, they still need to do the roof, and most of the other stuff is done, except there is still a lot of outside storage. You will see the photographs and of course, the roof on the front where the grass is growing out. Recommended a fine for \$100 a day to a max of \$10,000.

Mr. Cino asked if the address numbers are on the building and Inspector Fitzgerald stated yes. Mr. Gonzalez stated he moves we accept the cities recommendation.

BOARD ACTION: Mr. Gonzalez made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, Mrs. Hymes seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #14

CASE # 14 - CEB 08-21-239 - Carlos M Rodriguez is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 3 Sec. 3.4.S.1, at **1169 Bryn Mawr Dr.** Violation(s) – **No permit (new driveway pavers).** First Notified – 9/8/2020

Mrs. Reno advised this case was in compliance on **October 6, 2021.**

Mrs. Kuendig called case #15

CASE # 15 - CEB 09-21-284 - Brandon Beck 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, 302.7, 302.8, 304.2, 309.1), at **422 Hillside Ave.** Violation(s) – **Junk vehicle, landscaping, exterior surfaces, retaining wall.** First Notified – 7/27/2020

No Respondent

Inspector Fitzgerald testified to the status of the case and advised no contact and the progress he was making stopped and at this time, I'm asking for a \$150 a day fine to a max of \$10,000.

BOARD ACTION: Mr. Gonzalez made a motion to impose a fine of \$150 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, Mrs. Hymes seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #16

CASE # 16 - CEB 07-21-223 - Tracy Smith 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 304.7, 304.13), at **605 Willie Dr.** Violation(s) – **Damaged roof, missing siding, bare surfaces, damaged doors & windows.** First Notified – 8/4/2020

No Respondent

Inspector Kirk Testified Mrs. Smith was working and unable to attend the meeting. She has been on the city's assistance program since June 2019, She has been verifies she is on the master list, requesting to amend to the January cut off.

BOARD ACTION: Mr. Gonzalez made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Reinhart seconded the same and motion was approved 6-0.

Mr. Gonzalez asked about the cities program, and stated it was his understanding and he could have the wrong information that its backed up for 2years. People getting assistance.

Mrs. Kirk stated it was de to the covid and it was backed up but with the new fiscal year, I believe they are making progress there, going to be starting work shortly is what she heard. And as **Mr. Thomas** stated, that he did get a phone call stating that as well.

Mr. Harrington asked when you say Covid, you mean they can't get contractors. That is not an effect by money.

Mrs. Kirk stated the program was on pause during the pandemic. So that pause has been lifted to her understanding.

Mr. Harrington the cause was paused by a lack of contractors?

Mrs. Kirk stated all she knows is that it was paused by the covid 19

Mr. Harrington were talking about money here, and that has nothing to do with covid

Mrs. Kuendig stated we are moving on and not discussing covid

Mr. Harrington stated he wants to discuss when we are going to actually see some action on these programs. Just because it's the city doesn't mean it goes on forever and we don't ever take action on this board.

Captain Lee stated this might be a misc business conversation.

****Everyone agreed****

CASE # 18 - 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

Larry Sanders Sworn in

Inspector Kirk testified that **Mr. Sanders** is on the cities master list waiting for assistance the city is recommending to amend to the January cut off.

Mr. Sanders said thank you

BOARD ACTION: **Mr. Gonzalez** made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mr. Reinhart** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #19

Mr. Gonzalez stepped out 10:24am

CASE # 19 - CEB 08-21-265 - Kenneth Robinson 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. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3, 308.1), at **535 South St.** Violation(s) – **Enclosing the porch and all new windows/frames with no permit, outside storage, trash and debris, rotted wood, missing address numbers, damaged fence.**

First Notified – 10/6/2020

No Respondent

Inspector Kirk testified to the status of the case stated the permit after the fact permit is still on hold the information that was required still has not been submitted so staff is requesting a fine in the amount of \$200 a day to a max of 10,000.

BOARD ACTION: Mr. Harrington made a motion to impose a fine of \$200 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, Mr. Reinhart seconded the same and motion was approved 5-0.

