

**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 & Katherine Marsh**

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**December 8, 2022**

Members present:

Ms. Turner Hymes, Vice-Chairman  
Mrs. Karen Robey  
Ms. Katherine Marsh  
Mr. Neil Harrington  
Mr. Bradford Gonzalez  
Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney  
Mr. Denzil Sykes, Code Compliance Manager  
Mr. Mark A. Jones, Code Compliance Field Supervisor  
Mr. R. Butler Jr, Code Compliance Inspector  
Mr. D. Garcia, Code Compliance inspector  
Mr. Mark Bostwick, Code Compliance Inspector  
Mr. C. Jean-Baptiste, Code Compliance Inspector  
Mr. John Stenson, Code Compliance Inspector  
Mr. S. Alderman, Code Compliance Inspector  
Mr. Joe Graves, Audio/Video  
Mr. Xavier Campbell, Audio/Video  
Mr. Cortland Lampe, Police Officer - Liaison  
Mrs. Brenda Seivwright, Board Secretary

Approval of Minutes by: Maxy Louise "Weegie" Kuendig Chairman

The Vice-Chairman Mrs. Hymes called the meeting to order at 9:00 am.

Minutes were approved by Mr. Gonzalez motioned and Mrs. Robey 2nd to except the November 8, 2022, Minutes, and they all agreed, and minutes were approved. 5-0

Mrs. Seivwright called the roll. All board members present except Mrs. Kuendig- Chairman  
The announcements which include compliances were read. And Officers were sworn.

Mrs. Hymes explain how the court proceeding was going to take place.

Mr. Gonzalez then made a motion Mrs. Robey 2<sup>nd</sup> the motion to excuse Chairman-Mrs. Kuendig from the meeting today all in favored and approved. 5-0

CODE ENFORCEMENT BOARD HEARING MINUTES  
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All present except the following board member  
Mrs. Kuendig

**Hearing of cases**

**Lien Reviews**

**LR# 1 CEB 07-19-148 - 501 N Keech St Andrea Anderson** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.8, 304.2, 304.3, 304.7), Violation(s) – Outside storage, trash and debris, junk vehicle, dilapidated roof, faded and peeling paint. First Notified – 1/17/2019 Order Imposing Fine/Lien effective April 8, 2021 \$25.00 a day to a maximum of \$10,000. Compliance . October 25, 2022 \$10,000.00, plus \$24.00 recording costs = \$10,024.00

Andrea Anderson sworn

Inspector Mark Jones testifies to the status of the case states we would like to waive this fine. Reminded the board of this case, being one of the properties that we were working with the city on to get the building demolished and it has been rebuilt and looks excellent. And they're taking very good care of it. we would request waiving the fine.

Mr. Harrington asked Ms. Anderson a question as part of your agreement for the grant you were to have flood insurance do you have flood insurance on that property? Ms. Anderson responded I'm sure to be honest with you rebuild Florida provided the first year of insurance.

**Board Action:** Mr. Gonzalez made a motion to except the city's recommendation to waive the fine of \$10,024.00 and Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved.5-0

The cases will be heard in the order they are called

**CONTINUED CASES:**

**Case # 1- CEB 08-22-167 - Daniel G Langton** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 General, at **428 Pelican Ave** Violation(s) – Work without permits, closing in two window openings, creating a new opening and installed a new window, installing new front door, enclosing carport, replacing existing window on the rear of the building with sliding glass doors, installing new front windows on the north and east side. installing new fence, installing new a/c unit, remodeling bathroom.

First Notified – 4/25/2022

No respondent

Inspector Mark Jones testifies to the status of the case no progress to finalize the permits Staff recommends \$100 per day with a cap of \$10,000.00.

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**Board Action:** Mrs. Robey made the motion and Mr. Gonzalez 2<sup>nd</sup> the motion to except the city recommendations to impose a fine of \$100 per day capped at \$10,000.00 effective December 8, 2022, and all agreed and approved.5-0

**Case # 2- CEB 08-22-168 - Carolle Marie Catul** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 General, at **815 Vernon St** Violation(s) – Unpermitted screen porch.  
First Notified – 5/19/2022

**Compliance 12/6/2022**

**Case # 3- CEB 06-22-127 - Shannon Martin (Shore)** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 ; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.2, 304.3, 304.6), at **1480 N Peninsula Dr** Violation(s) – Unpermitted fence, dilapidated wall, peeling paint, address numbers don't contrast with the background.  
First Notified – 12/24/2021  
Shannon Martin( Shore) sworn  
Inspector Mark Jones testifies to the status of the case staff recommending amending compliance until next cutoff date.

**Board Action:** Mrs. Robey made a motion to except the recommendation of the city to allow the respondent until 1/4/ 23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved.5-0

**Case # 4 - 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 the daughter of Maebell Bizzell

Inspector Roosevelt Butler, Jr. testifies to the status of the case since September court proceedings I've had several contacts with the property owner suggested he bring the board up to speed about the case where the home was in probate the probate process is completed also she needed to get an engineer to come out and & off on the roof that was installed that have happened she currently now has the permit which is waiting order to be finalized staff requesting to amend until the January cut off.

**Board Action:** Mrs. Robey motioned to except the city's recommendations to amend until the 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved.5-0.

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**Case # 5- 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 additions, peeling paint and rotted wood, and broken windows.  
First Notified – 8/16/2019  
Larry Sanders sworn in

Inspector Sara Kirk testifies to the status of the case this is a returning case the property is currently on the city's waiting list for assistance Mr. Sanders has been on the list since August 12th of 2020 staff is requesting to amend to the April 2023 cutoff for compliance.  
Mr. Harrington asked Ms. Kirk asked if she has reason to believe something going to happen, she responded I do there is another case that is also on the list and there has been progress and believe it's going to happen.

**Board Action:** Mrs. Robey made a motion to amend until 4/5/23 to allow the respondent to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved.5-0.

