

**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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**January 13, 2022**

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. John Stenson, Code Inspector  
Mr. Roosevelt Butler, 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. Reinhart, Ms. Robey, Mr. Harrington, Mr. Gonzalez, Mrs. Hymes, Mrs. Kuendig

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

**Mrs. Kuendig** asked if there were any announcements

**Ms. Reno** made the following announcements

**Page#3 LR-4 appearing via zoom**

**Page#4 LR-5 and LR-6 appearing via zoom**  
**Page#5 LR-7 appearing via zoom**

**CASE # 2 - 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

**In Compliance January 12, 2022**

**CASE # 5 - 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 Business Tax Receipt, storage of building materials.** First Notified – 8/21/2020

**In Compliance January 6, 2022**

**CASE # 18 - 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

**In Compliance December 15, 2021**

**Page# 10 Case #22 CEB 10-21-320 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 #23 first.

**CASE # 23 - 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** sworn in and testified

**Inspector Kirk** testified to the status of the case advised he is returning and he is on the cities rehab list, roofing assistance list, city has begun the first process the intake stage and it is at the next phase he would be receiving quotes for a new roof and requesting to amend to the April hearing.

**BOARD ACTION:** **Mr. Harrington** made motion to amend the previous order of non-compliance and allow the Respondents until **April 6, 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.

**CEB - 05-17-60 - 113 Mason Park Dr. Miguel Atariguana & Christina L. Helgemo** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.1), Violation(s) – **Junk and trash in the front yard**. First Notified – 2/14/2017. **Order Imposing Fine/Lien effective June 8, 2017 \$250.00 a day to a maximum of \$15,000. Compliance = November 4, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Miguel Atariguana & Christina & Ronald Helgemo** sworn in

**Mr. Helgemo** stated the signature on the card Mr. Atariguana did not recognize the signature on the green card. And was unaware of the violation

**Mrs. Helgemo** advised there was a storm and the plywood was probably for repairs. He was in the hospital at the time and was unable to do the repair.

**Mr. Gonzalez** asked for clarification how he became aware of the false signature on this notification.

**Mr. Helgemo** advised when he was selling a piece of property it came up and they found out in December 2021.

**Mrs. Helgemo stated Mr. Atariguana** has not received anything except the letter of compliance.

**Mr. Harrington** noted the violation was junk and trash.

**Inspector Butler** testified to the status of the case, and requested administrative fees of \$1000.00.

**BOARD ACTION: Mr. Gonzalez** motioned to Reduce the fine to \$1000.00 payable within 30 days of the order or it reverts to the original amount **Mr. Reinhart** seconded the motion approved 6-0

## LR-2

**CEB 05-21-116 - 1912 S Peninsula Dr. Johnny Bret Jones** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec.3. 4.S.1, Violation(s) – **No permit for storage shed**. First Notified – 8/19/2020 **Order Imposing Fine/Lien effective June 10, 2021 \$100.00 a day to a maximum of \$15,000. Compliance = October 4, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Mr. Johnny Bret Jones** sworn in and testified he originally filed for the permit in September 24 2020, and not sure what happened, got admin closed or something. Covid was going on, people out of the office, the code officers went into the hospital, changed several times. First person retired. The last two hearings he was supposed to come to the board meetings he had accidents preventing him from attending. Tried to get a variance/ exception and needed a survey. Then went the path of a permit.

**Mr. Bostwick** testified to the status of the case requested a reduction to \$7500

**Mr. Gonzalez** motion to reduce the Lien to \$1000 for keeping all things equal like the last case.

**Captain Lee** advised they are not equal that is why there is a different request. The impact of the violation in this case, significant amount of things going on this property, issue relating to failing to get a permit for over a year before getting a fine in place, And having the fine run from June 10<sup>th</sup> to October 4<sup>th</sup> before corrections made. Motion on the floor from Mr. Gonzalez to reduce the lien to \$1000. Hearing none, advised will except another motion. Mr. Reinhart motioned to reduce to \$7500. Failed. Mr. Harrington made a motion to reduce the Lien to \$2500