Mrs. Kuendig called case #20

CASE # 20 - CEB 09-21-268 - Ernestine Johnson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec 6.12.B; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7, 308.1), at **464 S Caroline St.** Violation(s) – **Graffiti, peeling paint, exposed wood, damaged carport roof, debris, overgrown grass.** First Notified – 4/17/2021

Mrs. Ernestine Johnson sworn in

Inspector Kirk testified to the status of the case and since last hearing she was in contact with Mrs. Jonson's social worker, and she asked if there was a program that the city could assist her with due to lack of funds and being disabled. So she was referred to the city's housing assistance program. So now she is currently on that waiting list. She has been maintaining the yard, the other things that can be maintained, such as the yard and the trash and debris. So we would like to amend to the January cutoff.

BOARD ACTION: Mrs. Hymes made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 5-0.

Mrs. Kuendig called case #21

CASE # 21 - CEB 09-21-269 - Samantha R Smoke is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.13, 304.14, 305.3, 305.6, 604.3, 704.2), at **542 Live Oak Ave.** Violation(s) – **Defective interior and exterior surfaces, missing insect screens, broken windows, outside storage, missing smoke detectors, defective electrical outlets, wiring and fixtures, no permit for interior door frame.** First Notified – 4/28/2021

No respondent

Inspector Kirk testified to the status of the case and stated no progress and no contact staff is requesting a fine for \$200 a day to a max of 15,000.

Mrs. Robey asked if there was progress

Mrs. Kirk confirmed no progress

Mrs. Kuendig asked if the property was condemned

Mrs. Kirk confirmed the property was condemned for no utilities.

BOARD ACTION: Mr. Reinhart made a motion to impose a fine of \$200 per day effective **October 14, 2021** to a maximum of \$15,000 or until compliance is achieved, Mrs. Hymes seconded the same and motion was approved 5-0.

Mrs. Kuendig called case #22

CASE # 22 - CEB 09-21-286 - Alyce Thomas 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, 304.3, 304.7, 304.13, 305.5, 308.1,), at **219 N Adams St.** Violation(s) – **Damaged roof, overhang and handrails, overgrowth, dirt & grime, rotted wood, unsanitary conditions, broken windows.** First Notified – 6/28/2021

Mr. Thomas (grandson) sworn in 219 North st.

Inspector Kirk testified to the status of the case, and has had contact with Mr. Thomas and he has started work after dealing with some probate issues.

Mr. Thomas now has the deed, and **Inspector Kirk** has advised him of the permit needed to start work, after the meeting he plans on going down stairs, and he has been asking around.

BOARD ACTION: **Mr. Harrington** made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mr. Reinhart** seconded the same and motion was approved 5-0

Mr. Gonzalez returned 10:30

Mrs. Kuendig called case #23

CASE # 23 - CEB 07-21-221 - Levander A Miley 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 304.1, 304.2, 304.3, 304.7, 304.13, 304.15), at **805 Kathy St.** Violation(s) – **Unmaintained landscaping, outside storage, exterior property conditions, exterior surfaces, missing address numbers, damaged roof, broken/boarded windows, damaged exterior doors.** First Notified – 8/29/2020

No Respondent

Inspector Stenson testified to the status of the case no contact no change this property is enrolled In the city program, has been for quite some time. The city is asking for a fine for \$100 a day to a max of \$10,000.

Mrs. Kuendig questioned and stated we need to have this discussion about the city programs because your point is always consistency so if we do something for one person that's stuck in the nether land of these city permits.

Mr. Gonzalez stated But I also think that we have to take into consideration, for example, if somebody shows up and is present and standing for their issue or they just don't bother. Or they don't bother to contact the inspector

Mrs. Robey stated they should have reached out to the inspector

Mr. Reinhart stated that Mr. Stenson pointed out there has been no contact.

