

**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, Matthew Reinhart & Katherine Marsh**

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**February 10, 2022**

Members present:

Mrs. Weegie Kuendig, Chairman  
Mr. Neil Harrington  
Mr. Bradford Gonzalez  
Ms. Karen Robey  
Mrs. Katherine Marsh  
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. 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 9:02 a.m.

**Ms. Reno** called the roll. All present except Mrs. Hymes and Mr. Reinhart.

**Mr. Gonzalez** Motioned to excuse Mrs. Hymes and Mr. Reinhart and **Mr. Harrington** Seconded the motion was approved 5-0.

**Mr. Harrington** motioned to approve the January 12, 2022 and January 13, 2022 minutes **Mr. Gonzalez** 2<sup>nd</sup> the motion passed 5-0.

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

Mr. Cino explained what Ex Parte Communications meant to new board member Katherine Marsh.

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

Ms. Reno announced the following cases in Compliance and the ones appearing via zoom.

Pg. 2 LR-1 CEB 09-20-171 **appearing via zoom**

Pg. 3 Case#2 CEB 07-21-202, 282-284 Lexington Dr. **appearing via Zoom**

Pg. 3 Case#4 CEB 01-22-50 405 Wisteria Rd **appearing via zoom**

Pg. 4 Case#8 CEB 006-21-188 723 Madison Ave **appearing via zoom**

**CASE # 10 - CEB 01-22-10 - Bessie Morris** 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, 304.3), at 1223 Sunset Cir. Violation(s) – Landscaping, peeling paint, no address identification, dilapidated fence. First Notified – 7/15/2021

**In compliance 2/9/2022**

**CASE # 11 - CEB 01-22-12 - Alissa Breanna Crawford** 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 1657 Wimberly Cir. Violation(s) – Dirt and grime on the exterior structure. First Notified – 7/22/2021

**In compliance 2/7/2022**

**CASE # 12 - CEB 01-22-14 - Florenda G & Juan F Lopez Jr** 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 136 Maplewood Dr. Violation(s) – Peeling paint. First Notified – 6/28/2021

**In compliance 2/7/2022**

Pg. 6 Case#16 CEB 01-22-27 815 Vernon St **appearing via zoom**

Pg. 6 Case#17 CEB 01-22-28 941 Kathy St **appearing via zoom**

**CASE # 20 - CEB 01-22-30 - Monir Y. EL Farra** 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 (Ref. FBC Supp. IPMC 302.8) City Code Ch. 90 Sec. 90-297, at 121 Lockhart St. Violation(s) – Inoperable vehicles, parking in the grass, unlicensed business. First Notified – 7/9/2021

**In compliance 2/9/2022**

Pg. 8 Case#24 CEB 01-22-39 528 S Caroline St **appearing via zoom**

Pg. 11 Case#37 CEB 02-22-61 524 George St **appearing via zoom**

Pg. 13 MB-1 CEB 10-21-318 140 S Keech St **appearing via zoom**

Mr. Kuendig stated the procedures and called the first case LR-1

**LR-1**

**CEB 09-20-171 - W Intl Speedway Blvd (Parcel ID# 533902570160) Arkady Izrailov & Gregorey Izrailov** is cited for failure to correct violations of The Land Development Code, Art. 9

Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.2, 308.1), Violation(s) – Vacant lot, outside storage, trash & debris, damaged concrete based and metal light pole (must be removed), damaged concrete curbing, damaged asphalt, damaged accessory structures, damaged monument and soil erosion. First Notified – 2/6/2020 **Order Imposing Fine/Lien effective October 8, 2020 \$300.00 a day to a maximum of \$20,000. Compliance = November 22, 2021. \$20,000.00, plus \$24.00 recording costs = \$20,024.00**

**Mr. Izrailov** sworn in

**Mr. Izrailov** testified saying they were not aware of the original fine once notified it accumulated to \$20,000. Throughout the course of ownership of this property, they had maintained it regularly and they do have receipts for that they did spend over \$7,000 to be in compliance. The property was placed for sale and is one of the reasons to remove the lien. Due to covid, they were no longer able to maintain the property so that's pretty much the story and he sent all the receipts they have to get the property in compliance. They did everything that all inspectors asked them. Mr. Fitzgerald and Mr. Sykes. Discussed the receipt for the \$7000.00 and other misc. receipts he sent in. Discussed the Green card being signed by the nephew and they never knew about it until notified by the attorneys when they put the property for sale.

