

**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

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**November 11, 2021**

Members present:

Mrs. Weegie Kuendig, Chairman  
Ms. Hymes, Vice Chairman  
Mr. Neil Harrington  
Mr. Bradford Gonzalez  
Ms. Karen Robey  
Mr. Reinhart  
Mr. Riggio, 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: Mary Louise "Weegie" Kuendig Chairman

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

**Ms. Reno** called the roll.

**Mr. Harrington** motion to approve the minutes and **Mr. Robey** second the motion **6-0**.

**Mrs. Kuendig** approved the October 14, 2021 minutes.

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 & appearing via zoom

**CASE # 3 - CEB 07-21-202 - Florentin Vasiliu** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **282-284 Lexington Dr.** Violation(s) – **Rebuilding boat house without a permit.** First Notified – 3/17/2021

Appearing via zoom

**CASE # 7 - 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

Appearing via zoom

**CASE # 16 - 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

In Compliance November 10, 2021

**CASE # 23 - CEB 11-21-352 - Louis E Henry Jr & Steven Wayne & Cristin Marie Ferguson** 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), at **861 White Ct.** Violation(s) – **Outdoor storage, dilapidated flower bed, dirt & grime.** First Notified – 8/18/2021

In Compliance November 8, 2021

**CASE # 27 - CEB 11-21-332 - William A Stridiron** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3), at **Lot Ok St. (Parcel # 5238-36-09-0150).** Violation(s) – **Overgrown Lot.** First Notified – 8/11/2020

Withdrawn new owner

**CASE # 31 - CEB 11-21-344 - Nestor Reyes** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, 304.3) City Code Ch. 94 Sec. 94-56, at **883 Loomis Ave.** Violation(s) – **Dirt & grime, missing address numbers, commercial parking in residential yard.** First Notified – 5/3/2021

In Compliance November 10, 2021

**CASE # 39 - CEB 11-21-342 - Alicia Gray Perry** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **221 Georgetowne Blvd.** Violation(s) – **Unmaintained landscaping.** First Notified – 9/16/2021

In Compliance November 10, 2021

**CASE # 43 - CEB 11-21-353 - David A & Marjorie Derossett & Derossett Family Living Trust** 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 **8 Cormorant Cir.** Violation(s) – **Damaged roof.** First Notified – 5/5/2021

Appearing via zoom

Ms. Kuendig called the Inspectors that will be testifying to be sworn in.

Mrs. Reno swore in the inspectors.

Ms. Kuendig announced the hearing procedures then called case #1.

Ms. Kuendig advised calling Lien Review 1 first

### LR-1

**CEB 09-21-289 - 860 Winchester St. 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 **Violation(s) – Failure to maintain exterior protective treatment, roof, windows, screens, exterior doors, interior doors, water heater, pest control.** First Notified – 8/9/2021 **Order Imposing Fine/Lien effective October 14, 2021 \$100.00 per day to a maximum of \$10,000.00. Compliance = October 28, 2021 \$1,400.00 Plus \$24.00 recording fees = \$1,424.00**

Mr. Wright was sworn in and testified to his

Inspector Clig was asked to testified and stated he this case was a case where the gentlemen renovated his house and his roof got permits finalized. He was an out of state trucker and came into compliance relatively quick, the city is recommending a reduction of up to \$150.00.

Mr. Kuendig stated I know that you were on the road a lot and that you did a good job doing the best you could, so we will go from there.

Mr. Harrington made a motion to accept the city's recommendation of **\$150.00** Mrs. Hymes second the motion subject to being paid within 30day or the fine will revert to the original amount and the **motion was approved 6-0**

Called continued cases

**CASE # 1 - 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

**Lawrence Vandenberg** Sworn in

**Inspector Yates** testified to the status of the case advised contact has been made and the issue still remains requesting compliance next cut off.

**Mr. Vandenberg** acknowledged that the Inspector started this back in April, but he since then met with officials in the building department some months ago then again about two weeks ago and they advised Mr. vandenberg he needed to get an after the fact permit, but that turned out to be somewhat difficult to do, he advised he contacted several general contractors and one returned my phone call and he made two appointments and didn't show up for either appointment. Mr. Vandenberg went to the tenant there, and explained he might well have to move out and he said, he had a lot of friends in the building trades, and asked if he could buy the house and he agreed and sold the house and they went to settlement had has a copy of the executed deed here, so I'm all settled and done.

**Mrs. Kuendig** stated so its all settled and you don't own it anymore?

**Mr. Vandenberg** advised he does not own the house anymore, and told the buyer he would have to take on this permit obligation.

**Inspector Yates** asked for the recorded deed, and was advised he had the executed deed. Inspector Yates advised it is still owned by him as far as our understanding until it is recorded. So we would like the finding of non compliance.

**Mrs. Kuendig** questioned if the city would have to reissue something due to the sell and it was determined the city would still request the order of non compliance.