Mr. Gonzalez stated he motions we should accept the city recommendation and **Mr. Reinhart** seconded that motion

BOARD ACTION: **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Reinhart** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #24

CASE # 24 - CEB 09-21-273 - Lynda Greene 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, 304.13.2), at **616 Shady Pl.** Violation(s) – **Outside storage, landscaping, damaged fencing, peeling paint, exterior surface staining, broken/covered windows.** First Notified – 6/1/2021

Lynda Greene sworn in

Inspector Stenson testified to the status of the case contact has been made however a lot of work still needs to be done and requested a fine of \$100 a day for a cap of \$10,000

Mrs. Greene stated they have a contract that will not start until November with the maintenance guy that's going to come out and do the work, they are also on the Florida rebuild program, and she does not know when that's going to be done.

Ms. Destiny Greene advised the shutters are completely gone.

Mrs. Kuendig stated so you took those down, so that makes that a non-issue Mr. Stenson. Inspector Stenson stated shutters were done; there was one window that was actually boarded and one actually broken as well.

Mrs. Kuendig, So what do we have left to do hear the painting, and some window work and fence work and what? So we still have a lot to do. Board comments.

Mr. Gonzalez I would like to make a motion that we impose a fine of \$25 a day until they come into compliance.

Mrs. Kuendig asked why they haven't come into compliance yet and stated there was a motion of the floor and ask if there was a second. And Mr. Reinhart seconded the motion.

Ms. Destiny Greene answered that the contractor they have can't start until November that's the fence the windows and everything we need done.

Captain Lee stated the city's position on this would be that we would rather you extend to the next cut off or something, than do a twenty five dollar fine and then end up coming back for a lien review. It just creates additional administrative work on the back end for our staff that we have to do. So if the intent is just to give a low fine that would end up reducing for a lien review in a case where they've given you a clear established scope of work that will be done in a timeline, we would rather just amend to a timeline that the work will be done.

Mr. Gonzalez and Mr. Reinhart both stated they withdrew the motion and the second.

Mrs. Kuendig does the fence need a permit, Mr. Stenson stated he believes it can just be repaired.

Ms. Destiny Greene stated the contractor stated they will need a survey for the fence and he will assist them with that.

BOARD ACTION: Mr. Gonzalez made Motion to amend the previous order of non-compliance and allow the Respondent until **January 5, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mr. Reinhart seconded the same and motion was approved 6-0

Mrs. Kuendig called case #25

CASE # 25 - CEB 09-21-274 - Gloria J McCowen 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, 304.7), at **921 Lockhart St.** Violation(s) – **Outside storage, damaged fencing, damaged roof.** First Notified – 6/7/2021

Gloria McCowen & Angel McCowen sworn in

Inspector Stenson testified to the status of the case, has been in contact with the property owner since last hearing made significant progress and only has the roof left, the city would like to amend to the next cut off.

Mrs. Kuendig asked when you say they only have the roof, do they need a permit and a contractor and all that.

Inspector Stenson stated the contractor would make that determination.

Gloria McCowen stated she contacted total home roofing and he gave an estimate \$8,000. Then he went up and saw rotten wood and called her yesterday and told her she would need \$10,000. So she is in the process of going now when she leaves the hearing to get a loan. The contractor told her he would work with her. She stated she is trying to keep from putting another mortgage on her home

Captain Lee stated that based on those prices, it does sound like it would be work that would require a permit.

Mrs. McCowen stated he is going to do that.

BOARD ACTION: **Mr. Gonzalez** made Motion to amend the previous order of non-compliance and allow the Respondent until **November 3, 2021**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 6-0.

Mrs. Kuendig called case #26

CASE # 26 - CEB 09-21-276 - James R & Bonita B McClough 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), at **920 Lockhart St.** Violation(s) – **Unpermitted shed in front yard, peeling paint on exterior surfaces.** First Notified – 6/7/2021

No respondent

Inspector Stenson testified to the status of the case no contact he has started to paint the structure, it's far from being finished, no permit issued or applied for, for the shed in the front. The city is asking for \$100 a day to a cap of \$10,000

BOARD ACTION: **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **October 14, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 6-0.

