
CITY OF DAYTONA BEACH **MINUTES**

**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

January 12, 2023

Members present:

Mrs. Weegie Kuendig, Chairman
Mrs. Karen Robey
Ms. Katherine Marsh
Mr. Neil Harrington
Mr. Bradford Gonzalez
Mr. Robert Riggio, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Mr. Mark A. Jones, Code Compliance Field Supervisor
Mr. Roosevelt. Butler Jr, Code Compliance Inspector
Ms. Sara Kirk, Code Compliance Inspector
Mr. Mark Bostwick, Code Compliance Inspector
Mr. Clearvens Jean-Baptiste, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Steve 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: Mary Louise "Weegie" Kuendig Chairman

The Chairman **Mrs. Kuendig** called the meeting to order at 9:05 am.

Mrs. Seivwright called the roll. All board members present except, **Mrs. Turner Hymes** Vice-Chairman

Mr. Gonzalez made a motion to approve the minutes and **Mrs. Robey** 2nd the motion to accept the Minutes, and they all agreed, minutes were approved. 5-0

A motion was made to excuse **Mrs. Hymes** after **Mrs. Robey** made the motion and **Mr. Gonzalez** 2nd the motion and all agreed and approved 5-0.

The announcements which include the following

LR # 2 CEB 05-21-144 - 1308 Sunland Rd appeared via zoom.

CASE # 15 - 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

Compliance 1/9/2023

CASE # 25 - 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

Scriveners error case will be heard at the February meeting.

CASE # 35 - CEB 01-23-14 - Sarah J Bremer is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **288 N Seneca St** Violation(s) – Fence construction without a permit. First Notified – 9/13/2022

Compliance 1/9/2023

Staff were sworn.

Mrs. Kuendig explain how the court proceeding was going to take place. And cases were called according to the order called by the chairman.

Hearing of cases:

CASE # 8 - 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

Bonnie Boudreau Keating present but not sworn.

Tanner Andrews Attorney for the respondent stated respondent was not going to speak and it would be sufficient to hear from code officer.

Inspector Sara Kirk testified status of the case staff requested to amend until the April cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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 5-0.

Lien reviews:

LR- 1- CEB 11-21-348 - Nealy J & Brian F Walton 948 Pelican Bay Dr is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7), Violation(s) – Damaged roof. First Notified – 8/24/2021 Order Imposing Fine-Lien of

\$25.00 per day effective January 13, 2022, to a maximum of \$10,000.00. Compliance – November 3, 2022. \$7,350.00 plus \$24.00 recording costs = \$7,374.00.

No Respondent

Inspector John Stenson testified status of the case staff recommended reduction to \$1,000.00.

BOARD ACTION: **Mr. Harrington** made a motion to reduce the Fine/Lien to the amount of \$1,000.00. Payable in 30 days or fine reverts to the original amount of \$7,374.00. **Mr. Gonzalez** seconded the same and motion was approved.5-0.

LR- 2- CEB 05-21-144 - Diane M Krimmel-(Windward East Group Incorporated) 1308

Sunland Rd 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, 304.6, 304.7, 304.13), Violation(s) – Outside storage, vacant structure, exterior walls, damaged gutters/down spouts, damaged garage door. First Notified – 2/5/2021 Order Imposing Fine-Lien of \$100.00 per day effective June 10, 2021, to a maximum of \$10,000.00. Compliance – November 28, 2022. \$10,000.00 plus \$24.00 recording costs and Interest \$483.80 = \$10,507.80.

Sean Allen Representative for the respondent **sworn in via zoom**.

Inspector John Stenson testified to the status of the case

There was questions about the total amount due on the invoice, clarification was given Mrs. Reno removed the interest and the total amount due is \$10,024.00. based on original invoice given to the respondent.

Mr. Allen states he does not opposing the reduction, but if given a chance for lower reduction he would do so and also dissues the process and the efforts made by the respondent to the property.

BOARD ACTION: **Ms. Marsh** made a motion to reduce the Fine/Lien to the amount of \$2,500.00. Payable in 30 days or fine reverts to the original amount of \$10,024.00. **Mrs. Robey** seconded the same and motion was approved.5-0.