**Case# 6- CEB 09-22-205 - LLOTS LLC** 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 302.3,, 304.10, 304.13, 307.1), at **590 Shady PL** Violation(s) – Unpermitted electrical work, HVAC, shed, stucco, windows, interior renovations. missing handrails on hazardous staircase, broken & hazardous concrete driveway.  
First Notified – 6/9/2022

Jacob Stoll owner sworn in  
Inspector Ms. Sara Kirk testifies to the status of the case there has been contact and a lot of progress since the last hearing there has been staff is requesting to amend to the next cutoff for compliance. Mr. Harrington asked Ms. Kirk to discuss what has been done there was a discussion of all the progress that has been made to the property.

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendation to amend until 1/4/2023 to com into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mrs. Robey 2<sup>nd</sup> the motion and all agreed and approved.5-0.

**Case # 7- CEB 09-22-204 - Bonnie Boudreau Keating** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **606 S Lanvale Ave** Violation(s) – Unpermitted accessory structures.  
First Notified – 3/28/2022

Tanner Andrews Attorney Bonnie Boudreau Keating sworn in

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Inspector Sara Kirk testifies to the status of the case since the last hearing there has been minimal contact and no known progress staff is requesting \$100 a day fine with a max of \$10,000.00.

Mr. Tanner states first and foremost that there were evidently two unpermitted plastic accessory uses also known as sheds on the property those have been removed, she has neglected to call the code inspector to go back out and verify their removal, so we'd like to have time to deal with that now that she knows she needs to call the code inspector to go back out to see that they have been removed and Ms. Kirk was asked when was the last time she's been on the property and she response, I haven't actually ever been the on the property I've only been at the complainant's backyard was able to see the structures from her backyard. And there was further discussion Mr. Harrington asked if Ms. Keating would allow the inspector on her property to inspect the property.

Mr. Jackson asked the Chair if he could make things clear to Ms. Keating and Mr. Andrews as well, the position of the city in this case has been going on since March and our desire to see it completed by the next cut off and that's just going to be that the communication will probably help a lot though as soon as you can make it you can tell you exactly. And there was further discussion about the property and what was expected and can be view in video on website.

**Board Action:** Mr. Gonzalez made a motion to allow the respondent until the 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and if any new violations come up be dealt with at that time Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved.5-0

**Case # 8- CEB 09-22-211 - Michael O'Niell & Paul M. & Nora K. Schaefer** 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 **2723 Dach Ave** Violation(s) – Roof and drainage damage.  
First Notified – 10/22/2021

No respondent

Inspector Mark Bostwick testifies to the status of the case since the last hearing have been in contact with the owner who finished the roof but he failed the inspection with the city he did not know get to the roof inspector throughout the process so now he has to get an engineer to sign off on the roof I don't know how long that's going to take so staff requests a fine of \$100 a day with a Max of \$10,000.00 Ms. Marsh asked a question how he failed the inspection Inspector Bostwick explained he failed the inspection on December the 5<sup>th</sup> by never calling the building department to come out to verify the process and he didn't follow the process.

**Board Action:** Mrs. Robey made a motion to fine the respondent \$50.00 per day up a max of \$10,000.00 effective date December 8, 2022, Mr. Harrington 2<sup>nd</sup> the motion and all agreed and approved. 5-0.

**Case # 9- CEB 09-22-212 - Marc Tye Marcum** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **402 Vermont Ave** Violation(s) – Dirt and grime, overgrown landscaping, discolored paint.  
First Notified – 4/11/2022

**Compliance 12/5/22**

**Case# 10 - CEB 09-22-213 - Carl D. & Charles M. Weaver** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 304.2, 304.7), at **115 Park Ave** Violation(s) – Overgrown landscaping and weeds, peeling paint on the exterior of the home and fascia area, soffit damage, dirt and grime on the home, damage on exterior wall.  
First Notified – 4/20/2022

Tara Kendall sworn in granddaughter of Carl D. Weaver

Inspector Mark Bostwick testifies to the status of the case since the last hearing no progress was made on the property staff request a fine \$100.00 a day maximum \$10,000.00.

Mrs. Robey asked Ms. Kendall if she lived there her response was yes with my dad who was part of the probate that's going on. Mrs. Robey asked Mr. Jackson if they fine the respondent would that affect the probate sale his response, he's unable to answer that would something for finance.

Attorney Anthony Jackson asked Ms. Kendall if the role she is completing a part of the probating processes by the settlement of sale is it part of it.

Ms. Kendall responded yes, for the probate to be contend the house must be sold her response was yes, Mr. Jackson advises with that being the circumstances to allow this additional time to allow problem at least from the city's perspective to allow additional time to complete that process.

**Board Action:** Mrs. Robey made a motion to allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mr. Gonzalez 2<sup>nd</sup> the motion so they can settle the estate. All agreed and approved. 5-0.

\*The next case was heard in the order cases called

**Case # 30- CEB 11-22-252 - Jann Rotstein** is cited for failure to correct violations of The Land Development Code, rt. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.6), at **441 N Oleander Ave** Violation(s) – **Failure to clean dirt and grime off all exterior surfaces, failure to repair discolored et peeling paint.**

First Notified – 7/22/2022

Attorney Rotstein Jann Rotstein sworn in

There was a brief explanation from Atty. Rotstein about due process and continued with Inspector Baptiste testifies to the status of case this was a field observation on January 27th 2022 with the following violations failure to clean dirt and grime of all exterior surfaces and repaint ferry to repair discolored and peeling paint notice of violation was generated and it was sent certified mail however it went unclaimed as such the property was posted on July 22nd 2022 15 days to comply upon a site reinspection on September 7th 2022 the facility is not in compliance I've had contact with the owners Please note that initially there were other

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landscaping issues that were added however those have since been in compliance so at this time what remains is what you're currently seeing is the exterior peeling the discovered paint as such staff is requesting a finding of non-compliance and compliance by the next cutoff please. There was a continued discussion between the parties

Mr. Rotstein suggested the respondent wasn't clear on what needed to be done and due the wording of the documents it needs to specify specificity.

Mrs. Hymes reads the documents and advises she don't think he could have gotten it plainer than that and repaint as needed clearly implies what needs to be done.

Mr. Harrington asked Mr. Rostein a question didn't you say she's in compliance well then how did she come in compliance if she didn't know what to do but you got it done according to you, you're in compliance.