Break 10:45

Resumed 10:57

NEW CASES:

Mrs. Kuendig called case #27

CASE # 27 - CEB 10-21-294 - William Bowie & Steven Bowie 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, 302.4, 302.7, 304.1, 304.2, 304.6, 304.7, 304.10, 304.13, 304.14, 305.6, 308.1, 309.1, 506.1, 605.1, 702.4, 704.2) City Code Ch. 90 Sec. 90-297, Ch. 26 Sec. 26-294, at 207 Pierce Ave. Violation(s) – **No smoke detectors, outside storage, overgrown grass, weeds, damaged fence, unapproved fencing, rotted wood, holes & cracks on exterior, peeling paint interior & exterior, dirt & grime exterior surface, rubbish garbage, trash & debris, unsanitary condition in the interior, insect infestation, broken windows, missing window screens, missing outlet covers, damaged roof.** First Notified – 5/7/2021

William Bowie sworn in

Inspector Garcia testified to the status of the case started as a police complaint. No contact until Tuesday October 12, 2021 for the first time.

Mrs. Kuendig asked if there was any improvement. **Inspector Garcia** advised No.

Mr. Bowie lives next-door and purchased the property approximately November 2020 about a year. The property is next door to where he lives and the condition was effecting him personally. And stated it does not look like that anymore

Mrs. Kuendig stated there are still issues, evidently that need to be addressed are you aware of that. That is why we are all here today.

Mrs. Kuendig asked what the red sign on the fence was. **Mr. Garcia** stated they are stop work orders.

Mr. Gonzalez asked about the stop work order

Mr. Garcia cleared that they need permits for the work being done.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #28

CASE # 28 - CEB 10-21-295 - Michael D Malik 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 1208 Sunland Rd. Violation(s) – **Dilapidated roof.** First Notified – 7/14/2021

No respondent

Inspector Stenson testified to the status of the case complaint driven one call from the property owner who advised that they couldn't afford the repairs or to replace the roof.

BOARD ACTION: **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mr. Gonzalez** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #29

CASE # 29 - CEB 10-21-296 - Isabelle C Rocco 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 **305 N Paul Revere Dr.** Violation(s) – **Peeling paint.** First Notified – 7/27/2021

No respondent

Inspector Stenson testified to the status of the case complaint driven no contact with property owner

BOARD ACTION: **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #30

CASE # 30 - CEB 10-21-297 - Brenda M Peterson TR 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 302.3, 304.6), at **412 Pelican Bay Dr.** Violation(s) – **Unmaintained landscaping, damaged driveway, damaged exterior walls.** First Notified – 5/14/2021

No Respondent

Inspector Stenson testified to the status of the case complaint driven property not occupied **Mrs. Robey** asked why these HOA's are not jumping on these people. **Inspector Stenson** advised he has a meeting with the Pelican Bay HOA tomorrow. They have been addressing the overgrowth.

Mrs. Robey stated when you are at the meeting, maybe you should suggest to them that they take the time and energy to get somebody to keep their lawns and all and then bill through their HOA. Instead of making, you do their dirty work.

BOARD ACTION: **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #31

CASE # 31 - CEB 10-21-298 - Delbert D Gayle is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8, 304.3, 304.7), at **925 Niles St.** Violation(s) – **Unmaintained landscaping, outside storage, parking in yard, damaged fencing, junk vehicles, no address numbers, damaged roof.** First Notified – 4/27/2021

Delbert Gayle sworn in

Inspector Stenson testified to the status of the case field generated case no contact until today. Requested compliance next cut off.

Delbert Gayle no junk vehicles all vehicle licensed and insured he can't do nothing, stated he has cancer, has hernia surgery and been sick. He stated he is fighting for his life just to even breathe. Went to the doctor last week and got sick and had no help

Mrs. Kuendig asked if he had help

Mr. Gayle stated he tried but they do not come, works here for 30 years give people work, cut trees pay his taxes and they turn back on him.

BOARD ACTION: **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 6-0

Mr. Gonzalez asked a request for the city to educate him on any resources they can help him with.