**Captain Lee** stated no change In the cities request.

**BOARD ACTION:** **Mrs. Hymes** made a 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.

**CASE # 2 - 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** testified to the status of the case, spoke to the owner Monday and has obtained a permit there is progress, failed the inspection but the very next day he went into compliance at this time we are waiting for the billing department to do the final inspection. Requesting to ament to the next cut off.

**BOARD ACTION:** **Mrs. Robey** made a 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. Harrington** seconded the same and motion was approved 6-0.

**CASE # 3 - CEB 07-21-202 - Florentin Vasiliu** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **282-284 Lexington Dr.** Violation(s) – **Rebuilding boat house without a permit.** First Notified – 3/17/2021

**Attorney Mr. Small** present at the hearing

**Inspector Garcia** testified to the status of the case stated he has had contact and progress has been made.

**Mr Gonzalez** stating the case has been before us before with the same boathouse issue, and questioned what progress has been made?

**Inspector Garcia** stated he contacted permits and licensing and they said revision and the variances has been approved, that was what was taking time and they have been approved and Permits have been issued and they have been able to move forward with the building.

**Captain Lee** stated You may recall that this was one of the projects that they started and they kind of went outside the scope of the permit, and they had to kind of pause and stop, they had to go back and get some variances. So they've gotten through that process of getting the variances and they're back on track. So it is expected that this case will move forward like it should at this point.

**Mr. Small** advises that he agrees to the February cut off and the communications are open and good.

**BOARD ACTION:** **Mr. Reinhart** made a Motion to amend the previous order of non-compliance and allow the Respondent until **February 2, 2022**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mr. Gonzalez** seconded the same and motion was approved 6-0.

**CASE # 4 - 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

**No respondent**

**Inspector Garcia** testified to the status of the case and stated he has had contact no progress and does have a life safety, the smoke detectors have not been replaced. And requested a fine of \$250 a day to a max \$ 15,000..

**Mr. Gonzalez** moved to accept the cities recommendation.

**BOARD ACTION:** Mr. Gonzalez made a motion to impose a fine of \$250 per day effective November 11, 2021 to a maximum of \$15,000 or until compliance is achieved, Mrs. Hymes seconded the same and motion was approved 6-0.

**CASE # 5 - 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 spoke to the owner and the roof has been completed and the only thing left was the soffit and fascia and the contractor will be back in three weeks to do that and requests next cut off.

**BOARD ACTION:** Mrs. Hymes made a 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. Gonzalez seconded the same and motion was approved 6-0.

**CASE # 6 - 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 stating no contact directly with the owner but progress has been made.the only thing left is a little roof damage right by the front entry recommends to amend to the next cut off.

**BOARD ACTION:** Mrs. Robey made a 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 was approved 6-0

**Captain Lee requested to call the Inspectors only remaining case**

**CASE # 22 - CEB 11-21-350 - Julie S Shepard** 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. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2), at 109 Flamingo Ave. Violation(s) – Trailer parked on grass, exposed paint on exterior of the home. First Notified – 7/28/2021

James Shepard sworn in

Inspector Bostwick testified to the status of the case and stated he did speak to the owners once on the phone, requested compliance next cut off.

Mrs. Kuendig asked what is the non-compliance issue right now?

**Inspector Bostwick** indicated via pictures and issues on the front and sides of the house and stated a trailer parking in the front yard

**Mr. Shepard** advised the house would be painted and the stucco repair would be taken care of by March and stated he was new to Florida and did not understand the rules, **Mrs. Kuendig** advised him that his inspector would help him with that.

**Mr. Gonzalez** motioned to except the cities recommendation

**BOARD ACTION:** **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**Called case #7 zoom** however he was unavailable at this time and we will call it later.

**Called case #8**

**CASE # 8 - 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 Butler** testified to the status of the case no contact and ordered the life safety issues be corrected in 10 days and as of today, there has been no contact and no progress, staff requests a fine of \$300 per day, starting 10/21 with a max of \$15,000

**Mrs. Kuendig** asked so it was an electric issue that was the life safety issue **Inspector Butler** stated yes

**Mrs. Kuendig** asked if there were tenants in there

**Inspector Butler** advised yes to tenants and stated they also had a rental case open.

**Mr. Gonzalez** motioned to except the cities recommendation.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of **\$300** per day effective **November 23, 2021** to a maximum of **\$15,000** or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0.

**Discussion with the city Attorney Mr. Jackson on the tenants and it was stated that was beyond the scope of the board and the staff would monitor.**

**CASE # 9 - 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

**No Respondent**

**Inspector Butler** testified to the status of the case has had contact with the owner and has done a lot of work on the property and the recommendation was to amend to the next cut off.

**BOARD ACTION:** **Mrs. Robey** made a 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 was approved 6-0

**CASE # 10 - 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** sworn in

**Inspector Stenson** testified to the status of the case and requested compliance next cut off.

**BOARD ACTION:** **Mr. Gonzalez** made a 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

**CASE # 11 - 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 and stated no contact no progress and requested a fine **Mrs. Kuendig** asked if someone lived at that property and it was stated yes

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of **\$100** per day effective **November 11, 2021** to a maximum of **\$10,000** or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0.