Mr. Denzil Sykes Code Compliance Manager advised with the notice of violation each inspector's contact information is located there so if anytime she had any questions or doubt, she could have reached out to the inspector and the supervisor.

Mr. Anthony Jackson clarified the previous discussion that Mr. Rotstein presented earlier in discussion and explains that the documents are just a summary of the violations and it's not the original notice that was sent out and there was continued discussion between the parties

Mr. Rotstein wanted to know if there was a motion for dismissal.

**Board Action:** Mr. Gonzalez made a motion to deny the request for dismissal Mrs. Robey 2<sup>nd</sup> the motion all agreed dismissal denied. 5-0

Mr. Rotstein wanted to show the pictures brought in and they were viewed by board.

Mr. Jackson suggested the inspector be given the opportunity to return and reinspect the property and determine if the property is in noncompliance or compliance.

Mrs. Robey made a motion to allow the respondent until the 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved. 5-0

**Case # 11- CEB 09-22-208 - Wendy Lou Thatcher EST** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7, 304.6, 308.1), at **144 N. Keech St** Violation(s) – Vacant structure (no running water or electricity), property maintenance, damaged fencing, protective treatment, trash & debris.

First Notified – 12/22/2021

No respondent

Inspector Steve Alderman testifies to the status of the case since last hearing there has been contact with Mr. Gallo who is a senior litigation specialist with Penny Mac from Moorpark, CA there has been some progress. the front yard has been maintained the front door has been replaced and a lock put on it but the main thing that is still it's not in compliance is the gate. Unable to upload the picture.

Staff requesting to amend to the next cutoff to allow notice to Penny Mac in California so that we get the current owners on online as far as who owns it.

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**Board Action:** Mrs. Robey made a motion to allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and 2<sup>nd</sup> by whom- inaudible All agreed and approved. 5-0

**CASE # 12 - CEB 07-22-161 - Liliosa Bohenzky EST** is cited for failure to correct violations 2of The Land Development Code, Art. 6 Sec. 6.19.A34; Art. 6 Sec. 6.19.A.4 Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 302.7, 304.2, 304.5, 304.6,304.11), at **401 N Oleander Ave** Violation(s) – Failure to repair damaged concrete, failure to repair peeling & discolored paint, failure to remove all exterior storage, failure to remove trash & debris and loose bricks, failure to clean all fascia board, failure to clean dirt and grime, failure to repair damaged roof.  
First Notified – 6/28/2021  
No respondent

Inspector Clearvens Jean-Baptiste testifies to the status of the case since last hearing I've had communication with the occupant who's not the owner because the owner is deceased, and the occupant is currently going through probate, and they are still in that process. I have not spoken to the probate attorney, I'm not aware of where the process is at this time essence staff is questioning to amend to the February cut off, please. Mrs. Robey ask if the occupant showed up in court every time Inspector Baptiste replies yes ma'am.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation and amend until 2/1/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Gonzalez 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Case # 13 - CEB 09-22-221 - Andrew Schreiber & Sheryl Cola** 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), at **307 Manhattan Ave** Violation(s) – Parking in the yard, damaged roof.  
First Notified – 6/10/2022

Andrew Schreiber sworn in

Inspector John Stenson testifies to the status of the case since the last hearing I have had no contact with this property owner there been no permits applied or issue and the roof is still in disrepair city is asking for \$100 per day to be capped at \$10,000.00 dollars.

Mr. Schreiber asked who made the complaints. Inspector Stenson explains who made the complaint it was through the rule of 6 and explains the process in general if your house has a violation both houses on each side are going to be inspected plus the two houses across the street are going to be inspected Mr. Jackson Atty. asked the inspector to explain and when you say that to me the visual inspection, you're not going knocking on the door now that's correct. if I visually see a violation then I'll move forward with that process but so you didn't necessarily need six people or someone to point out six houses if you went to one house you may have

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seen something on the other house that's correct, and this house was one particularly that you wrote up because you saw a violation that's correct.

Mr. Jackson addressed the chairman and the board members from the position of the city he could speak for everyone here was sympathetic to the circumstance and everyone right now is dealing with trying to get things done and understand that they have historically not waited for people to make sales or things in the future because they don't know when they would ever occur and compliance is just a part of the necessary part of this process thing truly pending and that we will be able to have something of firm grasp on maybe something we would be agreeing with and speaking to as well but that's generally not the city's position and they always tell people if they continue proceeding in good faith they can come back seek a lien review if a fine is imposed. but our position on this is that would love to see the roof get fixed we understand he's waiting for funds and sometimes people just don't have the money but if he's not in the process then there's not a whole lot more, we can do at this stage.

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendation of imposing a fine but change the fine to \$50.00 a day up to maximin \$10,000.00 motion 2nd by Mrs. Robey and advised respondent that he can always a lien review all agreed and approved. 5-0

Mr. Denzil Sykes Code Compliance Manager made clarification explanation by obtaining the permit does not stop inspector sentence process it's getting the permit finale is what's going to stop them Mrs. Robey expresses thoughts at least he would have six months to get the work started, Mr. Sykes explains that's not how our process works. The chairman advised respondent when he gets the permit and when it's completed you can return for a lien review. which he didn't hear due to hearing aid being out. He put it back in then The chairman asked the inspector to explain to the respondent what was discussed. All agreed and approved. 5-0.

Mr. Gonzales gave clarification on anonymous complaints getting to know who filed the complaint there was a change in the law as we recall that we were informed that they no longer do anonymous complaints.

**Case # 14- CEB 06-22-130 - Gail E Stark & George Sibley** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.4), at **300 Yorktowne Dr Violation(s) – Damaged roof.**  
First Notified – 11/6/2021

No respondent

Inspector John Stenson testifies to the status of the case since the last hearing, I have had no contact with this property owner. They have applied and obtained the permits for the roof the work has not yet begun nothing has been done yet, the city is asking for the imposition of fine \$100 per day to be capped at \$10,000.00 dollars.