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

Bruce Jarnagin sworn.

Inspector Mark Jones testified status of the case after completing a review of this case we did find that there were some processing issues we would like to go ahead and vacate this fine and the order.

Mrs. Kuendig asked what were the processing issues.

Mr. Jones and the **City's Attorney Mr. Jackson** explained the processing issues including state statute requirement and owner responsibilities.

BOARD ACTION: **Mr. Harrington** made a motion to vacate the fine and the order **Mrs. Robey** seconded the same and motion was approved.5-0.

Continued Cases

CASE # 1 - 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, and re-paint as needed, failure to remove all exterior storage and debris, failure unmaintained landscaping. First Notified – 7/22/2022

No respondent

Inspector Jean-Baptiste testified to the status of the case staff requested a fine of \$100 a day to be capped at \$10,000.00.

Board Action: **Mrs. Robey** motioned that a fine be imposed in the amount of \$100 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000. Effective January 12, 2023, **Mr. Gonzalez** Seconded the same and motion was approved 5-0.

CASE # 2 - 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

No respondent

Inspector Bostwick testified status of the case he had contact with the granddaughter and the property has not been sold. staff requested a fine of \$100 a day with a Max of \$10,000.00.

Board Action: **Mr. Gonzalez** made a motioned that a fine be imposed in the amount of \$100 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000. Effective January 12, 2023 **Mr. Harrington** Seconded the same and motion was approved 5-0.

CASE # 3 - 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 the accessory fence and fascia, overgrown landscaping vines and shrubs. First Notified – 6/2/2022

No respondent

Inspector Bostwick testified to the status of the case staff requested to amend to the next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 4 - 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) – Repair all damaged and

falling fencing. Repair both flat decks and railings, repair broken windows, paint upper fascia, maintain all shrubs and lawn area. First Notified – 7/11/2022

No respondent

Inspector Alderman testified to the status of the case, staff requested a fine of \$100.00 per day maximum of \$15,000.00

Board Action: **Mr. Gonzalez** made a motioned that a fine be imposed in the amount of \$100 per day until compliance is achieved or the fine reaches a maximum amount of \$15,000. Effective January 12, 2023, **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 5 - 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 Alderman testified to the status of the case, staff is requesting a fine of \$100.00 per day the cap of \$10,000.00.

Board Action: **Mrs. Robey** made a motioned that a fine be imposed in the amount of \$100 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000. Effective January 12, 2023, **Mr. Harrington** seconded the motion, and the same and motion was approved 5-0.

CASE # 6 - 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

No respondent

Inspector Alderman testified to the status of the case, the permit shown was not valid, verified with Melissa at the building department and he was supposed to go to the building department and obtain a permit, he did not show up. staff is requesting a fine of \$200 per day to \$15,000.00.

Board Action: **Mr. Harrington** made a motioned that a fine be imposed in the amount of \$200 per day until compliance is achieved or the fine reaches a maximum amount of \$15,000.00 Effective January 12, 2023, **Ms. Marsh** seconded the same and motion was approved 5-0.

CASE # 7 - 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

No respondent

Inspector Kirk testified to the status of the case, had contact with the owner, staff requested to amend to the February cutoff.

BOARD ACTION: **Mr. Gonzalez** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 9 - 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.

Inspector Kirk testified status of the case had contact with the property owner and spoke with the city engineer they're in the process of vacating the right of way behind South Lanvale. The utility easement will remain it's going to be a long process property owner will still need to have necessary permits but it's going to be according to the new property lines staff requested to amend to the April cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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.

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

No respondent (he came in but due medical issue he couldn't stay)

Inspector Kirk testified status of the case. The Inspector advised there is a notice of condemnation and a demolition order from the city. Staff is requesting to amend to the April cutoff for compliance. The property will be in compliance when the demolition permit is finale she can close the case.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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.

CASE # 11 - 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 status of the case since last hearing she verify that the property owner is still on the city's assistance waiting list, she's been on it since June of 2019 as well as the city's Facade grant program so staff requested to amend to the April cutoff for compliance.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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 5-0.

