

**CODE
ENFORCEMENT
BOARD**

City Commission Chambers
301 S. Ridgewood Ave., Daytona Beach, FL 32115

Members: Mary Louise 'Weegie' Kuendig, Chairman; Turner Hymes, Vice-Chairman; Neil Harrington, Karen Robey, Bradford Gonzalez & Katherine Marsh and thomas Mehegan

April 13, 2023

Members present:

Mrs. Mary Louise "Weegie" Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mrs. Karen Robey
Ms. Katherine Marsh
Mr. Neil Harrington
Mr. Thomas Mehegan

Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. Anthony Jackson, Esq., Assistant City Attorney
Mr. Denzil Sykes, Code Compliance Division Manager
Mr. Roosevelt Butler Jr, Code Compliance Inspector
Mr. Daniel Garcia, Code Compliance Inspector
Ms. Sara Kirk, Code Compliance Inspector
Mr. Clearvens Jean-Baptiste, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Steve Alderman, Code Compliance Inspector
Mr. Curtis Wiggins, Code Compliance Inspector
Mr. Kevin Yates, Code Compliance Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, Audio/Video
Mr. Tim Blowers, 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 9:01 am. And ask for roll call.

Mrs. Seivwright called the roll. All board members were present except **Mr. Gonzalez**. **Mrs. Robey** made a motion to excuse **Mr. Gonzalez**, **Mrs. Hymes** Seconded the same motion and the motion was approved. 6-0

Mrs. Kuendig introduced the new board, **Mr. Thomas Mehegan**, and welcomed him. **Mr. Harrington** asked about the Code Board Ethics continuing education and wants to know if must be done all at once or if you could stop and return to it later. **Mrs. Seivwright** was unsure and would ask the City Clerk and let the board know the response.

And **Mr. Harrington** also stated the Code Board Election was not on the agenda and **Mr. Cinco**, who is the Code Board Attorney advised placing the election on the on the May Agenda.

Mrs. Kuendig and **Mrs. Robey** made it clear that neither one of them would be present at the next meeting in May.

Approval of March 9, 2023, Minutes, **Mrs. Robey** made a motion to approve the Minutes **Mrs. Hymes** seconded the same motion and minutes were approved. 6-0 **Mrs. Kuendig** asked if there was any Disclosure of Ex Parte Communications but there was none. **Mrs. Kuendig** asked if there were any announcements. **Mrs. Seivwright** read the following announcements.

LR- 1 CEB 03-20-48 - Fredy & Victor Peralta at 961-859 Dr. Mary McLeod Bethune Blvd is being pulled at the request of the respondent realizing he is not in compliance and will be placed on a future agenda once in compliance.

CEB 03-23-49 - Shiven Universal LLC at 1404 N Atlantic Ave # 25

Compliance 3/31/2023

CEB 03-23-45 - William D Belden at 1118 Live Oak Ave

Compliance 4/5/2023

CASE # 14 - CEB 03-23-51 - Botero Holdings LLC 630 Tanglewood St

Compliance 4/10/2023

CASE # 15 - CEB 03-23-52 - Botero Holdings LLC TR 611 Tanglewood St

Compliance 4/10/2023

CASE # 34 - CEB 04-23-55 - Joni Harrison 336 Fordham Dr

Compliance 4/12/2023

CEB 09-22-204 - Bonnie Boudreau Keating 606 S Lanvale Ave

Tanner Andrew Attorney representing this case.

Staff were sworn in.

Mrs. Kuendig explains the procedure of the hearing.

Mrs. Kuendig asked the board was it acceptable to take attorney case first board agreed.

6-0

Continued Cases:

That case is called first and cases will be listed according to the way they were called.

Mrs. Kuendig asked the attorney to state his name and address for the record and which case he is representing.

CASE # 17 - 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 Andrew Attorney

Inspector Kirk testified to the status of the case there has not been much progress city is continuing working to vacate the right of way and she received an update from right away coordinator which is a part of the city's engineering department and should be going before planning board for review soon. Staff recommended amending it until the June cutoff.

Mr. Tanner advised his understanding from his client was working with the city and got the vacated of right of way process started and she was told it takes approximately six months.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until May 31, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day **Mrs. Hymes** seconded same and motion was approved. 6-0

CASE # 1 - CEB 07-22-161 - Liliosa Bohenzky EST and 401 N Oleander LLC is cited for failure to correct violations of 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. IPCM 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 Stenson testified on behalf of **Mr. Jean-Baptiste** who reports he has had contact but he's unsure if property is occupied, but has been progress the roof has been

completed and permits just need to be finalized, and the owner needs to contact the building department for inspection he's recommending to amend until the May cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until May 3, 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 same and motion was approved 6-0.