**CASE # 12 - 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 and stated no contact no progress and requested a fine

**Mr. Harrington** asked if the property was occupied and it was stated that it was not.

Discussion on the violation and it was advised this was a complaint driven case.

**Mrs. Robey** asked for verification that she was getting her notices and the inspector advised the property had to be posted every time.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of **\$100** per day effective **November 11, 2021** to a maximum of **\$10,000** or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0.

**CASE # 13 - 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**

**Mr. Harrington** advised this was complaint driven by the association.

**Inspector Stenson** advised it was complaint driven and stated he has had no contact; the grass was cut by an unk person and requested a fine.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of **\$200** per day effective **November 11, 2021** to a maximum of **\$10,000** or until compliance is achieved, **Mr. Reinhart** seconded the same and motion was approved 6-0.

**CASE # 14 - 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

**No respondent**

**Inspector Stenson** advised the status of the case and advised he had no contact and advised city recommends a fine of \$100 a day to a max of \$10 thousand.

**Discussion on the owner's health and the situation**

**Mr. Gonzalez** motioned for motioned that we go \$50 dollars a day instead of \$100 a day due to the conditions of the situation and discussion to not being able to get the work done and why they wanted to go to the \$50 a day.

**Inspector Stenson** stated the case was field generated

**Mr. Gonzalez** stated he would take my motion back and go with the city's recommendation of \$100 a day **Mr. Reinhard 2<sup>nd</sup> motion**

**Mrs. Kuendig** asked if there was any more discussion

**Mrs. Robey** asked to amend it to the next meeting, just in case he might have been in the hospital

**Mr. Gonzalez** stated there is a motion on the floor and **Mrs. Kuendig** stated we're going to vote on that all in favor of the motion is to impose a fine of \$100 dollars a day up to 10k effective today. Roll call

**Mr. Harrington/no , Mrs Robey/no, Mrs. Hymes/no,Mr. Gonzalez/ yes, Mr. Reinhart/yes , Mrs. Kuendig/no**

**Motion failed**

Another motion to Amend to the January cut off.

Discussion on consistency and fairness and how willing and proactive he was.

**Gonzalez/no Reinhart/no**

**Mrs. Kuendig** voted yes made the vote 4/2 and the case will be heard again in January.

**BOARD ACTION:** **Mrs. Hymes** made a 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 4-2

Called case #7 available via zoom

**CASE # 7 - 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

**Mr. Ali Imam** sworn in

**Inspector Sara Kirk** testified to the status of the case and has had contact requested a fine in the amount \$100 and up to \$15k. permit expired 12/10/18 and no new application.

**Mr. Ali Imam** stated it is not that I have not applied for a permit, was asked to renew the permit and when I went to renew the permit, there were certain requirements, additional requirements that were imposed, which required me to go to an engineer, and required him to get some architectural designs. That in itself is taking time. We are also in a period where we have certain supply side issues in the supply chain, so this is not something that he wants to do immediately, even after he got the requisite work done by the engineers and the design team. and its not that he has not contacted the design team and most of that is almost done, but it has taken some time. **Mr. Imam** stated he wanted to make a clarification that he is on the same page as the building department which is that he wants to renew or get a new one. However the way we have approached to the point where we are now, the building department has looked at certain Florida building code regulations and in his humble opinion, interpreted them in a manner which is not what they appear to say prima facie. So he would like to submit something in writing as to which will outline when he initially got the permit in 2017, when the permit was extended on account.

**Mrs. Kuendig** stated it has been some time since this issue, its been a year since first notified of this and the permit expired in 2018 a year before that, two years before that, and stated she is having a hard time getting into all these little details right now that you want to get into, when you know what needs to be done and you've known what needs to be done.

**Mrs Turner** stated there was other things right? There was outside storage that has been removed.

**Inspector Kirk** stated there was a lot of work that was completed the building department did an inspection and also has an email from Mr. Imam stating what he did, he replaced, removed and replaced the siding, removed and replaced all the windows, repair of the roof, repair of the front porch and replaced rotted wood, and it was an incomplete permit it was never finalized. In 2018 he was notified what was needed and he still hasn't brought that forward.

**Mr. Imam** stated he lived in connecticut.and would work on the house when he would visit Florida in the winters.

**Mr. Kuedig** stated he might want to get somebody else to work on the house.

**Mr. Imam** stated yes the building department asked him to get a survey done asked to get floor plans done. He stated he was asked to get the sealed engineering design done.

**Captain Lee** stated a lot of conversation about what's occurring between him and the building department, which is nothing that's in the purview of this of the board and not anything that code enforcement can affect or resolve for him, if he is having a disagreement about the interpretation of a Florida building code theres a way that he can appeal, that theres a way that he can challenge that, but he has to go through that process and that is not here today, its not in front of the board.