CASE # 12- 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 status of the case, no contact with owner this property has been on the city's assistance waiting list for roofing and rehab since November 30, 2021 Inspector Kirk found out recently that the property was condemned on 12/5/2022, advised it may be in compliance a little bit sooner than was expecting, staff requested to Amend to the April cutoff.

BOARD ACTION: **Ms. Marsh** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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 5-0.

CASE # 13 - 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

No respondent

Inspector Kirk testified status of the case staff requested to amend to the April cutoff for compliance.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until April 5, 2023, 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.

CASE # 14 - 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) – Landscaping, illegal parking, damage roof, fascia, dilapidated back porch, dilapidated fencing, junk vehicle and dirt and grime. First Notified – 9/8/2022

No respondent

Inspector Butler testified to the status of the case staff requested a fine of \$100 per day to a maximum of \$10,000.00.

Board Action: **Mr. Gonzalez** made a motioned that a fine be imposed in the amount of \$100 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000.00 Effective January 12, 2023 **Mr. Harrington** Seconded the same and motion was approved 5-0.

CASE # 16 - 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 front and back yard. First Notified – 9/21/2022

No respondent

Inspector Butler testified to the status of the case issues still remain, staff requested a fine in the amount of \$250 a day to a maximum of \$15,000.00.

Board Action: **Mrs. Robey** made a motioned that a fine be imposed in the amount of \$250.00 per day until compliance is achieved or the fine reaches a maximum amount of \$15,000.00 Effective January 12, 2023, **Mr. Gonzalez** Seconded the same and motion was approved 5-0.

CASE # 17- 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

No respondent

Inspector Butler testifies to the status of the case had contact, owner now has an after the fact permit and the permit needs to be finalized he spoke with Mr. Ron Roberts who's the city roof inspector because this roof was put on by another contractor Ron now is asking them to remove several squares from the roof so that he can see that the proper procedures were we're done before he would sign off. the staff requested to amend to the next cut off.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 18 - 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.

Supervisor Jones testified status of the case staff recommended to amend compliance to the March cut off.

Mrs. Martin(Shore) shared the progress of the contractor to complete the work. Should be able to start by February 10th and believes should it take one or two days to complete.

BOARD ACTION: **Ms. Marsh** made a motion to amend the previous order of non-compliance and allow the Respondents until March 1, 2023, 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 5-0.

CASE # 19 - 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. First Notified – 2/17/2021

No respondent

Inspector Yates testified status of the case since the last hearing continued to work under permit and pass mutiple inspections most recently on December 29, 2022 the framing and

electrical and installation final should be scheduled sometime in February. Staff requested to amend until the March cut off.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until March 1, 2023, 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 5-0.

CASE # 20 - 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

No respondent

Inspector Yates testified to status of the case, staff request to amend until the February cutoff.

BOARD ACTION: **Mr. Gonzalez** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 21 - 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. First Notified – 9/8/2021

No respondent

Inspector Yates testified to the status of the case staff requested to amend to the March cut off to allow the work to start.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 # 22 - 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 Yates testified to the status of the case staff requested a fine of \$100 a day to a maximum of \$10,000.00.

Board Action: **Mr. Gonzalez** made a motioned that a fine be imposed in the amount of \$100.00 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000.00 Effective January 12, 2023, **Mrs. Robey** Seconded the same and motion was approved 5-0.

CASE # 23 - 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 Stenson testified to the status of the case since last hearing, there's been one phone call, no progress, doesn't have possession of the property at this time. Staff requested a fine of \$100.00 per day up to maximum of \$10,000.00

Board Action: **Mrs. Robey** made a motion that a fine be imposed in the amount of \$100.00 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000.00 Effective January 12, 2023, **Ms. Marsh** Seconded the same and motion was approved 5-0.

CASE # 24 - 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 Stenson testified to status of the case staff requested to amend until February cutoff. The contractor needs to have an inspector to get the permit finalized.