CASE # 2 - CEB 02-23-26 - Erinogert Zhutaj is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S1; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **542 Foote Ct** Violation(s) – No permit for addition, concreting drive, concreting back yard, accessory structure, fence & gate.
First Notified – 8/2/2022

No respondent

Inspector Sykes testified on behalf of Mr. Mark Jones who reports since the last hearing he's had contact with the Architect and permits and licensing there is hearing, with Board of Adjustment scheduled for May 18,2023 and Staff recommended request amending until the June cutoff.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous order of non-compliance and allow the Respondents until May 31, 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 same and motion was approved 6-0.

CASE # 3 - 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

No respondent

Inspector John Stenson testified since last the hearing he's had contact and received email from the owner which advised that her soffits were on order. He advised she now has business tax for the business and the address numbers are there however the parking issue remains uncorrected. Staff recommended imposition of a fine of \$100.00 per day to maximum of \$10,000.00. There was continued discussion about the owner having an agreement with the city but Inspector Stenson was not aware and Mrs. Keundig advised there was no proof of that or name or department to contact the say that in fact there is some type of agreement and asked city attorney advice.

Mr. Anthony Jackson city attorney advised and discussed a change in law back in 2021.

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$100 per day against the respondent effective **April 13, 2023**, to a maximum of \$10,000 or until compliance is achieved, **Mr. Harrington** seconded the same and motion was approved 6-0.

CASE # 4 - CEB 03-23-49 - Shiven Universal 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 of the LDC of the Sup.(reference) 304.13 of the IPMC, at **1404 N Atlantic Ave # 25** Violation(s) – Unpermitted renovations, broken window.
First Notified – 1/10/2023

Compliance 3/31/2023

CASE # 5 - CEB 02-23-31 - Manuel A Corbea is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art of the LDC, at **445 Zelda Blvd** Violation(s) – No permit for openings closed and moved.
First Notified – 11/26/2022

Manuel Corbea sworn.

Inspector John Stenson testified to the status and states he has had contact with the property owner is progressing, slowly the renovation permit is on hold for corrections and staff recommended amend until the next cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents until May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day **Mrs. Hymes** seconded same and motion was approved 6-0.

CASE # 6 - CEB 03-23-46 - Briana N Johnson is cited for failure to correct violations of The Land Development Code, LDC Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), at **1344 Cedar Bluff** Violation(s) – Dilapidated fencing.
First Notified – 12/17/2022

No respondent

Inspector Butler testified to the status of the case he's had no caontact with the owner but was contacted by signficante other he believes Tuesday April 11, 2023. Staff recommended imposition of a fine of \$100.00 per day to maxium of \$10,000.00.

BOARD ACTION: **Mrs. Hymes** made a motion to impose a fine of \$100 per day against the respondent effective **April 13, 2023**, to a maximum of \$10,000 or until compliance is achieved, **Mrs. Robey** seconded the same and motion was approved 6-0

CASE # 7 - CEB 02-23-25 - Malik Art LLC 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 302.7, 304.6, 305.3), at **934 W Millard Ct** Violation(s) – Work without

permits, overgrown landscaping, dirt and grime, damaged exterior surfaces, accessory structure and damaged interior surfaces.

First Notified – 7/28/2022

Roger Davis sworn in. Owner/Manager

Inspector Roosevelt Butler testified he has had contact with the owner however, the city has requested additional information which he believes was submitted this week. Also, shares with the board that this particular property has been in the state that is for several years. And now Mr. Davis has purchased it and has processing plans to make it beautiful. Staff recommended to June cutoff.

Mr. Davis reiterates he is still having difficulties with the city getting permits processed, everything has been submitted once the city finalizes permit, he can move forward.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until May 31, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day **Mrs. Hymes** seconded same and motion was approved 6-0.

CASE # 8 - 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 Kevin Yates testified to the status of the case and states since last hearing he has had contact with the owner and owner continues to attempt to remove the old oil tank he does have under contract for demo of the house but that cannot take place until the oil tank is removed. And staff recommended amend until the next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until May 31, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day **Mrs. Hymes** seconded same and motion was approved 6-0.

CASE # 9 - CEB 03-23-44 - Donald T Wattrick is cited for failure to correct violations of The Land Development Code, PMC (505.1, 505.3), at **506 South St** Violation(s) – No water

First Notified – 10/21/2022

Inspector Daniel Garcia testified the status of the case and advises since last hearing he's had no contact with the owner and it is occupied by squatters and verified through

utilities there no water turn on. Staff recommended imposition of a fine of \$100.00 per day to maximum of \$15,000.00.