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**Board Action:** Ms. Marsh made a motion to agree with the city's recommendation for imposition of fine \$100.00 per day effective December 8, 2022, to be capped at \$10,000.00 dollar and Mr. Harrington 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Case # 15- CEB 06-22-124 - Yvonne C Pierce** 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 **105 N Paul Revere Dr** Violation(s) – **Damaged roof.**  
First Notified – 5/28/2021

No respondent

Inspector John Stenson testifies to the status of the case this particular property Ms. Pierce is deceased her (inspector stated brother) from previous hearing stated her son resides there he still hasn't gotten the property into his name, nor has he gone into probate for him to obtain a permit for the roof there's been nothing done city's asking for an imposition of a fine of \$100 per day to be capped at \$10,000.00 dollars.

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendation for an imposition of a fine of \$100 per day to be capped at \$10,000.00 effective December 8, 2022, and Mr. Harrington 2<sup>nd</sup> the motion and all agreed and approved. 5-0

Mr. Stenson asked to re-address **105 N Paul Revere Dr** stating there's a notice of hearing issue and recommending amending this case to give them proper notice until the next cut off

**Board Action:** Mr. Gonzalez made a motion to withdraw his previous motion to except the city's recommendation for an imposition of a fine of \$100 per day to be capped at \$10,000.00 dollars. Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to amend to the 1/4/23 to give the respondent proper notice Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved. 5-0

**Case # 16- CEB 06-22-138 - Nicole J Marjanowicz** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **300 Waverly Cir** Violation(s) – No permit for roof and fence / wall work.  
First Notified – 4/22/2022

Nicole Marjanowicz sworn in

Inspector John Stenson testifies to the status of the case since the last hearing I have been in contact with the property owner there has been an inspection for the wall unfortunately, the inspection did not pass she has some questions or issues that she needs to discuss with the building department there was a little confusion, so I'd like to amend this case to the next cutoff.

**Board Action:** Mr. Gonzalez made a motion and 2<sup>nd</sup> by Ms. Marsh.

Mr. Harrington advised how the motion needed to be done.

Mr. Gonzalez made the motion to rescind his motion and the 2<sup>nd</sup> rescinded by whom was inaudible.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to amend until 1/4/2023 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. 2<sup>nd</sup> by Ms. Marsh all agreed and approved.

5-0

**Case #17- CEB 09-22-198 - John Ridgeley & Donna J Stewart** 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 **250 Pelican Ave** Violation(s) – Dilapidated wall.

First Notified – 5/13/2022

John Ridgeley and Donna Stewart sworn in

Inspector John Stenson testifies to the status of the case there's been quite a bit of activity on the property the work. they're doing well on the progress I'd like to amend to the next cut off to give them time to finish up this work.

Mrs. Stewart asked for more time to make sure the job is done correctly.

**Board Action:** Mrs. Robey made motion to agree with the city recommendations to amend until 2/1/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mr. Gonzalez 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Case # 18- CEB 08-22-191 - Steven M Weaver Sr & Dawnella L Weaver** 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 302.3, 304.2, 304.13, 304.15), at **1157 Bel Aire Dr** Violation(s) – **Parking in yard, damaged stairs, unpainted surfaces, missing door, broken window.**

First Notified – 5/6/2022

Steven Weaver Sr sworn

Inspector John Stenson testifies to the status of the case since the last hearing I have been in contact property owner the work has been moving slow, but it is moving, the stairs were poured Monday I would like to go ahead and amend this to the next cutoff to be able to go out to confirm the work.

Mr. Weaver gave a synopsis of the work he's completed and just wanted to be heard and wanted to make sure new violations were not coming during the inspection.

Mr. Sykes addressed the chair that there would be no new violations added to this case upon the inspection if the inspector finds violations, he will open a new case and inform the respondent.

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**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to amend until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Ms. Marsh 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Case # 40- CEB 10-22-240 - James Cortazar** 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 304.3), at **1041 Berkshire Rd Violation(s) – Parking, house numbers and outdoor storage.**

First Notified – 5/12/2022

No respondent

Inspector Roosevelt Butler, Jr. testifies to the status of the case as it pertains to 1041 Berkshire Rd this is the field generated case I conducted a site inspection on April 28th 2022 years were determined there were several violations identified parking house numbers outdoor storage a first notice was received on May 12, 2022 on May 22, 2022 the violation was to be in compliance the last state of reinspection was December the 5, 2022 upon reinspection was non-compliant I've had contact with the actual tenant regarding the violations however 2 out of the three violations still remain staff request finding of noncompliance and compliance next cut off.

**Board Action:** Mr. Gonzales made motion to agree with the city's recommendations to allow respondent until 1/4/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mrs. Robey 2<sup>nd</sup> the motion and all agreed and approved. 5-0.

**Case # 41- CEB 11-22-245 - 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) – Work without permit. (Garage)**

First Notified – 9/8/2022

Inspector Roosevelt Butler, Jr. testifies to the status of the case 1301 3rd St this was a field generated case I conducted the site inspection on May 1st 2022 where was determined a garage was installed without a permit the first notice received on September 8 2022 on September 18th 2022 the violation was to be in compliance last state of reinspection was December the 5th 2022 results of reinspection was non-compliant I've had several contacts with the property owner and as of today they do have a permit we're just waiting on it to be finalized staff requests finding noncompliance compliance next cut off.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to allow the respondent until 1/4/23 to come in compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Ms. Marsh 2<sup>nd</sup> the motion all agreed and approved.5-0

**Case # 42- CEB 11-22-246 - Lakayla Appling** 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 304.2,304.10, 302.7, 302.8, 304.2), at **1241 Cadillac Dr Violation(s) –**

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Landscaping, illegal parking, damage roof, fascia, dilapidated back porch, dilapidated fencing, junk vehicle and dirt and grime.  
First Notified – 9/8/2022

Lakayla Appling owner and Chyana Knighten fiancé sworn in

Inspector Roosevelt Butler, Jr. testifies to the status of the case as it pertains to 1241 Cadillac this was a field generated case he conducted a site inspection on April 20th 2022 to determine there were several violations identified parking landscaping, damaged roof dilapidated porch damaged fencing junk vehicle and dirt and grind the first notice was received on September the 8th 2022 on September 28th 2022 is the date for violation to be in compliance last date of reinspection was December the 5th 2022 result of reinspection was noncompliance. I've had contact with the owner regarding the violations however, the violation remains and staff request finding of non-compliance compliance next cutoff

Ms. Appling says her fiancé just started new job with Waste Pro and plan to use income taxes to help with repairs and Ms. Knighten asked for more time to get the financial assistance and professionals to complete the work. Previously could not afford the repairs but now has a better job to afford the repairs and some of the violations have been address

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendations to allow the respondent until 1/4/23 to in compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved. 5-0

Mr. Butler reiterates the respondents as long there's progress and keeping things up then there would be consideration and Mrs. Hymes advises by giving example of progress.