BOARD ACTION: **Mr. Gonzalez** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 26 - 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

Steve M Weaver sworn

Inspector Stenson testifies to the status the case staff requested to amend to the February cut off. Inspector Stenson has a question for the building department about the stairs already installed and the permit has been finalized, if you have more than four steps, if your supposed to have a handrail?

Mr. Weaver explains his progress and believes he's in compliance that's his position and if the city says he needs handrails for the stairs and he would take care of it if need be.

Mrs. Kuendig explains the procedure to respondent and asking the inspector to reinspect the property and if the area in front of house has been painted will the property be put in compliance and his response was yes.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 27 - 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

Noah Dovberg (son) and **Mark Reed** (friend) both were sworn.

Inspector Stenson testified to the status of the case. **Mr. Dovberg** advised his father is in the home with hospice care and he is over seeing the work being done. **Mr. Stenson** agrees there has been a lot progress and a great turn around. Staff requested to amend to the next cut off.

Discussion on the extention requested by the owners son and the amount of work, they agreed to the March cut off.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until March 1, 2023, 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 # 28 - 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

No respondent

Inspector Stenson testified to status of the case there's been contact with the owner as of yesterday, he was advised Mr. Bukowski had surgery and work will continue when he's back up on his feet to do the work, but the case has been ongoing for sometime staff requested a fine of \$100.00 per day up to \$10,000.00 maxium. Although, **Supervisor Jones** requested to amend to next cutoff but the board said the wall is a safety hazard and near a school zone and kids could get hurt as they pass by. Its a saftey hazard and it's not cemented.

Board Action: **Mrs. Robey** made a motioned that a fine be imposed in the amount of \$50.00 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000.00 Effective **January 12, 2023**, **Mr. Gonzalez** Seconded the same and motion was approved 5-0.

CASE # 29 - 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

Inspector Stenson testified to status of the case since last hearing he's had one phone call from the owner with proprty owner, however, owner removed the damaged fencing and installed a brand new vinyl fence without permit. Staff requests a fine in the amount of \$100.00 and Mrs. Robey suggested a motion of \$50.00 a day and Inspector Stenson agreed to the \$50.00 dollars a day.

Board Action: **Mrs. Robey** made a motioned that a fine be imposed in the amount of \$50.00 per day until compliance is achieved or the fine reaches a maximum amount of \$10,000.00 Effective **January 12, 2023**, **Mr. Gonzalez** Seconded the same and motion was approved 5-0.

**CASE # 30 CEB 10-22-242 Dragos Istrate, Trustee of Day Olen Land Trust
823 N Oleander Ave**

Inspector Stenson advised property is in compliance as of January 11, 2023.

Mr. Harrington left chambers 10:52 returned 10:56

Mrs. Kuendig called for a break at 10:58 and resumed at 11:05

New Cases:

CASE # 31 - CEB 01-23-20 - Brett & Jennifer Crawley 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 302.7), at **3021 N Oleander Ave** Violation(s) – Work without permits 1. Front porch enclosure 2. New second driveway extension on south side 3. Second fence like structure added south side 4. Concrete added to rear of property 5. New Electric service added for spa 6. Dilapidated fence along north side 7. Exterior shower area added to north side 8. Structure added to north side with blue canvas 9. Metal shed in back yard and damaged existing fence. First Notified – 7/29/2022

No respondent

Inspector Jones testified to the status of the case staff recommended compliance- non compliance.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by February 1,2023 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 # 32 - CEB 01-23-10 - Melissa Fairrington 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, 302.3, 302.7, 304.2, 304.5, 304.6,304.11), at **1329 Golfview Dr** Violation(s) – Outside storage, failure to maintain property (sanitation), Weeds, failure to maintain pool, pool enclosure, protective treatment, failure to maintain windows, doors. First Notified – 6/21/2022

No respondent

Inspector Tom Clig testified to status of the case staff recommended compliance by the next cutoff.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 33 - CEB 01-23-12 - John Egner is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.3, 304.14), at **307 Adeline St** Violation(s) – Failure to maintain fence, window screens, damaged windows, house identification, faded paint, junk vehicles. First Notified – 9/19/2022