It was stated the conversation was dragging out and muddying this up when the city has made a very generouos, request of \$100 a day.

**Mr. Gonzalez** motion to except the city's recommendation and a second from **Mrs. Hymes**.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of **\$100** per day effective **November 11, 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** advised the board decided to issue a fine.

**CASE # 15 - 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

No Respondent

**Inspector Stenson** advised the status of the case and advised has been a contractor enlisted, permits have been pulled and the final inspection is scheduled for today, requested to amend to the next cut off.

**BOARD ACTION:** **Mrs. Hymes** made a 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

**Case #16 in compliance.**

**CASE # 17 - 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 frame, no address numbers.** First Notified – 8/10/2020

**Jeffery Torrance** (son) sworn in

**Inspector Fitzgerald sworn in at this time** advised the status on the case the property has had progress, had contact with the owner, minimum progress they removed a lot of the outside storage, but they still have a lot of outside storage, also, the paint on the eaves hasn't been painted.

**Mrs. Kuendig** asked if any permits are needed and she was advised no.

**Inspector Fitzgerald requested a \$100 a day fine to a maximum of \$15,000.**

**Mrs. Kuendig** stated this was over a year ago when they were notified and asked who lives there.

**Mr. Torrance** acknowledged that he does live in the home. **Mr. Torrance** advised he works long and didn't notice the paint issue but he did get most of the outside storage done. He did not know he had to remove the ladders and the lawn mower.

**Mrs. Robey** asked if he got rid of the junk car and fixed the fence.

**Mr. Torrance** The junk car is gone.

**Mrs. Kuendig** asked how long is it going to take you to do the rest?

**Mr. Torrance** stated he is on vacation next week, so I have got it done next week maybe two weeks at the max.

**Mrs. Kuendig** stated if he gets extra time, you're going to have plenty of time to do all that so if we gave you that time and you came back in January and it wasn't done.

**Mr. Torrance** Yes Ma'am, I understand

**Mrs. Kuendig** but you have made some progress, whats the discussion from the board.

**Mrs. Robey** stated any motion to amend to the next cut off to give them the time, I mean our job is not to keep fining people, but if he's making progress.

**Captain Lee** stated that is not the testimony of the inspector. The individual testified thatches making progress the inspectors said that there is minimal progress at best.

**They had discussion on dates and looking through the photos.**

**BOARD ACTION:** **Mrs. Robey** made a motion to amend the previous order of Non-Compliance and allow respondent until December 1, 2021 to come into compliance or impose a fine in the amount of \$100 per day effective December 1, 2021 to a maximum of \$15,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0.

*Mr. Harrington requested to receive the Auto Fine in writing.*

**CASE # 18 - 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.IPMC 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

**No Respondent**

**Inspector Fitzgerald** testified to the status on the case, no contact since last hearing no permit issued, no progress requested a \$100 dollar a day fine to a max of \$15,000.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective November 11, 2021 to a maximum of \$15,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0.

**CASE # 19 - 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 Anderson Sworn in

Inspector Fitzgerald testified to the status on the case, has had contact since last hearing the junk car has been removed, the awning still needs to be painted. Requested a \$100 dollar a day fine to a max of \$15,000.

Mrs. Kuendig stated the junk vehicle has been removed, what about the outside storage and trash?

Inspector Fitzgerald stated yes the outside storage has been removed and the only thing left is the painting.

Discussion on it being peeling paint and if he can get it done now. And not being able to get a hold of anyone last week.

Mr. Gonzalez requested and made a motion to exercise this auto fine which is used because it seems a similar situation and Mr. Harrington agreed the fine would be ridiculous.

Mr. Gonzalez made a motion that we give them an extension to come into compliance by December 1<sup>st</sup> and if not, then on that same day the cities recommendation of \$100 a day would start.

**BOARD ACTION:** Mr. Gonzalez made a motion to amend the previous order of Non-Compliance and allow respondent until **December 1, 2021** to come into compliance or impose a fine in the amount of **\$100** per day effective **December 1, 2021** to a maximum of **\$15,000** or until compliance is achieved, Mrs. Robey seconded the same and motion was approved 6-0.

Captain Lee advised how to contact the front desk if he cannot get a hold of Inspector Fitzgerald and the front desk would get the supervisor Mr. Jones.

**CASE # 20 - 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 on the case, has had contact since last hearing they have made good progress requesting to amend to the next cut off.

Discussion on the clean up and how the fence line and underbrush has to also be taken care of. Sometimes staff has to circle back and have them address those after the fact.

**BOARD ACTION:** Mr. Harrington made a 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 was approved 6-0

**CASE # 21 - 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

**Mr. Klenk** sworn in

**Inspector Fitzgerald** testified to the status on the case, has had contact yesterday, some progress made, the glass door still needs a permit and the concrete driveway still needs to be repaired asking for a fine of \$100 a day to a cap of \$15,000.

**Mrs. Kuendig** asked to look at the pictures, she takes notes but is missing the way it was and the way it is. Asked what was left to do.

