

**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

April 14, 2022

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Turner Hymes, Vice-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
Ms. Sara Kirk, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Mark Bostwick, Code Inspector
Mr. Clearvens Jean-Baptiste, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Ms. Kimberly Reno, Board Secretary

Approval of Minutes by:  Chairman

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

Ms. Reno called the roll. All present except Mr. Reinhart.

Mr. Robey Motioned to excuse Mr. Reinhart Mrs. Gonzalez Seconded the motion was approved 6-0.

Mr. Harrington motioned to approve the March 10, 2022 minutes Mrs. Hymes 2nd the motion passed 6-0.

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

Mrs. Kuendig asked if there were any announcements

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

CASE # 4- 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

In compliance 4/5/22

CASE # 5- CEB 03-22-70 - Kevin Kenute Grant & Veronica Cosarca is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **620 Braddock Ave.** Violation(s) – Inoperable recreational vehicle, car parked in back yard. First Notified – 10/2/2021

In compliance 4/13/22

Captain Lee advised cases being pulled from the agenda due to a scrivener's error and they will be properly noticed for next month's agenda.

New Cases: continued

CASE # 19- CEB 04-22-81 - 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. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), at **121 Lockhart St.** Violation(s) – Inoperable vehicles and parking on the grass. First Notified – 1/22/2022

CASE # 20- CEB 04-22-80 - Amin Boumenir is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.14, 305.3, 305.6, 604.3, 704.2), at **318 S Adams St.** Violation(s) – Dirt and grime, damaged interior/exterior surfaces, missing smoke detectors, defective fan, broken/missing electrical receptacle covers, missing insect screens& interior doors. First Notified – 10/13/2021

CASE # 21- CEB 04-22-85 - Andrew Hohner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.3, 304.13), at **630 Marco St.** Violation(s) – Outside storage, missing numbers, inoperable vehicles, broken/boarded windows and doors. First Notified – 10/15/2021

CASE # 22 - CEB 04-22-86 - Lisa M Brinkman is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.15, at **506 S Lanvale Ave.** Violation(s) – Removal of historic oak tree First Notified – 2/16/2022

CASE # 23- CEB 04-22-92 - Yonervy Viera Lorenzo is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1301 3rd St.** Violation(s) – Fence installed without a permit. First Notified – 12/20/2021

CASE # 24- CEB 04-22-79 - Short Hills LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **1259 Waverly Dr.** Violation(s) – **Dirt and grime** First Notified – 10/15/2021

CASE # 25- CEB 04-22-87 - Taiisha Mendez is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S, at **619 Clark St.** Violation(s) – **No permit (shed)** First Notified – 11/16/2021

CASE # 26- CEB 04-22-83 - Melissa A Chaney 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 302.1, 302.8, 304.5,304.6, 304.10, 304.14, 308.1, 308.2, 308.2.2, 308.3, 308.10, 605.1), at **314 Fletcher Ave & 316.** Violation(s) – **Storage, landscaping, exterior appearance standards, sanitation (rubbish), junk vehicles, roof & drainage, damaged block stoop, rubbish & garbage, disposal of rubbish, disposal of refrigerator or similar equipment, disposal of garbage, electrical wiring to equipment, exterior foundation & walls, exterior porches and window screens.** First Notified – 7/22/2021

CASE # 27- CEB 04-22-84 - Hattie Jackson is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3, 304.13.1, 304.13.2 & 308.2.2), at **330 Lane St.** Violation(s) – **Work without a permit (stucco)premises identification, protective treatment (paint), damaged window- glazing, operable window, rubbish and garage - refrigerator.** First Notified – 10/25/2021

Mrs. Kuendig called the inspectors or anyone testifying to stand and be sworn in.

Mrs. Reno swore in staff members.