No respondent

Inspector Tom Clig testified to the status of the case and advised there is progress is working on the fence and he had contact with owner.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, 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 # 34 - CEB 01-23-13 - Elnora S Jackson 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, 302.8, 302.7, 304.7, 305.1, 305.3, 604.3), at **532 N Keech St** Violation(s) – Failure to maintain site standards, weeds, junk vehicles, failure to maintain walls, failure to maintain interior electrical system hazard, failure to maintain exterior. First Notified – 9/2/2022

No respondent

Inspector Tom Clig testified to status of the case, had contact with the daughter who stated she'll get work done, nothing has been done and the property is unoccupied.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 36 - CEB 01-23-01 - R Lawrence Vandenberg is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **299 Woodland Ave** Violation(s) – Unpermitted garage conversion, unpermitted solar panel installation.

First Notified – 8/30/2022

No respondent

Inspector John Stenson testified to status of the case the permits for this garage conversion are on hold and still not been approved staff is asking for compliance by the next cutoff.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, 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 01-23-02 - Robert T Lawler & Mary K Drew 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, 304.7) City Code 90-297, at **400 Manhattan Ave** Violation(s) – Parking in yards. Lack of address numbers. Lack of soffits. Lack of BT for Kayak business. First Notified – 7/28/2022

Mary K Drew sworn.

Supervisor Jones testified to status of the case there has been progress and respondent is on a very long list for assistance with repairs.

Mrs. Drew explained her side of the case, and what she was told by permits and licenses and she doesn't know why she's here. She signed a contract for the soffits be repaired which expires tomorrow January 13, 2023.

Mrs. Kuendig asked why if there's a BT for the business that is valid and up to date, why is she cited for lack of BT. **Mr. Stenson** questioned and there was discussion about the about the BT.

To answer Mrs. Keundig question at the time of her being cited the system showed no updated BT. Mrs. Kuendig proposed a motion to find the Respondent in non-compliance and be in compliance by March 1, 2023 Mrs. Drew asked if she could get until April because she was told by contractor he would be back in March. **Mrs. Kuendig** amended her entertainment proposed motion to move it to April 5, 2023.

BOARD ACTION: **Mr. Harrington** made a motion to find the Respondents in Non-Compliance and order the Respondents until April 5, 2023, 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.

CASE # 38 - CEB 01-23-05 - Ronald Pavloer Est is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **364 Hartford Ave** Violation(s) – Unmaintained landscaping. First Notified – 8/23/2022

No respondent

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

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents until February 1, 2023, 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 5-0.

CASE # 39 - CEB 01-23-07 - Jean Pierre & Nochole L Lefort 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 **334 Nautilus Ave** Violation(s) – Unmaintained landscaping, outside storage. Trailer (small RV) parking. Car parking in yard. First Notified – 9/24/2022

Nochole L Lefort sworn

Inspector Stenson testified to status of the case there was aslo discussions with property owner, the small trailer is so small and there's no room for it to go behind the frontline, front wall of the property only resolution is to get a variance to allow it to stay there. There was continued discussion of the size and the length of time it would take to get the variance respondent says she will seek the variance she has no way to get behind the house and it is Vintage, staff is requesting compliance next cutoff.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, 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 # 41 - CEB 01-23-09 - Spencer David Spearin 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; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **401 Manhattan Ave** Violation(s) - Unpermitted renovations. Parking in the yard. Roof damage. First Notified – 10/5/2022

Spencer David Spearin sworn.

Inspector Stenson testified to status of the case, property remains in noncompliance. staff asked for non-compliance and compliance by next cutoff. Garge doors permit has been applied for but not finaled.

Mr. Spearin says he not the owner of the property but, he's the POA for Spencer Spearin **Mr. Stenson** has had multiple conversations with the respondent, and they weren't very productive. And he continues to receive complaints about the unpermitted work on the property. the last inspection was yesterday, and the driveway was full of vehicles there was continued discussion about ownership and property.

Mr. Stenson says the parking in the yard has been removed but remains in noncompliance.