**Inspector Fitzgerald** testified to the case, played a phone message from the respondents brother dated September 2020 and then showed a list cases and Lot clearance liens filed. Requested no reduction

**Mr. Gonzalez** motioned to accept the city's recommendation and not reducing

**Mr. Izrailov** asked to reduce it the \$7000 they spent to put it in compliance.

**Mr. Gonzalez** made the observation that although they paid \$7000 they have been in different violations since 2006.

**Mrs. Kuendig** asked if they have a 2<sup>nd</sup> to the motion

**Mr. Robey** 2<sup>nd</sup> the motion in favor of not reducing the lien. 5-0

## **CONTINUED CASES:**

**CASE # 1 - CEB 01-22-03 - William Paul Larsen & Kimberly Sue Larsen** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 832 Donnelly PL. Violation(s) – Parking on grass, roof in disrepair, porch screens missing, dirt and grime. First Notified – 6/11/2021

No respondent

**Inspector Clig** testified to the status of the case stated he had contact with the owner permit issued for the demolition January 28, 2022.

Discussion on rebuild florida paying for the demolition and it was confirmed, Inspector requested compliance next cut off.

**BOARD ACTION:** **Mrs. Robey** 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. **Mr. Harrington** seconded the same and motion was approved 5-0.

**CASE # 2 - 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 Jay Small** appeared via zoon provided his address 625 E Robinson St Orlando Fl. **Inspector Garcia** testified to the status of the case had contact with the Attorney and progress being made and requested to amend the cut off to the May cut off. Permits in place. **Mr. Small** was asked if he had anything else to add and he did not. **Mr. Gonzalez** asked if the Chair recognized his vote. Captain Lee stated the clerk had the vote. **Mr. Small** asked for the name of the board member who voted no and Mrs. Kuendig advised that it was Mr. Gonzalez.

**BOARD ACTION:** **Mrs. Robey** made motion to amend the previous order of non-compliance and allow the Respondents until **May 4, 2022** to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 4-1 (Gonzalez).

**CASE # 3 - CEB 01-22-07 - Leroy J Parsells et al** 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 302.1, 304.2), at 416 Eastwood Ln. Violation(s) – Dirt and grime, exposed paint on exterior surface. First Notified – 8/19/2021

**No Respondent**

**Inspector Bostwick** testified to the status of the case and stated he has had no contact and no progress and requested a fine of 100 a day to a max of \$15,000. Discussion on if the property is vacant and secured. Mr. Bostwick confirmed it was vacant and no signs of anyone breaking in.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 5-0

**CASE # 4 - CEB 01-22-50 - Latisha Marie Winters** 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, 304.2, 304.4), at 405 Wisteria Rd. Violation(s) – Exposed paint, overgrown landscaping, no premises identification. First Notified – 9/23/2021

**Mr. Matt Winters** Husband sworn in

**Inspector Bostwick** testified to the status of the case. Advised he has been in contact with the owner and asked for a fine.

**Mr. Winters** advised they have looked for someone to help maintain the property, they had arrangements for the man to maintain the property and found out they did not. Mr. Winters came down when he could get off work and mowed and cleaned until his mother got sick and went back home. They finally got ahold of somebody on January 28<sup>th</sup> which is All Seasons lawn and landscape and they're only available February 11<sup>th</sup> and go out to take care of that and two weeks scheduled out to be painted. Requesting an extension and show, they have a contract now for the landscaping.

**Ms. Robey** asked for clarification on the premise numbers and **Mr. Winters** acknowledged he understood and was having numbers put on the house. Motioned to amend since he had contract and starting work tomorrow.

**BOARD ACTION:** **Mrs. Robey** 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. **Mr. Harrington** seconded the same and motion was approved 5-0.

**CASE # 5 - 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

**Inspector Yates** advised he would like to extend the case to notify the new owner. **Captain Lee** advised Robert Benjamin Rowley is the new owner  
**Mr. Jackson** asked for the motion to add the new owner

**BOARD ACTION:** **Mrs. Robey** 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. **Mr. Marsh** seconded the same and motion was approved 5-0.

**BOARD ACTION:** **Mr. Gonzalez** Motion to add the new and **Mrs. Robey 2<sup>nd</sup>** passed 5-0

Clarification for the cut of date in the order is March 2<sup>nd</sup> not march 3<sup>rd</sup> as originally stated.