**BOARD ACTION:** Mr. Harrington motioned to reduce the fine to \$2500.00 payable within 30 days of the order or it reverts to the original amount Mr. Gonzalez seconded the motion approved 6-0

### LR-3

#### **CEB 04-05-166 - 440 Pine St (Parcel # 5338-93-03-0110) - Session Services**

**Inc** is cited for failure to correct violations of The Land Development Code, Art. 18 Sec. 18.7, Violation(s) – **Exterior walls, roof parts, including rafters, soffit, fascia, gutters and downspouts, roof covering, landscaping.** First Notified – 2/14/2005 **Order Imposing Fine/Lien effective June 03, 2005 \$200.00 a day to a maximum of \$15,000. Compliance = November 30, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Johnny Van Session** advised notices the first notice shows 2/14/05, states he never received the notice, he did get information later on in June 2005 at that time went to the city and requested permit to demolish the property they gave it back about June 10, 2005 had it demolished and nobody went back to check it and here in 2021 trying to sell and found it has a lien on it and never new anything about it.

**Mrs. Robey** asked Mr. Session if he called anyone when the demolition was done. Mr. Session did speak to the inspector prior, stated he was in between trips and said he would check it out, so he thought it was done.

**Mrs. Kuendig** advised Mr. Stenson is out and Mr. Jones was here.

**Field Supervisor Jones** testified to the status of the case. And requested a reduction to \$1500.00

**BOARD ACTION:** Mr. Gonzalez motioned to reduce the fine to \$1500.00 payable within 30 days of the order or it reverts to the original amount Mr. Reinhart seconded to motion approved 6-0

### LR-4

**CEB 06-21-177 - 1342 Killian St. - Mariano Rosa** 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, 304.3), Violation(s) – **Unmaintained landscaping, damaged fencing, peeling/faded paint, no address numbers.** First Notified – 3/9/2021 **Order Imposing Fine/Lien effective July 08, 2021 \$100.00 a day to a maximum of \$10,000. Compliance = September 15, 2021. \$10,000.00, plus \$24.00 recording costs = \$10,024.00**

Karen Torres (Daughter) sworn in testified to the status of her father's case who is in full dementia, bed, and wheelchair bound. He was found July 3, 2021 in the woods in South Carolina, after an accident suffering a heart attack and stroke. The police department notified them. They had requested two wellness checks during covid in May trying to take care of a couple things. Since July brought him back to her home where nurses are taking care of him. In addition, once they found the letters brought the place into compliance and requested to have fees waived.

Mr. Gonzalez asked when they found out, it was advised in August, and the Sister went to the home.

Mr. Jones request to waive the fines.

**BOARD ACTION:** Mrs. Hymes motioned to waive the fine to \$0.00 Mr. Gonzalez seconded to motion 6-0

## LR-5

**CEB 06-21-195 - 3 Braddock Ave. - Paul Minor** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, Violation(s) – **Overgrown vacant lot**. First Notified – 2/17/2021 **Order Imposing Fine/Lien effective July 08, 2021 \$200.00 a day to a maximum of \$15,000. Compliance = November 04, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Mr. Ulrich** is the attorney handling the estate. Mr. Minor died February 18, 2021 they did not find out until June when going through his things. Advised they really did try to do the work and recognize the lien. They did pay six separate vendors and three who did not do the work they were hired to do. Atlantic Tree Company was the final one who did do the bulk of the work even took them a month. In addition, requested a reduction to \$7500.00. Answered the estate is new. Mr. Bostwick advised they would accept the reduction to \$7500.00

**BOARD ACTION: Mr. Gonzalez** motioned to reduce the fine to \$7500.00 payable within 30 days of the order or it reverts to the original amount **Mrs. Hymes** seconded to motion 6-0

## LR-6

**CEB 05-21-139 - 1222 Midway Blvd. - Susan E Ondris-Cox** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), Violation(s) – **Damaged roof**. First Notified – 2/26/2021 **Order Imposing Fine/Lien effective June 10, 2021 \$100.00 a day to a maximum of \$15,000. Compliance = October 25, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Ms. Susan Ondris-Cox Michael Cox** sworn in  
Michael Cox advised they would like to request the reduction to \$2000.00 due to caring for a sister and helping with grandkids.

