

MINUTES

CODE ENFORCEMENT BOARD

City Commission Chambers
301 S. Ridgewood Ave., Daytona Beach, FL 32114

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

September 14, 2023

Members present:

Mrs. Mary Louise "Weegie" Kuendig, Chairman
Mrs. Turner Hymes, Vice-Chairman
Mr. Neil Harrington
Mrs. Karen Robey
Ms. Karrie Marsh
Mr. Thomas Mehegan
Mr. Charles Cino, Esquire, Board Attorney

Staff present:

Mr. David Russell, Esq., Assistant City Attorney
Mr. Denzil Sykes, Code Compliance Division Manager
Mr. Mark A. Jones Code Compliance Field Supervisor
Mr. Roosevelt Butler Jr, Code Compliance Inspector
Mr. Daniel Garcia, Code Compliance Inspector
Ms. Sara Kirk, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Curtis Wiggins, Code Compliance Inspector
Mr. Joe Graves, Audio/Video
Mr. Charles Smarr, Audio/Video
Mr. Timothy 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 9:00 am. And ask for a roll call. **Mrs. Seivwright** called the roll. All board members were present.

Mrs. Keundig asked if there were any corrections to the minutes **Ms. Marsh and Mrs. Robey** pointed out a few scrivener's errors. **Mrs. Hymes** made a motion to approve the amended and corrected minutes. **Mrs. Robey** seconded the motion and all agreed, and the motion approved.5-0.

4. Disclosure of Ex Parte Communications there were none.

Mrs. Kuendig asked for any announcements. **Mrs. Seivwright** read the following announcements.

5. Announcements:

**Case # 7- CEB 02-23-25 - Malik Art LLC at 934 W Millard Ct
Compliance 9/7/2023**

**Case #17 CEB 09-23-120 Amanda Rupp LLC 610 School St
Compliance 9/12/2023**

An additional announcement

**Case # 6 CEB 08-23-109 Shawnea Dent 322 N Keech St
Compliance 9/8/2023**

Staff was sworn in.

Mrs. Keundig explained the hearing process, and how the cases would be called and proceeded as such.

Lien Review

LR-1

CEB 06-19-109 - Rosalie Riley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **218 Short St.** Violation(s) – **Peeling paint.** First Notified – 3/7/2019 **Order Imposing Fine/Lien effective July 11, 2019. \$100.00 a day to a maximum of \$15,000.00 Compliance = June 16, 2023. \$100 x 150 days= 15,000.00 plus \$24.00 recording costs = \$15,024.00**

Inspector Daniel Garcia testified to the status of the case and the staff's recommendation was to waive lien in its entirety due to due process. Lien was imposed after the sale was done.

David Russell, City attorney explained to the board that there was a claim submitted for surplus for a tax sale and it's proceeds.

Board Action: **Mrs. Robey** made a motion to accept the recommendations of staff to waive lien entirely. **Mrs. Hymes** seconded the motion and all agreed, and the motion approved.5-0.

A new case was called out of order due to respondent needing to leave.

CASE # 13 - CEB 09-23-119 - Do'shan A Edwards Wilder 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 302.7, 302.8, 304.10, 304.13), at **613 Park Ave** Violation(s) – **unmaintained landscaping, dirt and grime, dilapidated fencing, junk vehicle, dilapidated porch and broken windows.**

First Notified – 8/2/2023

Do'shan Wilder sworn was sworn in.

Inspector Roosevelt Butler, Jr 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 find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until, October 4, 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 the motion and all agreed, and the motion approved. 5-0.

Continued Cases:

CASE # 1 - CEB 07-23-93 - Chris Adrian Daun 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 **132 Pierce Ave.** Violation(s) – **Dilapidated garage door.**
First Notified – 2/24/2022

Mrs. Kuendig recused herself from this case and will continue to do so and passed the gavel to **Mrs. Hymes Vice-Chairman.**

Chris Duan was sworn in.