**CASE # 6 - 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. Janicek** sworn in

**Inspector Yates** testified to the status of the case he has had contact and progress and permit issued and requested for compliance next cut off

**Mr Janicek** stated he has work to do and will keep in touch with Kevin.

**BOARD ACTION:** **Mrs. Robey** 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. **Mr. Harrington** seconded the same and motion was approved 5-0.

**CASE # 7 - CEB 01-22-02 - Sophie De Lannoy** 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 302.4, 304.7), at **669 Kingston Ave.** Violation(s) – Damaged roof, overgrown yard, outside storage, trash and debris. First Notified – 6/15/2020

**No Respondent**

**Inspector Fitzgerald** testified to the status of the case no contact no progress and requested a fine.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 5-0

**CASE # 8 - CEB 06-21-188 - 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; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **723 Madison Ave.** Violation(s) – Damaged structure, damaged garage door, junk car. First Notified – 6/9/2020

**Dezzie Smith-Walker** sworn in 5711 NW 13<sup>th</sup> st Lauderdale FL

**Inspector Fitzgerald** testified to the status of the case advised they need a permit and repair the garage. Requested 100 a day to a max of 10,000.

**Mrs. Smith-walker** advised the permit was in the system and the demo company mow Muscles of Titusville FL.

**Captain Lee** advised they need demo license with Volusia County and Gas Company received gas disconnect, needs demo license # from Volusia County.

**Captain Lee** also asked to amend the request to 15, 000 max, and the property is not Homestead property.

Discussion on where responsibility lies and if or who was notified on the demo license and who was occupying the property, A family member is occupying the home and it was decided the max fine would go back to 10,000.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$50 per day effective **February 10, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 4-1 (Kuendig)

**CASE # 9 - CEB 01-22-06 - Andrea L Julmisse** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **311 Lane St.** Violation(s) – Damaged border knee wall, damaged fence, damaged fascia board, outside storage, dirt and grime, yard overgrowth, high grass and weeds. First Notified – 9/15/2021

**Inspector Fitzgerald testified the property is in compliance January 26, 2022.**

**Mrs. Kuendig** stated case 10, 11 and 12 are in compliance and called case number 13

**CASE # 13 - CEB 01-22-16 - Maebell Bizzell** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1058 N Libby Ct.** Violation(s) – No permit (Roof). First Notified – 8/18/2021  
Annett Pratt daughter sworn in

**Inspector Butler** testified to the status of the case stated he has had contact with the owner who has contacted an attorney to assist with the probate process and now has a contract of representation and requested to amend to the next cut off.

**BOARD ACTION:** Mr. Gonzalez 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. Ms. Robey seconded the same and motion was approved 5-0.

**CASE # 14 - CEB 01-22-21 - Anthony R Ammons SR & Kamlyn V. Ammons** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.6,304.,304.08, 304.12, 304.13.2, 304.7 and 304.14), at 329 Michigan St. Violation(s) – Damaged fencing, exterior walls, damaged/missing lattice, dilapidated stairs/handrails, broken windows, damaged roof, missing screens. First Notified – 9/22/2021

Mr. Jackson testified to the status of the case stating there was a notification error and requested to eliminate the finding of non-compliance and dismiss the case. Clarification on the process before the board was the case had improper notification (due process issue) and the wish was to vacate the order of non-compliance and dismiss the case to give proper notice and allow time for compliance and if they don't come into compliance then the case could come back before the board.

**BOARD ACTION:** Mr. Harrington made a motion to vacate finding of Non Compliance and dismiss case. Ms. Robey seconded the same and motion was approved 5-0

**CASE # 15 - CEB 01-22-25 - Jacquelyn Cord-Phinisee** 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 302.7 302.8), at **642 Shady PL**. Violation(s) – Parking in front yard, damaged fencing, junk vehicle. First Notified – 9/30/2021

No Respondent

Field Supervisor Jones testified to the status of the case no contact vehicle in yard was removed, it is in the driveway with expired tag requested a fine in the amount of \$100 to a maximum \$10,000

Captain Lee stated this might be a good time to use the Auto Fine since it was a minor violation and would stop it from coming back in front of the board.

Mr. Jones would continue to get ahold of them to seek compliance.

Mrs. Kuendig confirmed Mr. Jones would notify the owner know she had ten days to comply.

**CASE # 16 - CEB 01-22-27 - Marie Carolle Catul** 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 **815 Vernon St**. Violation(s) – Damaged fencing. First Notified – 10/23/2021

Ms. Catul sworn in

Mr. McCrary witness sworn in

Field Supervisor Jones testified to the status of the case had contact no progress requested a fine in the amount of 100 a day with a cap of 15,000. Case opened back in October 2021.