Inspector Fitzgerald stated and shown in pictures, the concrete driveway and the outside storage. Minor outside storage left. And advised he does not believe they are operating the business out of the house.

**Mr. Klenk** stated In fact, Tuesday I came up here to find somebody that I could talk to to get some power so I could because this gentleman right here, they gave me officer Scott Lee's number, I called officer Scott Lee and told him the situation, and then I got another call Wednesday, and I talked to code enforcement officer there, he went over the whole case with me and told me everything I had was all right, and he told me the only thing that I needed.

**Mrs. Kuendig** asked whom did he speak to and **Mr. Klenk** stated he did not know. After I dialed the number and talked to him, somebody else called me up. Captain Lee advised he spoke to **Mark Jones** he was in the room. Mr. Klenk and we talked about everything else and he said that the only thing that I didn't have that they looked way back was permit on the sliding glass door so I went down and right away yesterday and got all the stuff ready, and the only thing I have to do is I got to get a number on the door.

Discussion on the case and not being able to get ahold of the Inspector.

**Supervisor Jones** testified he talked with him about his BT that he was noted for, I do know that and am familiar that he does have a business in the county off Tomoka farms, we talked about the vehicles, he did explain that he had parked them at one time, we talked about how those are not allowed to be on the site. We did talk about the sliding glass door and stated it had been there forever, though if you go back through photos from as far as from 2017, there was a different door that was installed there, it was a French door, two French doors, so this would have required a permit, and that was explained to him.

Discussion on the doors and concrete not being on the violation now and that cannot be ruled on at this time and request to amend to review the inconsistency in this notice versus the first notice.

**Mr. Gonzalez** would make a motion to accept the city's last recommendation of giving an extension to amend to the next cut off.

**BOARD ACTION:** **Mr. Gonzalez** made a 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** stated the rules and cut off timing for January

Called case #23 In compliance

Called case #24

Mr. Harrington stepped out at 10: 27

**CASE # 24 - CEB 11-21-354 - Velma Elizabeth Lloyd** 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, 302.8, 304.3), at **1609 Florida St.** Violation(s) – **Unmaintained landscaping, no house numbers, dilapidated fence, junk vehicles.** First Notified – 8/18/2021

**Roy Simmons (cousin)** sworn in

Attorney Jackson asked if Mrs. Lloyd said it was okay for him to speak on her behalf.

**Roy Simmons (cousin) stated yes and that Velma lives in Houston Texas**

**Inspector Butler** testified to the status on the case had several contacts with the property owner, staff request finding of non compliance and compliance next cut off.

**Mrs. Kuendig** reviewed the current violations and what is left to get in compliance.

**BOARD ACTION:** **Mr. Reinhart** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**Mr. Gonzalez** asked for Mr. Simmons to finish what he was saying

**Mr. Simmons** asked if case #45 could be heard also.

**CASE # 45 - CEB 11-21-324 - Willie Mae Llyod** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.7) City Code Ch. 78 Sec. 78-112, at **N Segrave St (Parcel # 5338-48-00-0050).** Violation(s) – **Overgrown grass & weeds, damaged fence, trash & debris.** First Notified – 7/21/2021

**Mr. Roy Simmons (nephew)** already sworn in previous case

**Mrs. Robey** asked if the property was occupied and it was confirmed it is a vacant lot.

**Inspector Garcia** testified to the status of the case and requested 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 **January 5, 2022** 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 5-0

Mr. Harrington returned at 10: 33

**CASE # 25 - CEB 11-21-359 - Anthony Jackson** 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 304.7, 304.14), at **1241 Cadillac Dr. Violation(s) – Illegal parking, damaged fascia and dilapidated screen on porch.**

First Notified – 7/6/2021

**No respondent**

**Inspector Butler** testified to the status of the case has had contact and work in progress 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 **January 5, 2022** 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

**CASE # 26 - CEB 11-21-331 - Connie L & William E Frady** 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 301.3, 302.8), at **717 Winchester St. Violation(s) – Parking on the grass in front yard, junk vehicle, outside storage, trash & debris.** First Notified – 5/8/2021

**No respondent**

**Inspector Fitzgerald** testified to the status of the case PD towed the vehicles and requested compliance next cut off.

**BOARD ACTION:** **Mr. Reinhart** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

### **Case # 27 Withdrawn**

**Mr. Gonzalez** asked why it was withdrawn

**Mr. Jackson** stated that when a case is placed on the agenda they are still within the ultimate decision of the staff on whether they are going forward or not, so the staff can withdraw and it is really outside the board's purview.