Mr. Jackson advised the status on the ownership of the home.

Mr. Spearin asked for the complainant information.

Mrs. Kuendig requested at the next hearing the city provides evidence that this property is owned by someone other than Mr. Spearin's son and new owner to be added.

Ofc. Cortland Lampe assisted with keeping order as Mr. Spearin disrupted the hearing.

Mrs. Kuendig ask Mr. Spearin to read who is the current owner from his phone since he was trying to have **Mr. Jackson** look at the phone. **Mr. Spearin** stated it was **Scott William**. **Mrs. Kuendig** asked what took you so long? And Mr. Spearin responded, "what business is it of yours"?

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 42 - CEB 01-23-17 - Eric N Stack is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **380 Jefferson St** Violation(s) – Permits expired for electrical, building, windows, and doors. First Notified – 9/21/2022

Eric Stack

Inspector Alderman testified to status of the case no contact with the owner staff requested compliance by the next cutoff.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, 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 # 43 - CEB 01-23-18 - Lars Homes LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **227 Desoto St** Violation(s) – Renovation of single-family residence to a multi-family residence without permit. First Notified – 10/13/2022

Gary Rodriguez owner sworn.

Inspector Alderman testified to status of the case staff requested compliance by next cutoff. There was continued discussions of how to bring the property into compliance **Inspector Alderman** explained what needed to be done to bring the property into compliance.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023**, 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 # 44 - CEB 01-23-21 - Eunzell Christine Hadley & Carletta L Roundtree 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, 302.1, 302.7, 304.3, 304.6, 304.7, 304.13, 304.13.2 304.15), at **1045 Peter Rd** Violation(s) – Vacant unsecure structure, roof damage, broken windows, peeling paint, overgrowth property, damaged fence, address missing, rotted exterior siding, rotted exterior doors. First Notified – 9/16/2021

Eunzell Christine Hadley sworn.

Inspector Alderman testified to status of the case requested compliance by the next cutoff.

BOARD ACTION: **Ms. Marsh** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023** 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 # 45 - CEB 01-23-22 - Earlene Malone & Shirley Bias 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, 302.4, 302.7, 304.1, 304.2, 304.4, 304.6, 304.7, 304.9, 304.12, 304.13, 304.13.1, 304.14), at **328 Jefferson St** Violation(s) – Fence damaged and falling, damaged roof, rotted rafter tails and overhangs, rotted and damaged siding, broken windows, missing window screens, front stair railing missing, overgrown trees and shrubs. First Notified – 9/14/2022

No respondent

Inspector Alderman testified to status of the case, staff requested compliance by the next cutoff. Spoke to Earlene and was advised the property is on a waiting list for community development program he has not verified.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **February 1, 2023** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 46 - CEB 01-23-23 - Charles L Smith Sr 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 304.2, 304.5, 304.13), at **446 Pleasant St 448** Violation(s) – Peeling paint on main structures and accessory structure walls, door frames, window frames and siding, repair/paint garage door, repair/paint front stairs. First Notified – 7/18/2022

Charles L Smith sworn.

Inspector Steve Alderman testified to status of the case staff requested compliance by next cutoff. **Mr. Smith** asking for more time to complete the work.

BOARD ACTION: **Mr. Gonzalez** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 1, 2023**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same and motion was approved 5-0.

CASE # 47 - CEB 01-23-24 - George A Walton Est 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. IPCM 304.6, 304.10), at **841 Kingston Ave** Violation(s) – Dirt & grime and peeling paint on entire structure, peeling paint on entry steps, rotted and damaged fascia. First Notified – 9/15/2022 **Steveinie Walton-(inaudible)** granddaughter sworn. Advised she has been working on it. discussion on what needs to be done and if it can be done by February. **Inspector Steve Alderman** testified to status of the case staff requested compliance by February cutoff.

BOARD ACTION: **Mrs. Robey** made motion to find the Respondents in Non-Compliance and order the Respondents to come into compliance by **March 1, 2023**, or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day seconded the same and motion was approved 5-0.

Adjournment: 12:21