Mr. Harrington left the chambers at 10:52

**Case # 43- CEB 11-22-260 - Stella Maribel Arocho** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.3; at **119 Mason Park Dr** Violation(s) – Work without permit (roof) outdoor storage, overgrown landscaping.

First Notified – 9/21/2022

Stella Maribel Arocho sworn in

Inspector Roosevelt Butler, Jr. testifies to the status of the case he conducted a site inspection on August the 3rd 2022 where it was determined there were several violations identified a roof with no permit outdoor storage and landscaping her first notice was received on September 21st 2022, on October the 1st 2022 the violation was to be in compliance the last date of reinspection was December the 5th 2022 result of my reinspection was noncompliance I've had contact with the owner and work is in progress also I would like to note the court today that we did an extensive research on the roof and she's good as it pertains to the roof she doesn't

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need permit but the other solution but the other violations still remain and she's working at this time so staff request finding of noncompliance to compliance next cutoff.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to allow the respondent until 1/4/23 to come in compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Gonzalez 2<sup>nd</sup> the motion all agreed 5-0

**Case # 44- CEB 11-22-262 - Christy Anna Nhung** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **934 Derbyshire Rd** Violation(s) – Outdoor storage and landscaping.  
First Notified – 9/21/2022

Inspector Roosevelt Butler, Jr. testifies to the status of the case this was a field generated case he conducted a site inspection on April 27th 2022 where it was determined there were several violations identified outdoor storage and landscaping first notice was received on several September the 21st 2022 on October the 11th 2022 the violation was to be in compliance the last state of reinspection was December the 5th 2022 the result of my reinspection was non-compliant he's had no contact with the owners regarding violations however the violation still remains staff request requesting noncompliance compliance next cut off still.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to allow respondent until 1/4/23 come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Ms. Marsh 2<sup>nd</sup> the motion all agreed and approved. 5-0

Mr. Harrington leaves chambers 10:51

**Case # 28 - CEB 11-22-254 - Monir El Farra** 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), at **1101 Cordova Ave** Violation(s) – Overgrown landscaping. Damaged fence.  
First Notified – 8/13/2022

No respondent

Inspector Sara Kirk testifies to the status of the case this is a complaint driven case that was opened on April 20th of 2022 for a tree debris damaged fence and overgrown landscaping first notice was August 13<sup>th</sup> of 2022 I have not had any contact with the owner's property is vacant was reinspects the property on 12/6/22 noncompliance staff requesting an order of noncompliance with compliance by the next cut off.

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**Board Action:** Mr. Gonzalez made motion to agree with the city's recommendation to allow the respondent until 1/4/2023 come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved. 4-0

Mr. Harrington did not vote

**Case# 29- CEB 11-22-249 - Charlene Rollins** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **612 Lanvale Ave** Violation(s) – No permit for accessory structures (fence, shed, carport).  
First Notified – 3/28/2022

Charlene Rollins sworn in

Inspector Sara Kirk testifies to the status of the case is a complaint driven case that I received on March 2nd of 2022 I opened a case for unpermitted accessory structures I have had contact with the owner first notice was March 28th of 2022 the property is in noncompliance the staff is requesting an order of noncompliance with compliance by the next cutoff.

Mr. Harrington returned 10:54

Ms. Rollins says she just purchase the home unaware of the easement and gave a synopsis of the issues about the fence and easement and says she need a variance  
Mrs. Hymes advised the respondent we can't not handle that here you need to get with the inspector, and she can discuss that or a surveyor.

Mr. Jackson advised Ms. Rollins If she needs a variance she needs to talk to zoning, and they can make any zoning decision he didn't know if she would be able to get a variance for this with you explaining but it's something you're checking to. And continues to explain the process and a lot things get resolved with inspector but a lot of times the issue if there's permit is required or not required or whatever it is if those disputed issues still I'm sure the inspector will show in the code or law where it's required on the law and see it also be able to inquire with from into licensing on a permanent issue if they help have a question or dispute no ultimately someone asked me if they continue with the dispute so but that's those are unreal things that arise, the motion said to come back for a review we really hoping that we can be in compliance by next cut off and so we'll look and our general order on motion would be one where we're asking for compliance by the next cut off and of course there will be reviewing we always do based on the progress being made and hopefully it's resolved but if it's not you know our position would be a good faith I'll review to be reported to the board and you'll be able to consider whether or not you will give additional time.

**Board Action:** Mr. Gonzalez made a motion to agree with city's recommendation and allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved. 5-0

Mr. Denzil Sykes assured the respondent Inspector Kirk would work with her.

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**Case # 19- CEB 06-22-131 - Adam S Kuveke** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6), at **366 Brookline Ave** Violation(s) – Dilapidated exterior wall.

First Notified – 11/15/2021

Adam Kuveke sworn in

Inspector Mark Jones testifies for Inspector Kevin Yates to the status of the case Mr. Yates has stated that he has not had any recent contact with the owner, but they have been making continuing making progress he is asking to amend to the January cut off.

Mr. Kuveke, comments he appreciates that recommendation but needs much more time than that. I have a letter here from the Small Business Administration approving my disaster application for a disaster loan out of the letters dated October 28<sup>th</sup>. And further gives a synopsis of his property and permits and what needs to be done. Wants time extended until July and he would be done.

**Board Action:** Mrs. Robey a motion to agrees with the city's recommendation to amend until the 3/1/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. with update/progress report at the March meeting Ms. Marsh 2<sup>nd</sup> the motion and all agreed and approved. 5-0

**Case # 20- CEB 05-22-105 - South Wild Olive LLC C/O Huberto Berrios** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3, 304.10, 304.13), at **128 S Wild Olive Ave** Violation(s) – Unpermitted construction, outside storage, protective treatment, missing address number, dilapidated porch, missing windows.