Inspector Curtis Wiggins testified to the status of the case. there has been contact and progress was made new garage door has been installed and currently is waiting for the permit to be finalized. Staff recommended to amend until October cutoff.

BOARD ACTION: Mr. Harrington made a motion to amend the previous order of non-compliance and allow the Respondents until October 4, 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 same and motion was approved. 4-0 **Keundig recused.**

CASE # 2 - CEB 05-23-69 - Grady Lee Meeks Jr. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **719 S Beach St unit # 1030** Violation(s) – **No permit for complete interior remodel.**
First Notified – 2/24/2023

No respondent

Inspector Mark A. Jones testified to the status of the case. Staff recommended to amend until the November cutoff.

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

CASE # 3 - CEB 06-23-83 - Inez Garrett 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 304.7), at **333 N Caroline St** Violation(s) – **Outside storage, dilapidated roof.**

First Notified – 5/1/2023

No respondent

Inspector John Stenson testified to the status of the case. he has been in contact with the owner and the respondent is on the city's rehab waiting list. Staff recommended to amend until the January cutoff.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous order of non-compliance and allow the Respondents until January 3, 2024, 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. 5-0

CASE # 4- 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

Minerva Samayoa Interpreter was sworn in.

Emerita L Velaquez & Rosa Hendrix both were sworn in.

Inspector Sara Kirk testified to the status of the case. She has had contact with Ms. Velaquez and progress has been made and the survey is in review. Staff recommended to amend until the October cutoff to finalize the survey.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until October 4, 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. 5-0

CASE # 5 - CEB 05-23-67 - Albert Burton III, Sharon D Burton and Ethelreda

T Burton, David M Burton 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, 304.13, 304.14, 305.3, 305.4, 305.6, 504.41, 604.3 605.4, 702.4, 704.2), at **339 S Martin Luther King Blvd** Violation(s) – **Unsecured structure, unsanitary conditions, broken window, defective interior and exterior surfaces, holes in ceiling, missing screens and locks on windows. defective and exposed plumbing, damaged electrical fixtures and outlets, egress issues, missing smoke detectors, missing soffit.**

First Notified – 2/21/2023

No respondent

Inspector Sara Kirk testified to the status of the case. Staff recommended to amend until the October cutoff.

BOARD ACTION: **Mrs. Hymes** made a motion to amend the previous order of non-compliance and allow the Respondents until October 4, 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. 5-0

CASE # 8 - CEB 07-23-103 - Willie D Warren is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **764 Kentucky St** Violation(s) – **Commercial equipment on property.**

First Notified – 2/6/2023

Willie D Warren was sworn in.

Inspector Roosevelt Butler, Jr. testified to the status of the case. respondent made great progress and have removed the Conex storage container and located a storage company for other commercial equipment to be stored in Bunnell and removed from residence. Staff recommended to amend until the October cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to amend the previous order of non-compliance and allow the Respondents until October 4, 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. 5-0

CASE # 9 - CEB 08-23-107 - Lenora Land Trust dated 11/15/2012 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, 302.8), at **818 Lenora St** Violation(s) – **Outside storage, unmaintained landscaping, dilapidated fencing, junk vehicle.**

First Notified – 2/9/2023

No respondent

Inspector Roosevelt Butler, Jr. testified to the status of the case there has been no contact or progress. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00 dollars.

BOARD ACTION: **Mr. Harrington** made a motion to impose a fine of \$100.00 per day against the respondent effective September 14, 2023, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. Effective September 14, 2023

Mrs. Robey seconded the same, and the motion was approved. 5-0

CASE # 10 - CEB 08-23-108 - Dehaven J. Carter and Hester L. Carter is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7. a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8), at **332 N Caroline St** Violation(s) – **Parking, unmaintained landscaping, dilapidated fencing, junk vehicles.**

First Notified – 5/4/2023

No respondent

Inspector Roosevelt Butler, Jr. testified to the status of the case there has been no contact or progress. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00 dollars.