Ms. Catul did not find out until November and then she looked for someone to fix it for her. She advised she did not know there was a problem he came to fix it then he said he cannot continue to work, he got sick. Then he called back and stated he was a little better and can finish by the end of the month.

Mrs. Kuendig ask for clarification on the fence work

Mr. Jones advised a couple pieces of corrugated roofing metal lengthwise trying to cover up some of the fence, that was taken down but they have not done anything with the fence.

**Mr. McCrary** requested that the board consider a maximum daily fine because this has been going on and the Captain should know about it, He has had problems with this property since about 2007, things have ended up on his property the trash, police activity and he has liens on his property from them, for people parking vehicles there and people walking through the property. **Mr. McCrary** opened a case today stating the patio structure is half on his property and was built without a permit. Offered and sent messages to the owner saying he would help take down the fence and help bring it to code and has not heard anything. The person working on this his name is John and he lives in this house now, it's rented out.

**Mrs. Kueding** acknowledge there are multiple problems with the property the one that is being considered today is just the fencing.

**Mr. McCrary** stated he has a permit to put up a chain-link fence and he cannot because this dilapidated fence is on his property, and my property markers are behind that

**Mr. Harrington** asked if he had a survey

**Mr. McCrary** stated he emailed a survey to Mr. Sykes and Mark Jones.

**Mr. Gonzalez** asked for clarification on a dilapidated fence being on his property.

It was discussed that if she wants to repair she should get a permit and it would be done correctly.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 5-0

**CASE # 17 - CEB 01-22-28 - Sandra E & Harold L & George M Thomas** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **941 Kathy St.** Violation(s) – Expired roof permit. First Notified – 8/27/2021

**Sandra Thomas and Synethia Jones** (daughter) sworn in

**Field Supervisor Jones** testified to the status of the case has had contact via phone and email 4 seasons roofing doing the inspection and as long as the roof passes their inspection they'll be able to file for the permit, and should be able to be accomplished within this month and asked to amend to the next cut off.

**Mrs. Kuendig** asked about the squatter issue that came up at the last meeting.

**Ms. Jones** stated that after the last court hearing they went and purchased additional locks for the home and met with Joe from Home Depot and Windows. They have signed documentation to have the windows and doors installed, there is a back order on them and are taking care of it.

**BOARD ACTION:** **Mr. Gonzalez** 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. **Ms. Robey** seconded the same and motion was approved 5-0.

**CASE # 18 - 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

**Mr. Delbert Gayle** sworn in

**Field Supervisor Jones** testified to the status of the case advised he met with the property owner and went over the minor items that needed to be corrected for the visit last week, there has been no progress and staff is recommending a fine of \$100 a day with a cap of \$10,000.

**Captain Lee** stated In addition to that, he was asked to follow up with this individual to check on them and he did a well-being check and he missed the hearing because he was confused about the date, which he can probably speak to himself. Captain Lee assessed the property and the situation to try to apply some resources and this is not a situation where resources can be applied and not seeing effort being made.

**Mr. Gayle** discussed keeping the bushes to keep out the smell from the city cesspool. In addition, he has cancer, it is too cold, and he has no help.

**Mr. Gonzalez** spoke to the issues of health and complaint on cesspool and making his condition worse.

**Captain Lee** advised he was sent to do a well-being check on an individual because he presented as frail or having some health issues and when he showed up, he had no idea why the Captain was there and he was a much more jovial spirits and moving a much more limber than he is presenting himself today.

**Mr. Gayle** stated he has cancer, he has good days, and bad days bones be hurting eye surgery hernia and got cancer.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$50 per day effective **February 10, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 4-1 (Kuendig)5-0

**CASE # 19 - 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**

**Field Supervisor Jones** testified to the status of the case no contact but there has been some progress, the permit failed a roofing inspection for the shed on January 13<sup>th</sup>.

**Ms. Robey** asked about the failed inspection

**Mr. Jones** stated it failed the tie in inspection for the roof and would like to amend to the next cut off for repair and to get the permit finalized.

**BOARD ACTION:** **Mr. Gonzalez** 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. **Ms. Robey** seconded the same and motion was approved 5-0.