**Field Supervisor Jones** stated the city is in acceptable to reducing the lien to \$2000.00.

**BOARD ACTION: Mr. Gonzalez** motioned to reduce the fine to \$2,000.00 payable within 30 days of the order or it reverts to the original amount **Mrs. Hymes** seconded to motion 6-0

## LR-7

**CEB 08-14-86 - 231 Reva Street - Veronica T. Burch** is cited for failure to correct violations of The Land Development Code, Art. 18 Sec. 7.3.1; Art. 19 Sec.1.1 (Ref. FBC 105.1); Art. 8 Sec. 4.1, Violation(s) – **Outside storage of building materials or waste materials; no permit; encroachments in the public right-of-way are not permitted**. First Notified – 6/24/2014 **Order Imposing Fine/Lien effective September 11, 2014 \$100.00 a day to a maximum of \$10,000. Compliance = December 14, 2021. \$10,000.00, plus \$24.00 recording costs = \$10,024.00**

No Respondent

**BOARD ACTION:** Mr. Gonzalez motioned to deny request Mr. Reinhart seconded to motion 6-0

### **Called zoom case #22**

**CASE # 22 - 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

**Cynthia Smith Starks** sworn in (wife)

Inspector Kirk testified to the status of the case advised has had contact and progress, requested to amend to the next cut off.

Mrs. Starks advised her and her husband have been hospitalized.

Inspector Kirk stated they have started the work and requested compliance next cut off.

Clarification on the ruling from next cut off and the order being called as March 2, 2022.

**BOARD ACTION:** Mr. Reinhart made motion to amend the previous order of non-compliance and allow the Respondents until **March 2, 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.

Clarification on the ruling from next cut off and the order being called as March 2, 2022.

**CASE # 1 - 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

**No Respondent**

Inspector Bostwick Testified to the status of the case, has spoken to Mr. Grace, no progress, requested a fine for One hundred dollars to a max of ten thousand dollars

**BOARD ACTION:** Mrs. Robey made a motion to impose a fine of \$100 per day effective **January 13, 2022** to a maximum of \$10,000 or until compliance is achieved, Mr. Reinhart seconded the same and motion was approved 6-0

**CASE # 3 - 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 had contact with the owner requested a fine for One hundred dollars to a max of ten thousand dollars.

Mrs. Kuendig asked what the owners said. Inspector Butler advised they kept saying they would get it done.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$100 per day effective **January 13, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mr. Reinhart** seconded the same and motion was approved 6-0

**CASE # 4 - 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. 9.2.A (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**

**Field Supervisor Jones** testified to the status of the case advised work was done but not completed. This is a vacant lot, it was discussed they are responsible for taking away their own waste, and getting it removed. Recommendation was a fine for \$250 a day up to Fifteen thousand dollars.

**BOARD ACTION:** **Mrs. Hymes** made a motion to impose a fine of \$250 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 6 - 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**

**Field Supervisor Jones** testified to the status of the case advised no contact and no progress. Recommendation was a fine for \$250 a day up to Fifteen thousand dollars.

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$250 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0

**CASE # 7 - CEB 11-21-356 - Jeffrey Michael & 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**

**Field Supervisor Jones** testified to the status of the case advised has had no contact and some progress. Recommendation was a fine for \$100 a day up to Ten thousand dollars.

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$100 per day effective **January 13, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 8 - CEB 11-21-324 - Willie Mae LLOYD** 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. Simons** sworn in

**Inspector Garcia** testified to the status of the case and stated he has had contact with the owner and he has made significant progress and requested to amend to the next cut off.

**Mr. Harrington** asked who the actual owner is.

**Mr. Simons** advised family member's two daughters and a son from Willie Mae Lloyd who live in Texas.

**BOARD ACTION:** **Mr. Reinhart** made motion to amend the previous order of non-compliance and allow the Respondents 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. **Mrs. Hymes** seconded the same and motion was approved 6-0.