**Captain Lee** stated it was withdrawn to add the new owner.

**CASE # 28 - CEB 11-21-333 - Ted Brousseau, Jr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC

301.3), at lot **Fulton St (Parcel # 5338-70-00-0440)**. Violation(s) – **Overgrown Lot**. First Notified – 7/30/2020

**No respondent**

**Inspector Fitzgerald** testified to the status of the case and asked for 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 **January 5, 2022** 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

**CASE # 29 - CEB 11-21-356 - Jeffrey Micheal & Jae Louise Gates** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4), at **222 N Hollywood Ave**. Violation(s) – **Unmaintained property, the back garage is unsecured, backyard high grass and weeds**. First Notified – 1/26/2021

**No respondent**

**Inspector Fitzgerald** testified to the status of the case and asked for compliance next cut off.

**Mr. Harrington** asked if it was vacant and **Inspector Fitzgerald** advised, no he lives there, advised he did speak to the owner yesterday and he was ill but he said he would have it done by the 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 **January 5, 2022** 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

**CASE # 30 - CEB 11-21-343 - Nestor Reyes & Mabel Briones** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.a; City Code Ch. 94 Sec. 94-56, at **501 S Keech St**. Violation(s) – **Parking, commercial vehicles in residential yard, RV, outside storage**. First Notified – 4/23/2021

**Nestor Reyes & Mabel Briones** sworn in

**Inspector Kirk** testified to the status of the case had contact and progress requested compliance next cut off.

**BOARD ACTION:** **Mr. Reinhart** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**Case #31 In compliance**

**CASE # 32 - CEB 11-21-345 - Daisy M Broxton Est** 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, 304.13), at **322 Lockhart St.** Violation(s) – **Inoperable vehicle(s), damaged fascia and window.** First Notified – 5/3/2021

**Mr. Raynard Broxton (son) sworn in**

**Inspector Kirk** testified to the status of the case had contact with Mr. Broxton and 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 **January 5, 2022** 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

**CASE # 33 - CEB 11-21-357 - Caroline T Knox Trustee of the David Stephen Silva Trust** 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 702.3), at **211 Lockhart St.** Violation(s) – **Outside storage and egress doors nailed shut.** First Notified – 8/30/2021

**No Respondent**

**Inspector Kirk** testified to the status of the case had contact with the David Silva inspected the property yesterday, one of the doors is still nailed shut and there is still outside storage. Staff is requesting a finding of noncompliance within five days to correct the life safety issue of the egress door.

**Mr. Gonzalez** question for the lawyers and this type of situation with the safety issue. Can we do, that they need to come into compliance in five days, if not a fine can start.

**Mr. Jackson** stated no, but yes, we can do what she is asking, which is the two orders. But we can't do the auto fine.

**Captain Lee** stated what that order does, it allows you to do is when you come back next time, you can start the fine back when that five days ended, like we did in a previous case earlier.

**Mrs. Robey** asked if he was okay.

**Inspector Kirk** stated officer Lampe accompanied her to the residence on her initial inspection, and then another police officer showed up who was also familiar with Mr. Silva and the Police Department is familiar with him and he is ok but she thinks there are some issues (its known)

**Mrs. Robey** stated usually people like that; usually nail their doors shut from the inside. He may re-nail it after the inspection, and suggested more inspections.

**Inspector Kirk** confirmed the entry was through the window.

Discussion with what the actual life safety date would be and it was decided to pick the date and have in the order.

**Mrs. Robey** asked if this was like a will fine

**Captain Lee** advised you've made a finding of non-compliance, that's as good as that of a will fine. So if it was to repeat after that, then we could bring it back before you as a repeat violation, it would also have that enhanced penalty by statute for being a repeat violation.

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** And it is further ordered the life safety issues be corrected by **November 16, 2022.** 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.

**CASE # 34 - CEB 11-21-335 - Patricia Ann & John Christopher Reen** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **625 N Halifax Ave #8**. Violation(s) – **No permit for pouring new concrete porch area**. First Notified – 5/1/2021

**Mr. Reen** sworn in

**Inspector Yates** testified to the status of the case had contact with the occupants, but at this point, no permit has been pulled, asked for noncompliance with compliance next cut off.

**Mr. Reen** stated he has been to get a permit and he was advised to get a contractor to pull it. so when the disaster happened, the first time he did.

**Mrs. Kuendig** asked what disaster.

**Mr. Reen** the disaster was they poured a hot load of concrete and nothing was done.

**Mrs. Kuendig** asked who was "they".

**Mr. Reen** advised it was the people he hired to do the job and he came in and took it all out and cleaned up and hired someone to do the job and he didn't pull the permit. So he advised he can't get ahold of the contractor to get the permit, and he was advised that Permits and Licensing is where he needs to get the info on what and how to get the permit.

**BOARD ACTION:** **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

Break 11:02

Returned 11:08

**CASE # 35 - CEB 11-21-336 - Evanthia & Constantinos Dossa** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7), at **1118 Bel Aire Dr**. Violation(s) – **Dilapidated fence**. First Notified – 4/30/2021

**No Respondent**

**Inspector Yates** testified to the status of the case, had contact with the owner and they have now hired a fence company to get it replaced, they said it should be fully done in December and permitted, 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 **January 5, 2022** 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

**CASE # 36 - CEB 11-21-337 - Gerard M Janicek** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **714 N Oleander Ave.** Violation(s) – **No permit for deck.** First Notified – 2/16/2021

**Mr. Janicek** sworn in  
**Yates** testified

**Inspector Yates** to the status of the case, had contact with the owner but at this point no permit has been pulled asking for compliance next cut off.