**Case # 20 in compliance**

**CASE # 21 - CEB 01-22-31 - Brian H & Dionne B Jackson** 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, 302.7, 308.1), at **610 Divison St.** Violation(s) – Overgrowth, missing identification numbers, unpermitted fence, outside storage, debris, rotted wood, dirt & grime. First Notified – 7/14/2021

**No respondent**

**Inspector Kirk** testified to the status of the case no contact minimal progress address numbers displayed and some debris has been piled at the front of the property. Requesting a fine of \$100 a day to a max of \$15,000. Property is vacant

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 5-0

**CASE # 22 - CEB 01-22-34 - Earl C. McCrary III** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, at **200 Lockhart St.** Violation(s) – **Peeling paint.** First Notified – 6/25/2021

**No respondent**

**Inspector Kirk** testified to the status of the case no contact peeling paint remains and now a car is parked in the yard, requesting a \$100 a day to a max of \$15,000.

**BOARD ACTION:** **Mr. Harrington** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Gonzalez** seconded the same and motion was approved 5-0

**CASE # 23 - CEB 01-22-35 - Richard Walch & David Turick** 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 304.13), at **521 Wallace St.** Violation(s) – Broken/boarded windows, dirt & grime, outside storage, parking in yard. First Notified – 6/18/2021

**No Respondent**

**Inspector Kirk** testified to the status of the case no contact little progress, parking corrected requested \$100 day to a max of \$15,000.

**BOARD ACTION:** **Mrs. Robey** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 5-0

**Mr. Gonzalez stepped out 10:41**

**CASE # 24 - CEB 01-22-39 - Sara Ryals Edwards** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4, 304.13), at **528 S. Caroline St.** Violation(s) – Damaged windows & doors, bare surfaces, missing support beams, peeling paint. First Notified – 6/1/2021

**Ms. Robinson** Mother of Devon J Robinson (new owner) Sworn

**Mrs. Kuendig** asked about the Naca program.

**Ms. Robinson** advised that the program is the program her son went through to purchase the home. That is why it took eight months for him to just buy this home from her. It is a national program and it was many different steps that he had to take. Now they have a contractor and the home will be completely renovated so they are going to still need time to do in my estimate, these minor things.

**Mr. Jackson** advised it was not the time to add the new owner, that we do not have a record of that.

Ownership needs verified and obtain the contract for repairs with Naca at the next meeting.

**Inspector Kirk** testified to the status of the case

**BOARD ACTION:** **Mrs. Robey** 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. **Ms. Marsh** seconded the same and motion was approved 4-0.

**Mr. Gonzalez stepped out 10:47**

**CASE # 25 - CEB 01-22-42 - Sara Young** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **625 Russell Dr.** Violation(s) – No permit for interior renovation. First Notified – 5/9/2020

**No respondent**

**Inspector Kirk** testified to the status of the case no contact both permits are still expired, and requested a \$100 a day fine to a max of \$15,000.

**Mrs. Kuendig** questioned there being a contractor involved.

**Inspector Kirk** stated she had contact with Mr. Young and Ron Smith in the beginning of the case.

**BOARD ACTION:** **Mr. Gonzalez** made a motion to impose a fine of \$100 per day effective **February 10, 2022** to a maximum of \$15,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 5-0

**CASE # 26 - CEB 01-22-43 - Hazel M Allen** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.12.D; Art.6 Sec. 6.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp.IPNC 605.1) City Code Ch. 78 Sec. 78-43, at **615 Hudson St.** Violation(s) – Inoperable vehicle, expired roof permit, exposed surfaces. First Notified – 6/30/2021

**Ms. Allen** sworn in

**Inspector Kirk** testified to the status of the case contact and progress working on expired roof permit and fascia board requested to amend.

**Mrs. Kuendig** asked what progress was made.

**Inspector Kirk** advised she had an inoperable vehicle that was removed, was working on the façade, the exterior of the property.

**Ms. Allen** stated the city is the one that did the roof in March of 2015, they was fixing her roof and she thinks this is what the problem that occurred. They knocked on the door and told her something came through the middle bedroom could she get the thing out of there and hand it back to them through the roof, so she asked if they let them know up there she was going through there to get the thing out the middle bedroom, she was told No worries yes you can go get the thing for them, no sooner than she could hand it to them tear shears (Inaudible) came through and hit her in the head. And it was confirmed this occurred in 2015.

Clarification was asked for and **Inspector Kirk** stated Ms. Allen needed to contact permits & licensing.

**BOARD ACTION:** **Mr. Gonzalez** 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. **Mr. Harrington** seconded the same and motion was approved 5-0.