**CASE # 9 - 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 Ingram 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 and stated he has had no contact with the owner and no progress, recommending a fine for Two hundred fifty dollars a day up to fifteen thousand dollars.

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$250 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 6-0

**CASE # 10 - 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 Fredrick 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 and stated he has had no contact with the owner and no progress, recommending a fine for Two hundred fifty dollars a day up to fifteen thousand dollars.

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$250 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 11 - CEB 11-21-351 - Edythe P Fernando EST** 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 PI (Parcel # 5339-03-69-0060)**. Violation(s) – **Overgrown grass & weeds, trash & debris**. First Notified – 8/5/2021

**No respondent**

**Inspector Garcia** submitted a letter from Ms. Huger along with pictures who is one of the complainants.

**Mrs. Kuendig** read Ms. Huger's letter, camping out negative activity been taking place. Property needs to be cleaned up to help our neighborhood be safer and healthier, unacceptable to live in

these horrible conditions. Regrets not being able to be present this morning (accepting social distancing) but requesting that we read this.

**Inspector Garcia** testified to the status of the case and stated he has had no contact with the owner and no progress until lately, it is unknown who started this work.

**Mrs. Kuendig** asked the Captain if the city would go in and clean the lot up since it is causing all these problem and send them the bill.

**Captain Lee** discussed that this does happen sometimes, and he is not aware of an issue where he was involved with this property but it could be something where the city manager got involved or another department got involved, if there was a health safety problem going on, an encampment, sometimes they lead to unsanitary conditions related to human waste, needles and things like that and the city has to go in and remove all that debris and encampment and get it out of there. Usually we know about that so he suggested that this is probably somebody connected to the property owner but it could have easily been the city and we were left out of the loop.

**Inspector Garcia** discussed the numerous calls and the complaints and traffic that was going through, and pointed out the path and dumping, Mrs. Kuendig ask what the recommendation was.

**Inspector Garcia** recommended a fine for Two hundred fifty dollars a day up to fifteen thousand dollars.

**Mr. Gonzalez** asked if it was in the board's purview to ask the city to clean it up and charge the owner. Mr. Cino advised they could ask

**Inspector Garcia** referred to a special magistrate case he had and recommended a \$500 a day fine.

**Captain Lee** stated typically based on the inspector's testimony with the circumstances that he expressed we would usually double our request to five hundred dollars a day to a max of fifteen thousand dollars. Advised he will look into it and see if it needs to be addressed further, based on the last picture seen, it looks like the health safety issue might have been abated enough to where we might not have to address it now as far as an immediate concern. In addition, we do not want to take on the additional work that the property owners should be doing.

Mr. Harrington stated I voted in favor of this and asked when they reach fifteen thousand is that the time we take other action or that is the end of it?

**Captain Lee** stated what typically happens especially in vacant lot cases is, that when they reach their maximum fine that is around the time in which the city evaluates the process of foreclosing on the property and speak to legal, they do an assessment of it and that process proceeds forward based on the evaluation of whether it's in the best interest of the city.

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$500 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 5-1 (Gonzalez)

**CASE # 12 - 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**

**Field Supervisor Jones** testified to the status of the case advised has had no contact and no change to the property. Recommendation was a fine for \$200 a day up to Ten thousand dollars. Mrs. Kuendig asked about the health of the owner if this was the correct one. Mr. Sykes advised yes this was the respondent. Discussion on amending to the next cut off or continuing

the case. Mrs. Kuendig advised next cut off. Discussion on this case being exceptional and warranting of the extra time and the inspector not being present to answer questions from the Board.

**BOARD ACTION:** Mr. Harrington made motion to amend the previous order of non-compliance and allow the Respondents 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. Mrs. Robey seconded the same and motion was approved 6-0.

**CASE # 13 - 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  
**Field Supervisor Jones** testified to the status of the case advised a permit has been issued for this work per trakit and scheduled for a final inspection today and requested next cut off.