**Mr. Janicek** stated that it was his garage apartment, working for two years on his house and he thought he didn't need a permit because he was replacing wood and was told because it was structural and he contacted permits and licensing who told him as a homeowner, he cannot pull a structural permit and needed a survey and it took over 8 weeks finally got one then went back and was told he now needed a general contractor and it took three to four months to find somebody that was willing to submit the permit, even though they didn't do the work. Finally got somebody, the general contractor submitted the permit at the very end of May and my neighbor around the corner on Glenview, who is a draftsman but not licensed here in Volusia county or Daytona Beach did his own drawings for over two years and renovate his entire house with never being denied, about four weeks later got a call from the contractor stating the permit was denied because they had just hired a new guy from Flagler county that is denying everything.

**Mrs. Kuendig** stated to get whatever you need done you have got now until the end of January to get it done. January 5, 2021.

**Mr. Janicek** Stated he has called multiple engineers since the summer and none are taking work or they're too busy, and they're six to eight months out.

**Mr. Janicek** was advised to bring all correspondence back even the ones that don't respond to show he is making an effort.

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**CASE # 37 - CEB 11-21-340 - Daniel O Yancey** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.13), at **723 N Peninsula Dr.** Violation(s) – **Broken windows.** First Notified – 6/9/2021

**Mr. Yancey** sworn in

**Inspector Yates** status of the case, had contact but the issue remains and requests compliance next cut off.

Conversation on compliance and stated if he replaces he needs a permit if he repairs the glass he will not

**Mr. Yancey** stated he has talked to permits and licensing and he understands.

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** or be returned to a

subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Reinhart** seconded the same and motion was approved 6-0

**CASE # 38 - CEB 11-21-341 - Ronald Pavloer EST** 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 **364 Hartford Ave.** Violation(s) – **Damaged soffit and fascia, outside storage, dirt and grime, overgrown landscaping.** First Notified – 6/29/2021

**No Respondent**

**Inspector Yates** testified to the status of the case, had no contact asked for compliance next cut off and the house is vacant

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**Case number #39 In Compliance November 10, 2021**

**CASE # 40 - CEB 11-21-347 - Zhuangren Liu & Li Ding** 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 **100 Potomac Ln.** Violation(s) – **Landscaping (dead tree), junk vehicle.** First Notified – 5/21/2021

**No Respondent**

**Inspector Stenson** testified to the status of the case and has been in contact with the property owner requests 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 **January 5, 2022** 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

**CASE # 41 - CEB 11-21-348 - Nealy J & Brian F Walton** 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 **948 Pelican Bay Dr.** Violation(s) – **Damaged roof.** First Notified – 8/24/2021

**Mr. Walton** sworn in

**No Respondent**

testified to the status of the case and

**Inspector Stenson** has been in contact with the property owner who advises that they are in litigation with their insurance company. Requests compliance next cut off.

**Mr. Walton** stated they have been in back and forth with the insurance company for close to a year now, actually the three different appeals and processes and the most recent was denied

by the insurance company, and he does live there for about 2 ½ years. The most recent denial was 11/3/21 he signed a retainer with an attorney 11/4/21, notice to litigate was filed 11/8/21.

**Mr. Walton** stated, so that is where they are at right now.

Mrs. Kuendig stated if not in compliance by January 5, 2021 then bring some documentation so they can see that he is actively trying to get this accomplished.

**BOARD ACTION:** **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**CASE # 42 - CEB 11-21-349 - Richard Frank & Karin Marie Wierman** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.7), at **105 Green Heron Ct.** Violation(s) – **Peeling paint, rotting wood.** First Notified – 8/25/2021

**Mr. Wierman** sworn in

**Rosina Cerone-Dwyer** Sworn in (neighbor-witness)

**Inspector Stenson** testified to the status of the case and has been in contact with the property owner requests compliance next cut off.

**Mr. Wierman** advised homeowners association had a meeting and waiting for the repairs to be approved so they can get the permit, they have the paperwork for the permit, just has to fill them out and file them.

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**CASE # 43 - CEB 11-21-353 - David A & Marjorie Derossett & Derossett Family Living Trust** 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 **8 Cormorant Cir.** Violation(s) – **Damaged roof.** First Notified – 5/5/2021

**Mrs. Derossett** sworn in

**Inspector Stenson** testified to the status of the case and has been in contact with the property owner requests compliance next cut off, and advised permits will be required

**Mrs. Derossett** advised they are trying to get the insurance company help to resolve the issue, she stated they are going to get roof repaired at their own expense and spoke to an attorney who advised an inspection is need and the insurance company reinspection so everyone is on the same page.