Mrs. Kuendig called case #32

CASE # 32 - CEB 10-21-300 - Patricia Hamilton Heard 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 **835 Vernon St.** Violation(s) – **Damaged roof on accessory structure.** First Notified – 6/30/2021

Patricia Heard sworn in

Inspector Stenson testified to the status of the case complaint driven

Mrs. Kuendig Is that green tarp.

Inspector Stenson stated the tarp is gone and sheet metal

Mrs. Kuendig asked if Mr. Stenson believes it is in compliance.

Inspector Stenson advised no because the roof was put on without a permit.

Mrs. Heard asked if the Code Enforcement had any openings she would like to apply.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mr. Reinhart** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #33

CASE # 33 - CEB 10-21-290 - Lawrence & Hester Grace Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.7), at **515 Ribault Ave.** Violation(s) – **Roof and drainage and inoperable vehicle.** First Notified – 7/13/2021

David grace past

Riley Grace (Son) sworn in via Zoom

Inspector Bostwick testified to the status of the case spoken with the owner a couple of times and progress has been made and the only thing left is the roof requesting compliance next cut off.

Riley Grace stated he is in the process of retaining an Attorney so he could get successor ship so he can be able to pull permits and requested until December so he get through the issues and be able to get the funds.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mr. Reinhart** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #34

CASE # 34 - CEB 10-21-291 - Ilya Kechkin & Yana Sivets 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), at **1515 S Peninsula Dr.** Violation(s) – **Peeling and fading paint on the exterior of the home.** First Notified – 5/7/2021

Yana Sivets sworn in and request more time.

Inspector Bostwick testified to the status of the case had contact with the owner a few times request compliance next cut off.

BOARD ACTION: **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mr. Gonzalez** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #35

CASE # 35 - CEB 10-21-293 - Eugene Michaelsen 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, 304.7), at **122 Cheshire Rd.** Violation(s) – **Overgrown landscaping, rust and oxidation on garage door, roof damage** First Notified – 7/20/2021

No Respondent

Inspector Bostwick testified to the status of the case no contact compliance next cut off and nobody lives there.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #36

CASE # 36 - CEB 09-21-281 - Willetta Harmon 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, 304.7, 305.6, 604.3), at **836 Berkshire Rd.** Violation(s) – **Overgrown landscaping, exposed electrical wires, dilapidated exterior doors, dilapidated fascia board and soffit, damaged exterior wall.** First Notified – 6/30/2021

No respondent

Inspector Bostwick testified to the status of the case citizen complaint one conversation and request the electrical be in compliance within 10 calendar days for electrical issues and compliance next cut off for the rest of the violations.

This is a rental property and people are living on the property

Discussion of having an auto fine, and they have to be found in non-compliance first before an auto fine can be imposed.

Mr. Jackson stated what the order would be that we'd be asking for there to be an order for them to come into compliance within 30 days and in addition as it relates specifically to the electrical the safety violation that they come into compliance within 10 days and failing either of those be subject to a fine of up to \$1,000 per day.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** and further ordered that the electric life safety issues within 10 calendar days or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 6-0

Mrs. Robey asked since it's a rental I don't know what you can do since its in such bd shape and there not talking to Mr. Butler

Mr. Cino stated that they be removed

Mrs. Kuendig asked what happens after 10 days.

Captain Lee advised the fact that you set a different compliance date for the life safety issue, if it was not corrected by that date it would allow you to enact the fine as of that date.

And any defense would be the subsequent meeting and the fine would be retroactive.

Mr. Jackson advised the board's power is the fine and the city would have to take the action for condemnation.

Mr. Gonzalez stepped out 11:31

Mrs. Kuendig called case #37

CASE # 37 - CEB 09-21-287 - Verlita M & Cebrina M Briggs is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **1142 Lewis Dr.** Violation(s) – **Dilapidated fascia, outdoor storage.** First Notified – 7/15/2021

No respondent

Inspector Butler testified to the status of the case had had contact and conducted a lot of work. Requests next cut off

BOARD ACTION: Mr. Harrington made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 5-0**

Mrs. Kuendig called case #38

CASE # 38 - CEB 10-21-303 - William I Birthrong is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19 A.3 Art. 9 Sec 9. 2A (Ref FBC Supp IPMC 304.2, 304.3), at **1241 Dal Maso Dr. Violation(s) – Overgrown landscaping, no house numbers on structure, dirt & grime. First Notified – 5/19/2021**

Mr. Birthrong sworn in

Inspector Butler testified to the status of the case had contact and some work done request compliance next cutoff

Mr. Birthrong agreed work needs done stated the picture looks worse than in person.