BOARD ACTION: Mrs. Hymes made a motion to impose a fine of \$200 per day against the respondent effective **April 13, 2023**, to a maximum of \$15,000 or until compliance is achieved, Mrs. Robey seconded the same and motion was approved 5-1 Ms. Marsh.

CASE # 10 - CEB 03-23-45 - William D Belden is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A, at **1118 Live Oak Ave** Violation(s) – Outside storage, vehicle parked on the grass.

First Notified – 1/6/2023

Compliance 4/5/2023

CASE # 11 - CEB 03-23-40 - Jara Chen Yuan is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.1, 304.2, 304.7, 304.9), at **723 White St** Violation(s) – Overgrown property, rotted fascia, rotted siding, damaged roof, missing address, peeling paint.

First Notified – 9/21/2022

No respondent

Inspector Steve Alderman testifies since last hearing no contact with the owner. no progress as of April 12, 2023 violations remain. Staff recommended imposition of a fine of \$100.00 per day to maximum of \$10,000.00.

Mr. Jackson advised the board that whether it is \$10,000.00 or \$15,000.00 it still would be effective for consideration of foreclosure once the fine is right, or it is opposed for the finding been imposed for three months. **Mrs. Robey** suggested a wellness check be done.

BOARD ACTION: Mrs. Hymes made a motion to impose a fine of \$200 per day against the respondent effective **April 13, 2023**, to a maximum of \$15,000 or until compliance is achieved, Mrs. Robey seconded the same and motion was approved 5-1 Ms. Marsh

CASE # 12 - CEB 02-23-28 - Bobby L Caldwell 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; (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.4, 304.7, 304.13.1, 304.14), at **1311 Hillcrest Dr** Violation(s) – Permit expired, rotted roofing, rotted roof trusses, rotted overhangs, rotted exterior cabinets, broken windows, peeling paint (all structure) missing screens, damaged fencing.

First Notified – 7/26/2022

No respondent

Inspector Steve Alderman testifies to the status of the case violations remains and property is secure. He also states he's previously communicated with Bobby Caldwell and his previous attorney here in Daytona Beach, and he lives in Kansas City, Missouri

and the conversation her opinion respondent doesn't understand what's going on and he's in marginal transitory living even in Kansas City. Staff recommended imposition of a fine of \$100.00 per day to maximum of \$15,000.00.

BOARD ACTION: Mrs. Robey made a motion to impose a fine of \$100 per day against the respondent effective **April 13, 2023**, to a maximum of \$15,000 or until compliance is achieved, Ms. Marsh seconded the same and **motion failed. 3-3 Kuendig and Mehegan and Harrington.**

Mrs. Kuendig asked for a roll call vote, Mrs. Seivwright proceeded with a roll call vote.

Roll Call Vote

Harrington- Nay, Marsh -Yay, Hymes- yes, Robey-yes, Kuendig- Nay, Mehegan-No vote tied. same **Motion failed. 3-3 Kuendig and Mehegan and Harrington**

BOARD ACTION

Mrs. Robey made a second motion to impose a fine of \$200.00 per day against the respondent effective **April 13, 2023**, to a maximum of \$15,000 or until compliance is achieved, Mr. Harrington seconded the same and motion was approved. 6-0

CASE # 13 - 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 Steve Alderman testifies to the status of the case also states the property has been maintained and is on the city rehab list, since last hearing he's received a letter from Bill Orender who is the Redevelopment Neighborhood Housing Program delivery Specialist, City of Daytona Beach. And staff recommended amend until the July cutoff.

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

CASE # 14 - CEB 03-23-51 - Botero Holdings LLC TR is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp.) IPMC 304.2, 304.13.2, at **630 Tanglewood St** Violation(s) – Boarded windows, dirt and grime.

First Notified – 8/25/2021

Compliance 4/10/2023

CASE # 15 - CEB 03-23-52 - Botero Holdings LLC TR is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A REF RBC Suppl IPMC# 302.7, 304.13, 304.13.2, at **611 Tanglewood St** Violation(s) – Damaged planter, missing windows, inoperative windows.
First Notified – 4/12/2021

Compliance 4/10/2023

CASE # 16 - CEB 04-20-84 - Larry Sanders is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4, at **721 Loomis Ave** Violation(s) – No permit for exterior addition, peeling paint, rotted wood, windows.
First Notified – 8/16/2019

Larry Sanders sworn in.