**CASE # 27 - CEB 01-22-46 - Angela O Sparrow** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPNC 304.7), at **556 Bellevue Ave.** Violation(s) – Damaged roof. First Notified – 6/23/2021

**Ms. Angelia Sparrow** sworn in stated her name was Angelia not Angela.

**Mr. Jackson** asked her to spell her name and get that corrected.

A-n-g-e-l-i-a

**Inspector Kirk** testified to the status of the case, stated Ms. Sparrow was waiting for some funds to repair the roof, and asked to amend to the next cut off see if they can get some progress on repairing the roof.

**Mr. Harrington** asked if there is a contract of any sort or how does she know how much funds she will need.

**Ms. Sparrow** has contacted some roofers to see to get an idea as to how much she would need.

**Mr. Harrington** stated it would be important that next time she come with some kind of an estimate, what it is going to cost or contract to confirm that.

**Mr. Gonzalez** asked what the delay is

**Ms. Sparrow** stated money

**The board explained what progress meant to her.**

**Mr. Jackson** advised Ms. Sparrow to keep in contact with the inspector and the name situation, that is how it is appearing on the property appraisers report and to update it with them.

**BOARD ACTION:** **Mrs. Robey** 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. **Mr. Gonzalez** seconded the same and motion was approved 5-0.

### **Break 10:59 to 11:09**

### **New Cases:**

#### **Mrs. Kuendig explained the new case procedures**

**CASE # 28 - CEB 02-22-53 - Diane O Smith** 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, 304.1, 304.7, 304.10, 304.13, 304.14 ), at 822 N Halifax Ave. Violation(s) – Landscaping, broken windows, dilapidated roof and fascia, dilapidated deck, damaged fence, outside storage, peeling paint, damaged areas of stucco, dilapidated accessory structure, missing screens. First Notified – 6/29/2021

**Ms. Smith** sworn in

**Inspector Yates** testified to the status of the case has had contact and no progress

**Ms. Smith** advised she has been in contact with Samsula demolition, which was done originally, and in contact with Mr. Cecil about the demo. Signed a contract with Samsula Demolition, the engine blew in the truck that could fit down the driveway.

**Inspector Yates** confirmed the demo of the back building would not bring the property into compliance and discussed the violations on the main building.

**Mrs. Kuendig** confirmed they are only here for compliance or non-compliance and advised Ms. Smith to stay in touch with Inspector Yates.

**BOARD ACTION:** **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

**CASE # 29 - CEB 02-22-49 - June St. John** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.07, 304.2, 304.6,

304.7, 304.8), at **408 Wisteria Rd.** Violation(s) – Roof and drainage, dirt & grime, exposed paint, damage decorative features. First Notified – 9/21/2021

**No Respondent**

**Inspector Bostwick** testified to the status of the case, no contact he did received a phone number for owner's daughter Gail and sent her an email of the notice of violation.

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

**CASE # 30 - CEB 02-22-51 - Jeremy Strecker** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.2 ), at **1424 Golfview Dr.** Violation(s) – Outside storage, broken/boarded windows. First Notified – 11/16/2021

**Mr. Strecker** sworn in

**Field Supervisor Jones** testified to the status of the case requested compliance next cut off **Mr. Strecker** stated he had no idea about the code enforcement issues; he just took the property back from his brother who had been living there for the past three years. In addition, did not know until it taped to the front door and stated the violation are done.

**Mr. Jones** stated he would go out for an inspection and put it in compliance if it is all done.

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

**CASE # 31 - CEB 02-22-52 - Anthony Mclean** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 8 sec. 8.2.E; Art. 9 Sec. 9.2.A(Ref. FBC Supp. IPMC 302.7, 302.08, 304.6, 304.7), at **528 Shady Pl.** Violation(s) – Off street parking, nonconforming use (living in RV), damage fencing, dilapidated shed, junk vehicles, damaged roof. First Notified – 11/8/2021

**Mr. McLean** (son) sworn in

**Field Supervisor Jones** testified to the status of the case requested compliance next cut off.

**Mr. McLean** asked for clarification on how to come into compliance and he was advised to speak with Mr. Jones.

**BOARD ACTION:** **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Robey** seconded the same and motion was approved 5-0

**CASE # 32 - CEB 02-22-70 - Jeffrey D Hill** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7 ), at **1010 Libby Ave.** Violation(s) –Outdoor storage and dilapidated roof. first notified – 9/1/2021

**Mr. Hill** sworn in

**Inspector Butler** testified to the status of the case had contact with owner who is searching for assistance with the roof.