BOARD ACTION: Mr. Harrington made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 5-0**

Mrs. Kuendig called case #39

CASE # 39 - CEB 10-21-304 - Stephen R Jones is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2 and 304.13), at **419 Jessamine Blvd. Violation(s) – Broken windows, peeling paint, dirt & grime. First Notified – 4/1/2021**

No respondent

Inspector Yates testified to the status of the case contact with owner everything correct and the window done this morning and request next cut off

BOARD ACTION: Mr. Harrington made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mr. Reinhart seconded the same and motion was approved 5-0**

Mr. Gonzalez returned 11:35

Mrs. Kuendig called case #40

CASE # 40 - CEB 10-21-305 - Jeannine Lauren Angelotti 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 **210 University Blvd.** Violation(s) – **Damaged exterior siding.** First Notified – 3/11/2021

Jeannine Angelotti sworn in

Inspector Yates testified to the status of the case contact requested compliance next cut off.

Mrs. Kuendig stated she just needs new siding

Jeannine Angelotti stated she is not getting new siding under that is hardy board and her house used to be brown with tan, and I had a little bit of like 100 grain trim on it, had it painted white.

Mrs. Angelotti advised she never met Mr. Yates and she is in compliance

Mrs. Kuendig advised her to call Mr. Yates for an inspection

BOARD ACTION: Mrs. Robey made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 6-0

Mrs. Kuendig called case #41

CASE # 41 - CEB 10-21-307 - R. Lawrence Vandenberg is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **269 Williams Ave.** Violation(s) – **No permit for garage conversion into living space.** First Notified – 4/23/2021

Mr. Yates would like to continue this meeting because the owner can not appear due to being out of the country unable to even appear via zoom

Discussion on withdrawing vs continuing and it was agreed to continue.

BOARD ACTION: Mr. Gonzalez Motion to continue the case until November 11, 2021 meeting to return to the Board for the finding of Compliance or Non-Compliance. Mrs. Robey seconded the same and motion was approved 6-0

Mrs. Kuendig called case #48

CASE # 48 - CEB 10-21-311 - Janice H & Morris L Fulford is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref.FBC Supp.IPVC 302.7, 304.2, 304.7), at **422 Jefferson St.** Violation(s) – **Damaged roof, damaged fascia board & eaves, damaged chain link fence, paint fading and peeling.** First Notified – 5/6/2021

Janice Fulford & Paul Thomas sworn in

Inspector Fitzgerald testified to the status of the case

Mr. Thomas & Mrs. Fulford stated they put titanium on the roof until they can get it done.

Mrs. Fulford stated the fence is done too, and that she talked to the blonde, she is the one that she had talked to and they were posting the information at the wrong address. Her address is visible 422, but they kept putting it at 424

Mrs. Fulford agreed to the violation that work still needs to be done. And agreed notification has been made.

Inspector Fitzgerald advised them to check with permits and licensing for the work on the roof and make sure if they needed a permit.

BOARD ACTION: Mrs. Hymes made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mr. Gonzalez seconded the same and motion was approved 6-0

Mrs. Kuendig called case #42

CASE # 42 - CEB 10-21-318 - Syed Ali Imam is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3, at **140 S Keech St.**
Violation(s) – **Outside storage, expired repair permit. First Notified – 11/13/2020**

Ayed Ali Imam sworn in via Zoom

Inspector Kirk testified to the status of the case complaint driven contact with the owner requesting compliance next cut off.

Ayed Ali Imam advised he got a work permit which could not be extended, the building department needs a new one the building department needs and engineering plan, an architectural design and a survey. He stated, and given everything that seems to be going on, it just took me like, I mean, I just got the survey done.