**BOARD ACTION:** **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

**CASE # 46 - CEB 11-21-325 - Retina & Patrick Pouolin** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; City Code Ch. 78 Sec. 78-112, at **Jefferson St (Parcel # 5338-82-00-0330)**. Violation(s) – **Overgrown vacant lot**. First Notified – 8/11/2021

**Mr. Pouolin** sworn in

**Inspector Garcia** testified to the status of the case and the property was abated by the city, it was taken care of by the city, cut by the city and has not had contact with the owner until today and requests an order on non-compliance/compliance.

**BOARD ACTION:** **Mrs. Hymes** made motion to find the Respondents previously in Non-Compliance but currently in Compliance and any future violation, be returned to a subsequent meeting for the consideration of a fine up to \$5,000 per occurrence and case be dismissed. **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 44 - CEB 11-21-355 - Melanie S Rocque** 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 302.8, 304.6, 304.15), at **812 Iron Horse Dr**. Violation(s) – **Parking in yard, outside storage (basketball hoop), junk vehicle, exterior wall staining, dilapidated exterior door**. First Notified – 9/7/2021

**No Respondent**

**Inspector Stenson** testified to the status of the case, contact with the owner and they are working on the violations, request 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 **January 5, 2022** 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

**CASE # 47 - CEB 11-21-326 - Nellie B. Robinson** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; City Code Ch. 78 Sec. 78-112, at **Jefferson St (Parcel # 5338-82-00-0320)**. Violation(s) – **Overgrown vacant lot**. First Notified – 8/11/2021

**No respondent**

**Inspector Garcia** testified to the status of the case, had no contact with the owner requests order of non-compliance/compliance for the will-fine, its adjacent to the property just heard and the same situation.

**BOARD ACTION:** Mrs. Robey made motion to find the Respondents previously in Non-Compliance but currently in Compliance and any future violation, be returned to a subsequent meeting for the consideration of a fine up to \$5,000 per occurrence and case be dismissed. Mr. Gonzalez seconded the same and motion was approved 6-0

**CASE # 48 - CEB 11-21-327 - Frank Rabboh** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **Kingston Ave (Parcel # 5338-08-00-0290)**. Violation(s) – **Overgrown vacant lot, trash & debris**. First Notified – 8/4/2021

**No Respondent**

Inspector Garcia testified to the status of the case, had no contact with the owner requests compliance by the 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 **January 5, 2022** 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

**CASE # 49 - CEB 11-21-328 - Herbert Green, Jr.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; City Code Ch. 78 Sec. 78-112, at **825 George W Engram Blvd (Parcel # 5338-67-00-0020)**. Violation(s) – **Overgrown grass & weeds, outside storage, trash & debris**. First Notified – 7/14/2021

**No Respondent**

Inspector Garcia testified to the status of the case, had no contact with the owner requests compliance by the 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 **January 5, 2022** 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

**CASE # 50 - CEB 11-21-329 - Randy Rocco et al & Thomas Bolick** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; City Code Ch. 78 Sec. 78-112, at **N Frederick Ave (Parcel # 5238-30-03-0230)**. Violation(s) – **Unmaintained overgrown lot**. First Notified – 8/9/2021

**No Respondent**

Inspector Garcia testified to the status of the case, had no contact with the owner requests compliance by the 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 **January 5, 2022** 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

**CASE # 51 - CEB 11-21-351 - Edythe P Fernando EST C/O Cecelia Reid** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.c; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3) City Code Ch. 78 Sec. 78-112, at **530 Shady Pl (Parcel # 5339-03-69-0060)**. Violation(s) – **Overgrown grass & weeds, trash & debris**. First Notified – 8/5/2021

**No Respondent**

**Inspector Garcia** testified to the status of the case, had no contact with the owner requests compliance by the next cut off

**BOARD ACTION:** **Mr. Reinhart** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **January 5, 2022** 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

1. **Miscellaneous Business**

**MB-1**

**CEB 06-21-188 - 723 Madison Av John D Smith % Dezzie Smith-Walker Trustee** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 302.8), at Violation(s) – **Damage structure garage door, junk car**. First Notified – 6/9/2020 **Order Imposing Fine/Lien effective August 12, 2021 \$100.00 a day to a maximum of \$10,000. Fine is currently running.**

**Captain Lee** advised contact by the owner and it was discovered that based on just a scrivener's error, we sent the hearing notices in every notice beyond to the wrong address and it should have went to an address in Lauderdale, and he believes it went to the actual property here, and because of that error of due process, we just simply are asking you to vacate the fine, we will give proper notice.

**BOARD ACTION:** Mrs. Hymes made motion to vacate Fine. Mr. Harrington seconded the same and motion was approved 6-0

**Discussion on meeting with Mr. Feacher in January and email any question to Captain Lee to streamline the process**

**Discussion on any new applications to fill the Board vacancy.**

**Discussion on the new anonymous law.**

**Rule of six.**

**Doors nailed shut.**