First Notified – 5/1/2021

Marie Berrios owner sworn in via zoom

Inspector Mr. Mark Jones testifies to the status of case for Kevin Yates testifies to the status of the case but since last hearing they have passed multiple inspections and are continuing to work under their permit we'd like to amend this to the next January hearing cutoff. Mrs. Berrios ask for additional time the city agrees to give more time until the 2-1-23 cutoff.

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendation to allow the respondent until 2/1/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Mrs. Robey 2<sup>nd</sup> the motion all agreed and approved.

**Case# 21- CEB 08-22-169 - Dianne R Alexander** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **3 Clarendon Ct** Violation(s) – No permit for building renovation.

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First Notified – 2/17/2021

Trey Alexander son of respondent sworn in via zoom

Inspector Mr. Mark Jones testifies to the status of case for Kevin Yates since the last hearing they have continued to work under their permit network and their permit and were granted an extension due to the progress that they had made by the permit department I would like to amend this to the January hearing.

Mr. Alexander express his desire to have everything completed.

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation to allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Gonzalez 2<sup>nd</sup> the motion all agreed and approved. 5-0

**Case# 22- CEB 09-22-200 - Marilyn Fields & John Dunbar** 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 301.3, 302.7, 304.2, 304.6, 304.7), at **551 Spruce St** Violation(s) – Unmaintained landscaping, outside storage, wood rot, dirt and grime, dilapidated roof, damaged fascia, dilapidated fence, peeling and faded paint.

First Notified – 6/4/2020

No respondent

Inspector Mr. Mark Jones testifies to the status of case for Kevin Yates since last hearing the inspector has had no contact with the owner and there's been no progress this is the picture of the residents staff is requesting a fine of \$100.00 a day with a cap of \$15,000.00

**Board Action:** Mrs. Robey made a motion to agree with the city's recommendation for a fine of \$100 a day and cap at \$15,000.00 or if until respondent come into compliance and Mr. Gonzalez 2<sup>nd</sup> the motion and all agreed and approved. 5-0

**Case # 23- CEB 09-22-226 - Vana Sherris** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1, 108. 1.5, 304.1, 304.2, 304.4, 304.5, 304.6, 304.7, 304.13, 304.15), at **3000 Stanford Ave** Violation(s) – Unsafe building, exterior surfaces, structural members, foundation walls, missing roof, broken windows, dilapidated building, damaged doors, fire damage.

First Notified – 3/2/2022

Jim Sherris sworn in son of respondent

Inspector Mr. Mark Jones testifies to the status of case for Inspector Kevin Yates testifies since the last hearing has had contact with the owner who expressed significant hardship. This is

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the house that in January was completely gutted by fire there have been no plans filed yet with the city we're asking for a fine of \$100 a day with a cap of \$10,000.00.

Mr. Sherris discussed the progress of his case and the ins and out and there are plans drawn up. but unsure, if those plans would even be used and says the property is boarded up and secured.

Mr. Jones agrees if city needs to amend this to the January cutoff to give them more time to come up with a decision, we're fine with that it's just the case has been as he stated it's the properties been like this for a year with yellow tape around it and it's a bit of an eyesore for the neighborhood.

Mr. Jackson advises the circumstance today is that Mr. Yates isn't here and the respondent is suggesting it was representing that he may have till January and to be quite honest with you I thought that may have been Mr. Yates position a month ago, he doesn't know if it would be his position today and he don't think what the inspector said was what he intended in terms of how it came out we're not asking January for him to decide, we're asking January for him to remedy so would be looking to amend until to the next cutoff for compliance, now I understand that from there may be some issues from an attorney perspective that may make him feel like he can't or shouldn't and I'd also think she'll have to work out with within himself and with the people who he have to negotiate with but from our perspective the city's perspective on what we'd like to do is you know we think just so that were clear with the facts.

**Board Action:** Mr. Harrington made motion to allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. And Mr. Gonzalez 2<sup>nd</sup> the motion all agreed and approved.5-0

**Case # 24- CEB 09-22-222 - Robert N Vanhorn & Melanie R Vanhorn** 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 **308 Manhattan Ave** Violation(s) – Damaged roof (fascia).  
First Notified – 6/10/2022

**Compliance 11/1/2022**

**Case # 25 CEB 11-22-251 - Richard Grice** 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 304.2,304.9,304.13), at **572 Orange Ave** Violation(s) – Outside storage, overgrown grass and weeds, parking on the grass. Peeling and faded paint. Dirty awning, and boarded broken windows.

First Notified – 7/27/2022

**Compliance 11/1/2022**

**NEW CASES:**

**Case # 27- CEB 10-22-230 - W Harding Ballough** 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, 302.2, 304.2, 304.3, 304.7, 304.9), at **116 Braddock Ave** Violation(s) – Roof damage, dirt and grime on exterior of the home and awning, peeling and fading paint, no premise identification and overgrown landscaping.

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First Notified – 7/13/2022

Wendy Milligan sworn in witness

Inspector Mark Bostwick testifies to the status of the case was field generated and open back on June 16th of 2022 for the dilapidated roof dirt and grime on exterior of home and awning peeling and fading paint no premise identification overgrowing landscaping has improved on the home is now in process of being painted first notification was on July 13th of 2022 property was posted compliance was due by August 12 of 2022. last day of reinspection was December 7th result with results of noncompliance I have no I have had no contact with the owner I believe he's in a nursing home so I've been in contact with I believe it's the owners nephew and I've also spoken to Wendy who lives there and she has she's been the one who has started to clean up the property and also started to paint the property staff request final noncompliance with compliance to next cutoff. And the photos show the are first picture but can see the house has been paint and overgrown vegetation has been removed.

Ms. Milligan says the Power of Attorney says he willing to put a new roof on the house.

**Board Action:** Mr. Gonzalez made a motion to agree with the city's recommendation to allow the res that the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mrs. Robey 2<sup>nd</sup> the motion and all agreed and approved. 5-0

**CASE # 39 - CEB 10-22-242 - Dragos Istrate, Trustee of Day Olen Land Trust** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.12.D8; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.15), at **823 N Oleander Ave** Violation(s) – Unmaintained landscaping, Outside storage. Dead trees, damaged fencing, Peeling paint. Damaged garage door.