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

LR-1

CEB 11-20-208 - Fulton St (Parcel ID 5338-70-00-0410). Walter M Fordham, Mary Yan & Sharon Hawkins Holden is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.7, 308.1), Violation(s) – **Outside storage, trash and debris, damaged fence, roof and unpainted exterior surface.** First Notified – 7/31/2019 **Order Imposing Fine/Lien effective February 11, 2021 \$200.00 a day to a maximum of \$15,000.00. Compliance = October 19, 2021. \$15,000.00, plus \$24.00 recording costs = \$15,024.00**

Attorney R. Blossom for **Mr. Fordham**

Sharon Hawkins new owner & Mr. Fordham sworn in

Mrs. Hawkins advised she was trying to combined the parcels and found out about the liens.

There was discussion on the dates of purchase / date of notice and date of compliance.

She stated when she found out she worked and cleaned it up and got it in compliance October 19, 2021. Mrs. Hawkins purchased the property in October 2020 and she received the letter and signed the green card in February 1, 2021, fine imposed February 11, 2021. Discussion on the shed and permit confusion. In addition, everything was done except for the roof.

BOARD ACTION: Fine reduced to \$1,500 payable in 30days.

BOARD ACTION: Mrs. Robey motioned to reduce the fine to \$1,500 payable in 30days. Mr. Gonzalez 2nd Roll Call Mr. Harrington Yes, Mrs. Marsh Yes, Mrs. Robey Yes, Mr. Gonzalez Yes, Mrs. Hymes Yes, Mrs. Kuendig No.

Motion passed 5-1

CONTINUED CASES:

CASE # 1 - CEB 03-22-79 - Clarence John Haney Jr is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **532 Mark Ave.** Violation(s) – Unpermitted fence, dirty and damaged fascia board. First Notified – 12/18/2021

Mr. Clarence Haney Jr. sworn in

Inspector Jean-Baptiste testified to the status of the case permit applied for on April 11, 2022, requesting to amend to the next cut off.

Mr. Clarence Haney Jr. stated he does not have the permit yet.

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

CASE # 2- 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

Annette Pratt sworn in

Inspector Butler testified to the status of the case has had contact and advised they do have the probate attorney and would like to request the June cut off.

Mrs. Pratt advised they are waiting for her sister to send the paperwork to the lawyer, which is what is holding it up. The papers were sent last week.

BOARD ACTION: Mrs. Hymes made motion to amend the previous order of non-compliance and allow the Respondents until **June 1, 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 # 3- 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 and advised he has had contact with the property owner whom at the time had a signed contract with a roofing company, however, due to the scope of work, the roofing company backed out because this is about because it is about 30, 35 to \$40,000

dollars' worth of work. He now has the actual document that states why they backed out. He has a few more companies that will be coming in starting next week to give him more bids for the roof itself.

Mr. Hill advised he just spoke to the man today about your city improvement program that you have and was put on the waiting list. However, he is still vetting roofers.

Disposition: Mr. Harrington made a motion to amend the previous order of non-compliance and That we have a progress report at our next meeting, which is the May 12, 2022 Mr. Gonzalez 2nd motion and motion was approved 6-0

Mrs. Kuendig says if there's a program get on it, we will be asking you these questions again we are looking for progress.

Case #4 in compliance

Case #5 in compliance

CASE # 6- CEB 03-22-71 - Shirley Callaway Holman & Edward L. Bridges is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7), at **408 Frances Ter.** Violation(s) – Dirt and grime, overgrown landscaping, damaged fence. First Notified – 11/20/2021

No respondent

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

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$100 per day effective **April 14, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0

CASE # 7- CEB 10-21-307 - Robert Benjamin Rowley & 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

Robert Rowley sworn in

Inspector Yates testified to the status of the case no contact and no progress asking for \$100 dollars a day to a max of \$10,000 dollars

Mr. Rowley advised he lives there and has made progress and the engineer EPI in Deland is two months out with his plans. Stated he lost time when he got a home inspector not realizing he need the engineer and he lost time doing that.

BOARD ACTION: **Mr. Harrington** made motion to amend the previous order of non-compliance and allow the Respondents until **June 1, 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 # 8- 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

Mrs. Diane Smith sworn in

Inspector Yates testified to the status of the case he has had contact yesterday and minimal progress requested a fine in the amount of \$100 dollars a day to a max of \$10,000.