**Mr. Hill** stated the last quote he received was for \$34,000, he fell ill and got behind and he has some savings and would rather pay on a roof rather than on a fine or levy.

**BOARD ACTION:** Ms. Marsh made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by March 2, 2022 or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. Ms. Robey seconded the same and motion was approved 5-0

**CASE # 33 - CEB 02-22-55 - Lisa Davis Hunter & Harold W Hunter Jr** 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 302.3, 304.2 ), at **639 Vera St.** Violation(s) – Overgrowth, outside storage, deteriorated wall, dirt & grime, damaged walkway, exposed framing. First Notified – 8/21/2020

**Lisa Davis** sworn in

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

**Ms. Davis** stated she is trying to get the tenant (who does not pay) out and she did pay for corrections and just found out it was not done.

**BOARD ACTION:** Ms. Robey made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

**CASE # 34 - CEB 02-22-56 - Omar Ochoa** 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 302.1, 308.1), at **1088 Amanda Rd.** Violation(s) – Outside storage, trash and debris, cars parked on grass, overgrown yard, damaged fence. First Notified – 8/2/2021

**Mr. Omar Ochoa** sworn in

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

**Mr. Ochoa** stated all but one thing was in compliance

**Mrs. Kuendig** advised him to stay in contact with the inspector

**BOARD ACTION:** Ms. Marsh made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

**CASE # 35 - CEB 02-22-57 - Jessie Edwards** 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 302.7, 302.8), at **544 Heineman St.** Violation(s) – **Outside storage, parking on grass, junk vehicles, damaged wooden fence.** First Notified – 9/21/2020

**No Respondent**

**Inspector Fitzgerald** testified to the status of the case requested 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 **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 5-0

**CASE # 36 - CEB 02-22-58 - Tkeyah McDowell** 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 302.8, 304.3), at **536 Fairmount Rd.** Violation(s) – Damaged fencing, parking on the grass (cars, trucks and trailers) missing address numbers, junk vehicles, damaged exterior surfaces, peeling paint. First Notified – 9/17/2020

**No Respondent**

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

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 5-0

**CASE # 37 - CEB 02-22-61 - Barbara Brown** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4, at **524 George St.** Violation(s) – Dirt & grime, damaged/missing side landing. First Notified – 7/16/2021

**Barbara Brown** sworn in 5543 Oak Hollow Dr Titusville FL

**Inspector Kirk** testified to the status of the case has had contact has accessory permit and provided a permit to replace the side landing and requested the April cut off

**Ms. Brown** stated she gave the deposit but they would not be able to start the survey until the end of April.

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **April 6, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 5-0

**CASE # 38 - CEB 02-22-62 - Irma Doretha Jackson & Charles Edward Jackson II & Zonnette Stacey Ann** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a (Ref. FBC Supp. IMPC 302.7), at **460 Alamanda St.** Violation(s) – Damaged fencing, parking in yard. First Notified – 4/1/2021

**No Respondent**

**Inspector Kirk** testified to the status of the case had contact recently with Mr. Jackson.

**Mrs. Robey** asked if someone lives there and **Inspector Kirk** confirmed someone does but does not know if it is the owner or a family member.

**BOARD ACTION:** **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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

**CASE # 39 - CEB 02-22-65 - Kirk Murphy & Don Roberts** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3, 304.15), at **548 Bellevue Ave.** Violation(s) – Missing numbers, outside storage, peeling paint, dirt and grime, damaged trim, broken/boarded doors. First Notified – 6/11/2021

**No Respondent**

**Inspector Kirk** testified to the status of the case no contact

**BOARD ACTION:** **Mr. Harrington** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 5-0

**CASE # 40 - CEB 02-22-67 - Sivenson Guerrier** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, A 101.1), at **614 Marion St.** Violation(s) – Unsecured and blighted structure boarded windows do not match the color of existing structure. First Notified – 6/18/2021

**No Respondent**

**Inspector Kirk** testified to the status of the case no contact

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 2022** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Ms. Marsh** seconded the same and motion was approved 5-0

**CASE # 41 - CEB 02-22-68 - Allan P & Julie M Liebman** 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, 304.3), at **250 Tarragona Way.** Violation(s) – **Missing address numbers, damaged fence, damage exterior surfaces.** First Notified – 3/22/2021

**No respondent**

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

**BOARD ACTION:** **Ms. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 2, 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 5-0