BOARD ACTION: Ms. Marsh made a motion to impose a fine of \$100.00 per day against the respondent effective September 14, 2023, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. Effective September 14, 2023

Mrs. Hymes seconded the same, and the motion was approved. 5-0

CASE # 11- CEB 08-23-113 - Lois Jean Clark is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7. a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **322 N Caroline St** Violation(s) – **Parking, unmaintained landscaping, outdoor storage and dilapidated roof.**

First Notified – 4/29/2023

Lois Clark and Alvin Bell both were sworn in.

Inspector Roosevelt Butler, Jr. testified to the status of the case. and there has progress made and Staff recommended to amend until the January cutoff to allow respondent time to get the finances to make repairs to the roof since it's the only remaining issue.

BOARD ACTION: Mrs. Hymes made a motion to amend the previous order of non-compliance and allow the Respondents until January 3, 2024, 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. 5-0

Denzil Sykes Code Compliance Manager departs chambers at 9:54

New Cases:

CASE # 12 - CEB 09-23-116 - John and Brenda Egner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7,304.2,308.1), at **645 Cherry St** Violation(s) – **Outside storage. Overgrown grass, Trash and debris, dilapidated fence, peeling paint, dirt and grime. rubbish and garbage.**

First Notified – 5/12/2023

No respondent

Inspector Daniel Garcia 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 find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until October 4, 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 5-0.

CASE # 14 - CEB 09-23-114 - Jeannine M. Hadley is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A3; at **2931 N Peninsula Dr** Violation(s) – **Unmaintained landscaping, outside storage.**

First Notified – 1/23/2023

Jeannine Hadley was sworn in.

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

BOARD ACTION: **Ms. Marsh** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until October 4, 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 5-0.

CASE # 15 - CEB 09-23-115 - Libby A. Thomas 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 **259 Euclid Ave** Violation(s) – **Failing Stucco.**

First Notified – 1/27/2023

No respondent

Inspector John Stenson testified to the status of the case. there has been contact with the property owner and there has been progress made. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mr. Harrington** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until October 4, 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 5-0.

CASE # 16 - CEB 09-23-118 - Daniella L. & Steven M. Weaver, Sr. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **1157 Bel Aire Dr** Violation(s) – **Expired permit for damaged roof and patio / carport.**

First Notified – 5/31/2023

No respondent

Inspector John Stenson testified to the status of the case. Staff recommended to continue case until next hearing due to the respondent at this time suffering a tragedy.

BOARD ACTION: **Mrs. Hymes** made a motion to continue this case until the October hearing and **Mrs. Robey** seconded same, and the motion was approved 5-0.

CASE # 17 - CEB 09-23-120 - Amanda Rupp LLC 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 **610 School St** Violation(s) – **Damaged fencing.**

First Notified – 8/8/2023

No respondent

Inspector Stenson testified to the status of the case that this property is in compliance as of the following date.

Compliance 9/12/2023

CASE # 18 – CEB 09-23-121 - Karen Perez & Ruth Harold is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 of the LDC, at **309 Brookline Ave** Violation(s) – **Unmaintained landscaping, outside storage.**

First Notified – 7/21/2023

No respondent

Inspector Stenson testified to the status of the case this property is in compliance as of the following date.

Compliance 9/13/2023.

CASE # 19 - CEB 09-23-122 - Jessie Edwards is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 6 Sec. 6.19.A.3, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8, 304.1, 308.1), at **544 Heineman** Violation(s) – **Junk vehicle, outside storage, parking on the grass, dilapidated fence, damaged exterior wall, rubbish garbage.**

First Notified – 5/10/2023

No respondent

Inspector Daniel Garcia 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 find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until October 4, 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 5-0.

Mr. Harrington made a motion to adjourn the meeting **Mrs. Robey** seconded same, and the motion was approved 5-0.

7. Adjournment: 10:08