First Notified – 6/29/2022

Dragos Istrate owner sworn in

Inspector John Stenson testifies to the status of the case there are five this case was a case utilizing the rule of 6 property owner was cited for unmaintained landscaping outside storage dead tree damaged fencing peeling paint damaged garage is fresh notified on 6/29/22 the last inspection of this property was yesterday the property does remain in noncompliance it should come into compliance by the next cutoff.

Mr. Istrate discuss the work and process that has been done and the continued progress.

**Board Action:** Mrs. Robey made a motion to agree with the recommendations from the city to allow the respondent until 1-4-23 to come in compliance or be returned at a subsequent meeting for consideration of a fine up to \$1,000 per day until compliance is achieved.5-0

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**Case # 47- CEB 11-22-255 - ARC Capital Management & Investment LLC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **456 Pleasant St** Violation(s) – Reroof construction without permit.

First Notified – 7/13/2022

Mozell Fleming sworn in employed by respondent

Inspector Steve Alderman testifies to the status of the case it was opened for reroof construction without a permit first notice was 7/13/22 date provided for compliance was July 23rd, 2022. I had one phone call from Mr. Fleming the last reinspection was 11/29/22 and requesting noncompliance compliance due by the January cutoff.

Mrs. Robey asked since he has the permit isn't he in compliance? Mr. Alderman advises he has a permit, but it's not finalized.

Mr. Fleming gave explanation of the process of how he obtained permit and ensured he should have the roof issue completed by January.

**Board Action:** Mrs. Robey made a motion and Mr. Gonzalez 2<sup>nd</sup> to agree with the city's recommendations to allow the respondent to come into compliance by 1/4/23 or be returned to the board at subsequent meeting for consideration of a fine of a fine of \$1,000.00 per day until Compliance is achieved. the motion and all agreed. 5-0

Mr. Cino advised a Chambers break started 11:58 resumed 12:10

**CASE # 32 - CEB 10-22-228 - PB Lands LP1 GP INC** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1: Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6,304.9), at **1236 Bel Aire Dr** Violation(s) – Unpermitted renovation, dilapidated areas of roof, peeling paint, trash and debris.9

First Notified –9/8/2021

Fabrizio Lucchese - Principal of the company sworn in via zoom

Inspector Mark Jones testifies to the status of the case that was opened back in September of 2021 it was a complaint driven case it was for unpermitted renovation dilapidated areas of the roof peeling paint trash and debris, they were first noticed on September 17th 2021 was compliance to October 17th 2021 the last inspection was November 29th 2022 we've had contact with the owner but all the issues are remaining we're asking for non compliance with compliance next cutoff.

Mr. Lucchese discuss that plans and permits started a long time ago it's a major expand of for this home plans for permitting were done a long time ago approx... 2 months ago, and the demolition was done first which it shouldn't have been without permit, but it was unsafe. And continued to discuss the progress.

Mr. Lucchese questioned what would bring them into compliance by having permit bring them into compliance?

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Mr. Jones clarifies compliance will be when your permit is finale for the renovation that was started back in September of 2021 so you will have to get the permit issued and finale for the property to come in compliance.

**Board Action:** Mr. Gonzales made a motion to allow the respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mrs. Robey 2<sup>nd</sup> the motion. All agreed and approved. 5-0

**CASE # 33 - CEB 11-22-257 - Timothy Cropper Jr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **217 Euclid Ave** Violation(s) – Parking on the front lawn.

First Notified – 5/13/2021

No respondent

Inspector Mark Jones testifies to the status of the case was opened again on November 22nd, 2022, it was field generated, and this is for unpermitted parking in the yard. In the pictures you can see boats and cars. their first notice was May 13, 2021, because this is a repeat violation, we get compliance with the original code case, but this was only noticed as a violation so we're asking for noncompliance with compliance next cutoff. but this was only noticed as a violation so we're asking for noncompliance with compliance next cutoff.

**Board Action:** Mrs. Robey made a motion to accept the recommendation of the city to allow the respondent to come into compliance by 1/4/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Gonzalez 2<sup>nd</sup> the motion All agreed and approved. 5-0

**CASE # 34 - CEB 11-22-259 - Beth Forester** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **85 Fremont Ave Unit 204** Violation(s) – Unpermitted fence.

First Notified – 5/23/2022

Rene Colyer representative sworn in with a notarized letter from respondent via zoom

Inspector Mark Jones testifies to the status of the case was citizen compliant this is for an unpermitted fence the property was posted on July 20, 2022, with compliance due August 19, 2022, as the last inspection we've had contact with the owner, but the issue remains we're asking for noncompliance compliance next cutoff.

Ms. Colyer states the permit has been obtained and approved on November 16, 2022

Mr. Jones clarifies she may have received the permit, don't know if the permit has been finale and explains he'll have to get into the building department system to see if it has been filed.

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Ms. Colyer asked how I will I know it's closed. Mr. Jones responses but asking her do you do you know if they have a final inspection yet on the permit

**Board Action:** Mrs. Robey made a motion to agree with the recommendation of the city for the respondent to come into compliance by 1/4/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved and Ms. Marsh 2<sup>nd</sup> the motion All agreed and approved. 5-0

**CASE # 26 - CEB 10-22-235 - Alan M Korn** 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.4 (Ref. FBC Supp. IPMC 302.1, 302.7 304.2, 304.7), at **7 Widmer Cir** Violation(s) – Peeling paint on fascia, roof damage, dirt and grime on exterior surfaces. Overgrown landscaping.  
First Notified – 6/2/2022

No respondent

Inspector Mark Bostwick testifies to the status of the case this case was open field generated May 5th of 2022 for peeling paint dirt and grime on exterior of property dilapidated roof overgrown landscaping first notification was on June 2nd of 2022 property was posted compliance was due by July 3rd of 2022 last day of reinspection was December 7 of 2022 result noncompliance I've spoken to the owner multiple times and discuss what needs to be done staff request compliance with compliance to next cutoff.