Mr. Imam is still working with the engineer. Stated as soon as these documents are done, he intends to either request a renewal of the permit or just pay another fee and get a new permit and finish this work done.

Mrs. Kuendig asked what the repair permit was for.

Inspector Kirk explained the permit was applied for in April of 17, the permit expired in December of 17. in February 2021 there was communication between Mr. Imam and the building department and he was told via email what regarding what was needed to proceed to either reissue the expired permit or to have a new permit issued and there was a list of what was needed. Nothing has been done since.

Captain Lee stated just for clarification to add to what she's told you, anytime somebody pulls a permit, if they do not go through the proper inspections and finalize the permit and the permit becomes expired, if we find that later, what happens is any work that was conducted under that permit becomes work that was conducted outside of a permit because that permit was never inspected or finalized.

Mr. Imam There were inspection done on the windows. The inspector told him he Opened up a lot more than he should have and therefore he should get certain other documentation which meant getting an engineering plan of interior design work done and a survey And that is what he is doing and it is just taking a lot of time. Stated he had someone coming to clean the outside storage.

BOARD ACTION: Mr. Reinhart made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 6-0

Mrs. Kuendig called case #43

CASE # 43 - CEB 10-21-319 - Clarence Edward Walker Jr 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 302.7, 302.8, 304.2, 304.3, 304.6, 304.13, 304.15, 305.1, 305.3, 305.6, 308.1, 308.52.2, 309.1, 603.1, 604.3,605.4, 704.2), at **528 Division St.** Violation(s) – **Missing address numbers, inoperable appliances/electrical equipment, broken windows, rotted wood, damage fascia and soffit, outside storage and trash & debris, extension cords as permanent power source, inoperable vehicles on unimproved surface, missing insect screens & smoke detectors, damaged interior/exterior surfaces, damaged fence, refrigerator stored improperly, infestation.** First Notified – 4/28/2021

No Respondent

Inspector Kirk testified to the status of the case police generated has had contact with the property management company, a lot of progress requested compliance next cut off.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #44

CASE # 44 - CEB 10-21-320 - George Starks 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 304.7, 304.10, 304.13), at **441 Maple St.** Violation(s) – **Damaged exterior surfaces, damaged porch landing & roof, broken /boarded windows and peeling paint.** First Notified – 5/26/2021

George Starks sworn in via zoom

Inspector Kirk testified to the status of the case field generated and contact has been made and requested compliance by the January cut off.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #45

CASE # 45 - CEB 10-21-321 - Anthony Mclean 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 **406 Lockhart st.** Violation(s) – **Decayed and exposed wood trim.** First Notified – 6/11/2021

No Respondent

Inspector Kirk testified to the status of the case complaint generated has had contact requesting compliance next cut off.

BOARD ACTION: Mrs. Hymes made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 6-0

Mrs. Kuendig called case #46

CASE # 46 - CEB 09-21-285 - Minnie & Patrick A Torrence 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 302.8, 304.3, 304.7, 304.13), at **375 Walnut St. Violation(s) – Outside storage, junk car, fence, gutters, window, dirt & grime, damaged gutters, damaged door fram, no address numbers.** First Notified – 8/10/2020

Jeffery Torrence (son) sworn in agreed to violation

Inspector Fitzgerald testified to the status of the case and requested compliance next cut off

BOARD ACTION: Mr. Harrington made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mr. Reinhart seconded the same and motion was approved 6-0

Mrs. Kuendig called case #47

CASE # 47 - CEB 10-21-310 - Charlie Mae Arrington is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 4 Sec. 4.4.S.2, at **Fulton St (Parcel # 5238-36-10-0150).** Violation(s) – **no permit (fence)** First Notified – 5/17/2021

No Respondent

Inspector Fitzgerald testified to the status of the case requested compliance next cut off.