Inspector Sara Kirk testified to the status of the case and also states Mr.Sanders is on the city's waiting list for rehab housing services received update from Mr.Orender in Housing program department Staff recommended amend until July cutoff for compliance.

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

CASE # 18 - 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

Inspector Sara Kirk testifies since the last hearing there has been a demo permit application entered applied for March 23, 2023. And once home is demolished and permit finalized she'll be able to close the case. Staff recommended amend until July cutoff for compliance.

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

CASE # 19 - 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 Sara Kirk testifies Mrs. Smith testified to the status of the case she is also on city's waiting list for rehab housing services and has been on that list June 17, 2019 she has spoken with Mrs. Smith but couldn't be here she didn't want to miss work. Staff recommended amend until July cutoff for compliance.

Mrs. Kuendig asked Code Compliance Manager if they can do six-month progress. **Mr. Denzil Sykes**, Manager for the Code Compliance Division, agrees extending out six months month is agreeable. He also advises when they come into compliance, they want to come back that would help the agenda as well. There was a clarification made by the city attorney and chairperson.

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

CASE # 20 - 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 Sara Kirk testified since the last hearing she's had contact with owner and Mr. Murphy is on the city's rehab list for roofing and rehab and has been since November 30, 2021. he agreed to maintain the property and make sure it's secured this week. Staff recommended to amend until July 5,2023 cutoff. There was further discussion and explanation between the city Attorney and the board.

BOARD ACTION: **Mrs. Hymes** made a motion and seconded to amend the previous order of non-compliance and allow the Respondents July 5, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day no seconded same, and motion failed 1-5.

Mr. Jackson city attorney suggested to have the Rehab Department come in an explain the process. There was extensive discussion on this case and the possibility of getting further assistance from city officials to help.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and further ordered to secure the property (shed) and maintain landscaping **Mr. Harrington** seconded same, and motion was approved 6-0.

CASE # 21 - 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

Devon Robinson was sworn in.

Inspector Sara Kirk testified there has been no progress, and only this week did she contact the owner. Staff recommended a fine of \$100.00 per day to a maximum of \$10,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Ms. Marsh** seconded same, and motion was approved 6-0.

CASE # 22 - CEB 02-23-37 - Liam Bates is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), at **552 Tarragona Way**. Violation(s) – Missing address numbers and no permit shed.

First Notified – 7/19/2022

Liam Bates sworn in

Inspector Sara Kirk testified since last hearing that there has been some progress there is a after the fact permit under review. Staff recommended amend until the next cutoff for compliance.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

CASE # 23 - CEB 03-23-50 - Alaadin Rasnazarath Filgueiras Penna Francisco is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp.IPMC) 308.1, at **1110 Australia Ave** Violation(s) – Expired hvac permit, unpermitted renovations, outside storage, debris, peeling paint, crumbling exterior.

First Notified – 8/25/2022

No respondent

Inspector Sara Kirk testified since last hearing that there has been minamal progress. She has had contact with owner nothing been done with permits. Staff recommended \$100 a day to maxium of \$10,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$100.00 per day against the respondent effective **April 13, 2023**, to a maximum of \$10,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved.6-

CASE # 24 - CEB 02-23-38 - Industrial Quality Services LLC 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 302.5,302.7, 304.5, 304.13, 305.3, 504.3, 604.3), at **529 Live Oak**

Ave Violation(s) – Rodent harborage, unsanitary conditions, overgrown grass, damaged fence, defective interior and exterior surfaces, missing electrical outlets covers.
First Notified – 10/20/2022.

No respondent

Inspection Sara Kirk testified to the status of case. Staff recommended a fine of \$100.00 a day up maximum of \$15,000.00

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$200.00 per day against the respondent effective **April 13, 2023**, to a maximum of \$15,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved. 6-

CASE # 25 - CEB 03-23-47 - Jeanne M Harrington is cited for failure to correct violations of The Land Development Code, Art. 4 Sec. 4 . S. 1, at **360 Phoenix Ave** Violation(s) – Expired accessory permit (driveway)
First Notified – 9/22/2022

No respondent

Inspection Sara Kirk testified to the status of case. Staff recommended a fine of \$100.00 a day up maximum of \$15,000.00

BOARD ACTION: **Ms. Marsh** made a second motion to impose a fine of \$100.00 per day against the respondent effective **April 13, 2023**, to a maximum of \$10,000 or until compliance is achieved, **Mrs. Hymes** seconded the same and motion was approved.