**BOARD ACTION:** Mrs. Hymes made motion to amend the previous order of non-compliance and allow the Respondents 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 # 14 - 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  
**Nealy Walton** sworn in

**Field Supervisor Jones** testified to the status of the case advised has had one email contact and no change to the property. Recommendation was a fine for \$100 a day up to Ten thousand dollars.

**Mrs. Walton** stated they have been in a battle with the insurance company which has lasted over a year, brought a letter from the attorney dated January 4, 2022 we are in an active lawsuit with the insurance company since the appearance before this board on November 11 2021 had two meeting both are required meetings when pursuing a legal case against an insurance company. On December 20, 2021, we had a call with our insurance company regarding our claim. On January 4, 2022, we had a mediation meeting with our attorney. The results were unsatisfactory and our case has now escalated, our attorney has filed suit against the insurance company and we are asking for more time as our attorney is advising us not to proceed with repairs to the property while our legal case is active and pending resolution.

**Mrs. Kuendig** discussed how she remembers the last time the owner was asked to bring documentation and that thanked her for bringing that. Mr. Cino asked to see the documentation.

**Mr. Harrington** discussed if the tarps are working Mrs. Walton stated the winds have been ferocious so the tarp is shredding. Mr. Harrington stated you live there so you want to have a safe environment. Mrs. Walton stated yes. Mr. Harrington said you could fight over this money forever. Discussed the attorney advising not to do repairs

**Mr. Gonzalez** has a question for the lawyers. While they are in litigation does that affect our ability to do any fines or anything like that, Mr. Cino advised no it would not affect and stated he does not know why they would not want to mitigate the damages.

**Captain Lee** discussed taking care of the problem would prevent further damage. An in addition to that it would give a hard number as to what the losses or cost of repairing those damages which would make the argument more sound and easier to make for the lawyer.

**Mr. Hymes** stated from personal experience if she fixes it she loses.

**Mrs. Walton** stated they are doing what the lawyer has recommended. Discussion of how much of the roof is tarp. **Mrs. Robey** asked to fine the owner to motivate the lawyers and advised the lien review process.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$25 per day effective **January 13, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 15 - 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

**Field Supervisor Jones** testified to the status of the case advised no change and no permit application for the roof repair as of yesterday. Recommendation was a fine for \$100 a day up to fifteen thousand dollars.

Mrs. Derossett June 7<sup>th</sup> sent Inspector Stenson an email as to the progress; she stated they are still in litigation too with an attorney against their insurance company, which damages to their roof has not been resolved, and there intention is to still move forward to repair the roof at their expense. They have sent Pelican bay architectural review committee a processing form to approve the shingles they selected that was approved by cypress cove sub association on December 13, 2021 and is now in the hands of the pelican bay owners and once they approve it R & K Roofing has been contracted to seek permits from the city which they say takes about two weeks and once they get city approval they will order the materials for the roof, and with supplies as they are it will take four to six weeks so the timing to get the roof repaired is by March 14, 2022 or that week of.

**BOARD ACTION:** **Mrs. Robey** made motion to amend the previous order of non-compliance and allow the Respondents until **April 6, 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 # 19 - 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 Oleander Ave** Violation(s) – **No permit for deck.** First Notified – 2/16/2021

**Mr. Gerard Janicek** sworn in

Inspector Yates testified to the status of the case the owner has been able to get a hold of his drawings and there now in a contracted engineers hands for the final stamp so they should be able to get things done in the next month and requests next cut off.

**Mr. Gerard** advised he gave the inspector a call last week it just took time get a draftsman and engineer to stamp it. The works done and just needed to do a couple things to make it in compliance. Should be done next week

**BOARD ACTION:** **Mr. Harrington** made motion to amend the previous order of non-compliance and allow the Respondents 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. **Mrs. Robey** seconded the same and motion was approved 6-0.

**CASE # 24 - 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 to the status of the case and confirmed Mr. Sanders is on the cities rehabilitation housing assistance program and that he is on the master list as well as the roofing list requested to amend to the April cut off. Mr. Sanders did receive a call from the midtown redevelopment director for his case.

**BOARD ACTION:** **Mrs. Robey** made motion to amend the previous order of non-compliance and allow the Respondents until **April 6, 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.