Mrs. Smith stated she thought she did a lot of work, and is waiting for help from family.

Captain Lee advised the city would like to amend their recommendation to amend to next cut off to give time to try to connect her to some resources that may be able to help her.

Mrs. Smith advised she is on the habitat for humanity assistance and been on that waiting list for a year.

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

CASE # 9- CEB 03-22-78 - Kelly Schofield & Tom E Cooper is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **494 Golf Blvd.** Violation(s) – Outside storage of a shipping container. First Notified – 10/20/2021

No respondent

Inspector Yates testified to the status of the case advised no contact and no progress requested a fine in the amount of \$100 dollars a day to a max of \$10,000.

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$100 per day effective **April 14, 2022** to a maximum of \$10,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved 6-0

CASE # 10- 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. Keith Thomas sworn in

Inspector Kirk testified to the status of the case had contact on waiting list since March of 2020. A roof permit has been issued on March 30, 2022 and work is underway. Staff would like to recommend the June cut off for compliance.

BOARD ACTION: **Mr. Harrington** made motion to amend the previous order of non-compliance and allow the Respondents until **June 1, 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 # 11 CEB 04-20-84 - Larry Sanders is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4, at **721 Loomis Ave.** Violation(s) – No permit for exterior addition, peeling paint, rotted wood, windows. First Notified – 8/16/2019

Mr. Larry Sanders sworn in

Inspector Kirk testified to the status of the case stated she has had contact Mr. Sanders and he is on the cities roof and rehab waiting list since August 10, 2020. Staff is requesting to amend to the July cutoff.

Discussion on roofing programs with the city.

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

CASE # 12- 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 since the last hearing there was a fire and that was a total loss. **Miss Johnson** was on the city's waiting list for a new roof, master and roofing list. She was placed on in September of 2021. Asked to amend to the next meeting to figure out what to do.

Discussion on condemnation and demolition.

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. **Mr. Gonzalez** seconded the same and motion was approved 6-0.

CASE # 13- 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 advising she had no contact but has new information and stated Mrs. Smith had her roof repaired herself. In addition, the only thing she is on the waiting list for is HVAC. Requested compliance next cut off.

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

CASE # 14-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

No respondent

Inspector Kirk testified to the status of the case advised she has had contact and a lot of progress permit still not finalized.

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. **Mrs. Marsh** seconded the same and motion was approved 6-0.

CASE # 15-CEB 01-22-39 - Sara Ryals Edwards & Devon Robinson 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

Valencia Robinson 1628 Piccadilly Dr Daytona Beach FL 32118 Mother of the new owner Devon Robinson Sworn in

Inspector Kirk testified to the status of the case requested to amend to the July cut off.

Mrs. Robinson advised the program is a lot and now waiting on the engineer. The bank has the money and the deed is in place.

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

CASE # 16-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. IPMC 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

Inspector Kirk testified this case in compliance as of **April 13, 2021**

CASE # 17-CEB 01-22-46 - Angelia Q Sparrow 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 **556 Bellevue Ave.** Violation(s) – Damaged roof. First Notified – 6/23/2021

No respondent

Inspector Kirk testified to the status of the case. **Inspector Kirk** had contact and there is a permit that was issued for the roof on March 25, 2022 requested to amend to the June cut off.

BOARD ACTION: **Mrs. Robey** made motion to amend the previous order of non-compliance and allow the Respondents until **June 1, 2022** to come into compliance or be returned to a subsequent

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

CASE # 18-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 has had minimal contact no progress, and did find out Mr. Murphy is on the roof and rehab waiting list as of November 30, 2021. Requested to amend to the next cut off.

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

Mr. Sykes advise a couple in the room advised they received a notice and wanted to be heard for the property at 536 Bowman Ave.

Mrs. Kuendig stated the rules and that they needed to wait until a case is assigned to the board.

Captain Lee advised if they have an issue with the inspector then they could ask to speak to a supervisor.

8. Adjournment: 10:37