CASE # 26 - 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 S Lanvale Ave** Violation(s) – **No permit for accessory structures (fence, shed, carport)**.
First Notified – 3/28/2022

No respondent

Inspector Kirk testified to the status of the case advised this property is right next door to the other case where the city is continuing working to vacate the right of way like the previous case. Staff recommended amending it until the June cutoff for compliance.

Mrs.Keundig advised there needs to be consistency. because both cases will probably return at the same time and change both to July cutoff this one and change the other case and contact Mr. Tanner Andrew for previous case.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous order of non-compliance and allow the Respondents July 5, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mr. Harrington** seconded same, and motion was approved 6-0.

Mrs. Kuendig returned to address the previous case, which is the following.

CASE # 17 - 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

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous motion and allow the Respondents July 5, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

Inspector Sara Kirk agreed she would notify **Mr. Tanner Andrew** of the amended changes.

CASE # 27 - CEB 02-23-39 - William Hart is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **879 Loomis Ave** Violation(s) – No permit for windows.
First Notified – 9/6/2022

William Hart was sworn in, via zoom.

Inspector Sara Kirk testified to the status of the case. Staff recommended amend until next cutoff for compliance for compliance and she advised Mr. Hart to contact the permitting department to find out the final inspection results.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

New Cases: are listed in the order they were called.

CASE # 29 - CEB 04-23-59 - Peter Frank 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 **210 Fremont Ave** Violation(s) – Areas of peeling paint and unprotected soffit.
First Notified – 1/19/2023
Peter Frank was sworn in.

Inspector Kevin Yates testified to the status of the case and advised he had contact with the owner. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

CASE # 28 - CEB 04-23-56 - Merlin Velasquez is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A3; Art. 6 Sec. 6.19.A4; Art. 9 Sec. 9.2. A (Ref. FBC Supp. IPMC 302.8, 302.7, 304.3,304.7, 308.1), at **1136 Lakewood Park Dr** Violation(s) – Unpermitted shed outdoor storage, dirt and grime, dilapidated fencing, junk vehicle,roof (soffit/fascia)
First Notified – 11/15/2022

Merlin Velasquez was sworn in.

Inspector Roosevelt Butler, Jr. testified to the status of the case.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Ms. Marsh** seconded same, and motion was approved 6-0.

CASE # 31 - CEB 04-23-61 - Emerita L Velaquez & Rosa Hendrix 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.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. 308.1, 702.1), at **646 Marco St** Violation(s) – Unpermitted shed, outdoor storage, trash/debris, inoperable vehicle, parking in yard, obstructed egress.
First Notified – 1/21/2023.

Emerita Velaquez was sworn in.

Inspector Sara Kirk testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 31, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Ms. Hymes** seconded same, and motion was approved 6-0.

CASE # 30 - CEB 04-23-62 - Daniel Synder III is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **202-A-721 S Beach St** Violation(s) – Work without permits- complete interior remodel.
First Notified – 2/22/2023.

No respondent

Inspector John Stenson testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

CASE # 33 - CEB 04-23-54 - Rodrigo Moreno 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 **331 Williams Ave** Violation(s) – Damaged roof.

First Notified – 11/4/2022.

No respondent

Inspector John Stenson testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Robey** seconded same, and motion was approved 6-0.

CASE # 35 - CEB 04-23-57 - Sound Realty is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC) City Code Ch. 26 Sec. 294 and Ch. 90 Sec .297, at **746 N Halifax Ave** Violation(s) – Unlicensed rental property.

First Notified – 11/9/2022.

No respondent

Inspector John Stenson testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Robey** seconded same, and motion was approved 6-0.

CASE # 36 - CEB 04-23-64 - Daniel O Yancey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.13.2), at **723 N Peninsula Dr** Violation(s) – Dilapidated fencing. Boarded/broken window.

First Notified – 2/21/2023

No respondent

Inspector John Stenson testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and **Mrs. Hymes** seconded same, and motion was approved 6-0.

CASE # 32 - CEB 04-23-63 - Albert Burton III, Sharon D Burton & Ethelreda Burton
is cited for failure to correct violations of The Land Development Code, Art. 6 Sec.
6.19.A3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **339 S Martin Luther King
Blvd** Violation(s) – Outside storage and trash & debris.
First Notified – 1/31/2023

No respondent

Inspector Sara Kirk testified to the status of the case. and advised she had no contact with the owner. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents May 3, 2023, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day and Mrs. Hymes seconded same, and motion was approved 6-0.

Mr. Harrington made a motion to adjourn the meeting seconded by **Mrs. Kuendig** the meeting was adjourned.6-0.

7. **Adjournment:** at 11:37am