**Board Action:** Mr. Gonzalez made a motion to agree with the recommendation of the city to allow the respondent to come into compliance by 1/4/23 or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mrs. Robey 2<sup>nd</sup> the motion All agreed and approved. 5-0

**CASE # 31- CEB 11-22-253 - Christina Ramdoolar** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4), at **410 5th Ave** Violation(s) – Failure to clean dirt and grime, off all exterior surfaces. Failure to remove all exterior storage and debris. Unmaintained landscaping.  
First Notified – 7/22/2022

No respondent

Inspector Clearvens Jean-Baptise this was a field observation on January 12 2022 with the following violations fair to clean dirt and grime of all exterior surfaces and repaint furniture remove all exterior storage debris and unmaintained landscaping notice of violation was generated and sent certified mail it went unclaimed as such on July 22nd 2022 the property was posted in City Hall with 20 days to comply but site reinspection on September 7th 2022 found the facility not to be in compliance I've had no contact with the owners staff is requesting a finding of noncompliance to come into compliance by the next cutoff. however, as you see in the picture it appears that landscaping is being cut. that is not the case the neighbor is simply in his word tired of this property so he's cutting the grass it is not being done by the owners.

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**Board Action:** Mrs. Robey made a motion to agree with the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. Mr. Gonzalez 2<sup>nd</sup> the motion and All agreed and approved. 5-0

**CASE # 35 - CEB 11-22-256 - Roy L. Dovberg** 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 **834-836 N Oleander Ave** Violation(s) – Outside storage, damaged driveway.

First Notified – 8/17/2022

No respondent

Inspector John Stenson testifies to the status of this case was complaint driven had excessive outside storage of junk and debris damaged driveway notice was generated and received by property owner on 8/17/22 upon reinspection last inspection one being yesterday property remains non-compliant city asking for compliance next cutoff.

**Board Action:** Mr. Gonzalez made a motion to agree with the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mrs. Robey 2<sup>nd</sup> the motion and All agreed and approved. 5-0

**CASE # 36- CEB 11-22-248 - Allen & Deborah Bukowski** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **420 Golf Blvd** Violation(s) – Unpermitted retention wall.

First Notified – 8/8/2022

Inspector John Stenson testifies to the status of the case this is field generated case first notice was received on 8/8/22 I have been in contact with this property owner in fact she was here today. Has been a permit that has been issued the work has not been completed yet nor has the permit then final we're asking for noncompliance and compliance by the next cutoff.

**Board Action:** Mrs. Robey made a motion to agree with the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Gonzalez 2<sup>nd</sup> the motion All agreed and approved. 5-0

**CASE # 37 - CEB 11-22-258 - Tony Guerra & Ashley Ryan** is cited for failure to correct violations of The Land Development Code, Art. 8 Sec. 8.2.A, at **318 Flushing Ave** Violation(s) – Boat parking, living RV.

First Notified – 9/12/2022

**Compliance 12/7/2022**

**CASE # 38 - CEB 10-22-236 - William Thomas King** 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 **335 Williams Ave** Violation(s) – Damaged fencing.

First Notified – 7/19/2022

No respondent

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Inspector John Stenson testifies to the status of the case The field generated case for damaged fencing first notice was received on 7/19/22 I have had contact with this property owner they removed the damaged fencing and installed a brand-new fencing on the entire property with without permits so asking for noncompliance and compliance by the next cut off.

**Board Action:** Mr. Gonzalez made a motion to agree with the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mrs. Robey 2<sup>nd</sup> the motion and All agreed and approved. 5-0

**Case # 45 CEB 10-22-229 - Adiba Shuja** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 8.C; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 304.2, 304.10, 304.12, 304.13), at **530 Cannon St** Violation(s) – Damaged and fencing. Decks and railings, windows, fascia, maintain all shrubs and lawn area.

First Notified – 7/11/2022

No respondent no contact no progress

Inspector Steve Alderman testifies to the status of the case this case was opened for damaged fencing rotting deck and railings broken windows peeling paint and overgrown property first notice was July 11th, 2022, compliant date was August 11, 2022, I've had no contact with the owner the last inspection was 11/29/22 and all violations remain staff requested the determination of noncompliance with compliance by the January cutoff.

**Board Action:** Mr. Gonzalez made a motion to agree with the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Ms. Marsh 2<sup>nd</sup> the motion and All agreed and approved. 5-0

**Case# 46- CEB 10-22-237 - Lloyd Haynes** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2,304.7), at **626 Madison Ave** Violation(s) – Missing soffits and overhangs.

First Notified – 7/21/2021

No respondent

Inspector Steve Alderman testifies to the status of the case this case was opened for peeling paint, rotted, and damaged fascia and rotted soffits first notified July 21, 2021, with a compliance date August 21, 2021, posted 5/17/22 reinspection 11/29/ all violations remain staff requested the determination of noncompliance to come into compliance by January cutoff.

**Board Action:** Mrs. Robey made a motion to accept the recommendation of the city to allow respondent until 1/4/23 to come into compliance or be returned to the board at subsequent meeting for consideration of a fine of up to \$1,000.00 per day until compliance is achieved. and Mr. Harrington 2<sup>nd</sup> the motion and All agreed and approved. 5-0

**Addendum to the agenda CEB 09-22-227 - Dawn M Overstreet** 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 **712 N Halifax Ave** Violation(s) – Dilapidated wall.

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First Notified – 4/22/2022

No respondent

Inspector Mark Jones testifies to the status of the case the inspector has had no contact from the owner they made no progress except possibly adding sandbags to hold the wall up Staffs are requesting a fine of \$100 a day with a cap of \$10,000.00.

**Board Action:** Mr. Gonzalez made a motion to accept the city's recommendation for an imposition of a fine of \$100 per day to be capped at \$10,000.00 to start today December 8,2022 and Mrs. Robey 2<sup>nd</sup> the motion and all agreed and approved. 5-0

There was continued conversation and questions by Mr. Harrington and Mrs. Robey that was that be reviewed via video.

Mrs. Hymes also expressed how proud she was of The Daytona Beach Police Department she loves seeing them on TV

**Miscellaneous Business**

**Adjournment** 12:43

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