**# 16 - 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

No Respondent

**Inspector Yates** advised there is a new owner and would like to amend to next cut off for them to be properly noticed. Captain Lee asked if he had the new owner and wanted to announce it as part of the record. Mr. Yates stated he did not have it in front of him.

**BOARD ACTION:** **Mrs. Hymes** made motion to amend the previous order of non-compliance and allow the Respondents 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. **Mrs. Robey** seconded the same and motion was approved 6-0.

**CASE # 17 - 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

**Inspector Requested dismissal**

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

**CASE # 20 - 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 Peninsular Dr.** Violation(s) – **Broken windows.** First Notified – 6/9/2021

No Respondent

**Inspector Yates** testified to the status of the case no contact and no progress since last hearing

**BOARD ACTION:** **Mrs. Hymes** made a motion to impose a fine of \$100 per day effective **January 13, 2021** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 6-0

**CASE # 21 - 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 no contact and no progress since last hearing

**BOARD ACTION:** **Mr. Reinhart** made a motion to impose a fine of \$100 per day effective **January 13, 2021** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0

**CASE # 25 - 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

**No Respondent**

**Inspector Kirk** testified to the status of the case and confirmed Mrs. Johnson is on the waiting list, she is further down on the list so this one is going to be a little bit of time. Requested to amend to the April cut off and have a closer date by then.

**BOARD ACTION:** **Mr. Harrington** made motion to amend the previous order of non-compliance and allow the Respondents until **April 6, 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 # 26 - 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

**No Respondent**

**Inspector Kirk** testified to the status of the case since last hearing minimal progress only cutting the front glass not the back and only received one voice mail late last week stating unable to get the permits. Requested a fine in the amount of two hundred a day to a max of Ten thousand.

**Captain Lee** discussed this is a problem for law enforcement and multiple arrests made from People trying to squat and reside in there. **Mr. Gonzalez** requested to raise the fine to \$500 to a maximum of fifteen dollars (non-homesteaded property) or compliance is achieved.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$500 per day effective **January 13, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Reinhart** seconded the same and motion was approved 6-0

**CASE # 27 - 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 to the status of the case since last hearing she confirmed Mrs. Smith is on the master rehab list and asked for the April cut off.

**BOARD ACTION:** **Mr. Reinhart** made motion to amend the previous order of non-compliance and allow the Respondents until **April 6, 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 # 28 - 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 since last hearing life safety has not been corrected inspection on November 10, 2021 one egress door was opened but the front door is still nailed or sealed shut. The outside storage also remains, re-inspected the exterior yesterday there has been no contact other than the November 10, 2022 re-inspection.

Mr. Harrington questioned the life safety is that the doors are nailed? Inspector Kirk stated yes both entry and egress doors were nailed shut, when she re-inspected on November 10<sup>th</sup> Mr. Silva was able to open one door but the front door is sealed.

**Discussion on compliance noncompliance and the life safety issues and the next step is to impose a fine and see if that motivates the folks involved here to correct the violation If it does not make them take the corrective action at that point then it is on staff members to make a decision of what process would be next whether that means condemning the property whether that means seeking some type of injunction or something like that, that is a decision that would be made.**

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$500 per day effective January 13, 2022 to a maximum of \$10,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 5-1 (Hymes)

Mrs. Kuendig advised the board needed to vote on a Chair and Vice-Chair

Mr. Gonzalez motioned to Appoint Mrs. Kuendig as Chairman and Hymes Seconded 7-0

Mrs. Robey motioned to Appoint Mrs. Hymes as Vice-Chairman and Mr. Reinhart Seconded 7-0

**Mrs. Kuendig** asked about a date for the workshop.

**Captain Lee** advised there was some confusion and his intention was to have it in the evening time so the public could attend and learn as well but the dates looked at where in the daytime so we are still trying to work that out. The public can attend to learn not to really participate. Discussion on the new law being discussed at the last two code stat meetings and how it is not as much a topic of conversation now because most people know about it.

**8. Adjournment: 11:20 am**