BOARD ACTION: Mrs. Gonzalez made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Hymes seconded the same and motion was approved 6-0

Mrs. Kuendig called case #49

CASE # 49 - CEB 10-21-312 - Uzair Shuja 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 304.10), at **116 Emmett St. Violation(s) – Outside storage, overgrowth, damaged walkway and stairs.** First Notified – 9/15/2020

No Respondent

Inspector Fitzgerald testified to the status of the case requested compliance next cut off.

BOARD ACTION: Mr. Harrington made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mr. Gonzalez seconded the same and motion was approved 6-0

Mrs. Kuendig called case #50

CASE # 50 - CEB 10-21-313 - Britt Berth Lee & Delores W Barnes is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19 A.3.c; Art. 9 Sec 9. 2A (Ref FBC Supp IPMC 301.3), at **Fulton St (Parcel # 5238-36-10-0130)**. Violation(s) – **No permit (fence / tree removal & pre-fabricated structure), outside storage, trash debris, unmaintained vacant lot, destruction of ground cover and erosion of soil**. First Notified – 7/30/2020

No Respondent

Inspector Fitzgerald testified to the status of the case requested compliance next cut off

BOARD ACTION: Mr. Gonzalez made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mr. Harrington seconded the same and motion was approved 6-0

Mrs. Kuendig called case #51

CASE # 51 - CEB 10-21-314 - Michael Andersen 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, 304.9), at **330 Jefferson St**. Violation(s) – **Damaged exterior awnings, outside storage, trash and debris, junk vehicle**. First Notified – 7/22/2021

Michael Andersen sworn in

Inspector Fitzgerald testified to the status of the case requested compliance next cut off

Michael Andersen stated when I first got the first certified letter, I went over. He stated that his grandfather passed away and he moved to his house in South Daytona and bought these houses, these crack houses basically and restored them. However, he has had two traumatic brain injuries, so he has been learning to walk and so forth. He stated he was there yesterday and the day before to do something that is not even listed on the order, a railing post that had rotted away. The tenants were on their way to get the car.

Mrs. Kuendig stated for him to stay in touch with Mr. Fitzgerald and he can tell him what work still needs to be done.

Michael Andersen stated he has been keeping the inspector informed.

BOARD ACTION: Mrs. Hymes made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Mrs. Robey seconded the same and motion was approved 6-0

Mrs. Kuendig called case #52

CASE # 52 - CEB 10-21-315 - Daryl L Jones is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19 A.3.c; Art. 9 Sec 9. 2A (Ref FBC Supp IPMC 301.3), at **Holmes Ave (Parcel # 5238-13-06-0310)**. Violation(s) – **Overgrown lot**. First Notified – 6/17/2021

No Respondent

Inspector Fitzgerald testified to the status of the case compliance next cut off.

BOARD ACTION: **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Hymes** seconded the same and motion was approved 6-0

Mrs. Kuendig called case #54

CASE # 54 - CEB 10-21-317 - Kenneth Klenk is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.3; Art. 6 Sec. 6.2.H.7.A; Art.9 Sec. 9.2.A (Ref.FBC Supp.IPMC 302.1, 302.3, 304.2), at **740 Derbyshire Rd**. Violation(s) – **Commercial & industrial equipment and trailers parking in the front yard, running a business out of a single family home with no BT, storage of building materials**. First Notified – 8/21/2020

Kenneth Klenk sworn in

Inspector Fitzgerald testified to the status of the case requested compliance next cut off.

Kenneth Klenk stated nothing is there now.

Captain Lee explained that **Mr. Klenk** could not stage commercial equipment, vehicles, and trailers, at a residential property, that stuff needs to be staged at and stored at the commercial property that is designed for that use. This is a residential neighborhood.

Kenneth Klenk asked about coming home with a trailer on his truck. And was advised by everyone to speak to the **Inspector** after the meeting.

Captain Lee stated if you were running a home based business, meaning you were running a business from, you couldn't have any equipment or anything come to your home, you couldn't bring clients to your home.

BOARD ACTION: **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **November 3, 2021** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mr. Reinhart** seconded the same and motion was approved 6-0

Misc. Business

The Board had a discussion on the use or lack of use of the CRA funds.

Adjournment: 12:30pm