## MB-1

**CEB 10-21-318 - 140 S Keech St. 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, Violation(s) – **Outside storage, expired repair permit.** First Notified – 11/13/2020 **Order Imposing Fine/Lien effective November 17, 2021 \$100.00 a day to a maximum of \$15,000. Compliance = Not in compliance. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

**Mr. Syed Ali Imam** Sworn in

**Mr. Imam** stated he filed three motions and provided to the secretary of the board about five days ago. The first motion is asking for a dismissal of the order dated November 17<sup>th</sup> based on an affidavit, which is not true. If you look at the affidavit on non-compliance filed by the code inspector dated November 3<sup>rd</sup>, which is part of exhibit 2 of this motion and specifically the affidavit stated not in compliance with art section Art 3 sec 3.4.S.1 is for the expired permit the affidavit then states Art. 6 sec 6.19.A.3 is about outside storage. In Exhibit 3, he has an email dated October 22<sup>nd</sup> from the code inspector saying the outside storage was remedied. Requested the affidavit is not true and asked for dismissal of the Fine Order.

Mr. Cino asked when did the orders take place. 30 days has passed and the Board has no jurisdiction.

**Mr. Imam** advised not if he has been served and there has been a wrong affidavit filed that is not truthful.

**Mr. Cino** advised even if that is true the board has no jurisdiction

**Mr. Jackson** advised the board does not have jurisdiction and this is on the wrong venue and he had due process he had a hearing he had a right to challenge the decisions being made, in fact was at the hearing when the fine was imposed.

Discussion on the date of the zoom meeting November 11<sup>th</sup> and this affidavit was presented then and it took him some time to understand that it had been misstated

**Mr. Jackson** stated that was not the only issue of non-compliance, if those issues were to be challenged that was something to do at the meeting and if there was a subsequent challenge he had both the right to at that time for the next month ask for a reconsideration or appeal to the circuit court and only put in on the agenda because he has written so many emails and blown up the emails at the city both to the legal and the officials of the city they wanted him to have the opportunity to bring something before the board so that it could be explained to him that he has maximized his options through the administrative process, if there is something he wants to do his next option would be a Lien Review is considered once the property is brought into compliance at this time the property is not in compliance so it's not right for a lien review and the actions that is necessary is for him to complete something that he has been working on

**Mr. Cino** stated he is asking for is a motion for reconsideration and it is not timely.

**Mr. Jackson** everything he is asking for is untimely from the administrative process, other than his right to be considered, his ability to be considered for a lien review when that time comes.

**Mrs. Kuendig** asked if he understood his rights and advised the board cannot help at this point, if he applies for a lien review once he comes into compliance they can consider the lien review and the other avenue was to go to the circuit court.

**Mr. Harrington** advised this was informal

**Mr. Gonzalez** stated in order for them to hear the case, he has to come into compliance and request a lien review.

**Mrs. Kuendig** stated he is making it more difficult than it needs to be if he comes into compliance and ask for a lien review.

**Mr. Imam** advised they need to appreciate that an affidavit was filed which was not truthful it is a wrong service of process and they made a decision based on an untruthful affidavit.

**Mrs. Kuendig** advised that was not the only issue involved and they did not rule on each individually.

**Mr. Jackson** stated he had full due process and his time has run for reconsideration.

**Mr. Imam** advised he has been emailing the board secretary for the past 90 days.

**Inspector Kirk** testified to the status of the case

Board took No Action on this opportunity to be heard.

## **MB-2**

**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

**Mr. Jackson** testified case **MB-2** and **MB-3** due process error and city staff requested to Vacate Fine and Order of Non-compliance and Dismiss case

**BOARD ACTION:** **Mr. Harrington** made motion to Vacate Fine and Order of Non-compliance, Dismiss case **Mr. Gonzalez** seconded the same, and motion was approved 5-0

## **MB-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

**Mr. Jackson** testified MB-3 the property was sold before coming before the board so both the finding of non-compliance and fine requested to Vacate Fine and Order of Non-compliance and Dismiss case

**BOARD ACTION:** **Mrs. Robey** made motion to Vacate Fine and Order of Non-compliance, Dismiss case **Mrs. Marsh** seconded the same, and motion was approved 4-1 (Gonzalez)

**Mr. Gonzalez** stated he is confused and **Mr. Jackson** stated the property transferred before it came to the board.

**Captain Lee** and **Mr. Jackson** confirmed the corrections are made to keep due process intact.

**8. Adjournment: 11:50**