

MINUTES

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, and Katherine Marsh and Thomas Mehegan

October 12, 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. Anthony Jackson, Deputy 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. 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 8:59 am. And ask for a roll call.

Mrs. Seivwright called the roll. All board members were present.

Mrs. Keuldig asked if there were any additions or corrections to the minutes and there were none.

Mrs. Robey made a motion to approve the minutes **Ms. Marsh seconded** the motion and all agreed, and the motion approved.6-0.

Mrs. Keuldig asked if there were any **Disclosure of Ex Parte Communications**, there were none.

Mrs. Keundig asked for any announcements and **Mrs. Seivwright** read them as follows. The agenda date on the agenda top right corner of each page previously read October 14, 2023, now reads October 12, 2023, that was emailed city wide has been corrected on the present agenda and Posted.

Pg. 3 Case # 4 CEB 07-23-103 Willie D Warren 764 Kentucky St. Compliance October 11, 2023

Pg. 5 case # 11 CEB 05-23-67 David Burton 339 S Martin Luther King Blvd via zoom

Pg 6 case # 16 CEB 10-23-133 Morningside Ave Compliance 10/6/2023

Pg. 3 Case #3 CEB 09-23-116 645 Cherry St via zoom

Staff was sworn in.

Mrs. Keundig explained the process of the proceedings. Cases were called.

Lien Review

CEB 09-22-221 - Andrew Schreiber & Sheryl Cola is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **307 Manhattan Ave** Violation(s) – **Parking in the yard, damaged roof.** First Notified – 6/10/2022 **Order Imposing Fine/Lien effective December 8, 2022. \$50.00 a day. Compliance =September 15, 2023. \$50.00 x 200 days =\$10,000.00, plus \$24.00 recording costs = \$10,024.00**

Andrew Scribeber was present and sworn in.

Mr. Scribieber wa given the opportunity to explain his situtaion.

Inspector John Stenson testified to the status of the case and the staff's recommendation was to reduce the lien to the amount of \$1,024.00 for administrative fees.

Board Action: **Mrs. Hymes** made a motion to accept the recommendations of the city to reduce the lien to the city recommendations of \$1,024.00 administrative fees to be paid within 30 days or the lien will revert to the original amount. **Mr. Harrington** seconded the motion and all agreed, and the motion approved.6-0.

Continued Cases

CASE # 1- CEB 04-23-62 - Daniel Snyder III is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **721 S Beach St Unit # 202-A** Violation(s) – **Work without permits- complete interior remodel.** First Notified – 2/22/2023
No respondent present.

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

BOARD ACTION: **Ms. Marsh** 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 until compliance is achieved **Mrs. Robey** made a motion to amend **Ms. Marsh** seconded same and motion was approved. 6-0

Deputy City Attorney Anthony Jackson reiterated there will be no December hearing.

CASE # 2 - 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 present.

Inspector Daniel Garcia testified to the status of the case. Staff recommended imposing a fine of \$100.00 per day up to a maximum of \$10,000.00.

BOARD ACTION: **Mrs. Hymes** made a motion to impose a fine of \$100.00 per day against the respondent effective October 12, 2023, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Mrs. Robey** seconded the same, and the motion was approved. 6-0

CASE # 3 - 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.A3; 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

John Egner was present and sworn in via zoom.

Inspector Daniel Garcia testified to the status of the case. Staff recommended amending the previous order of non-compliance 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 until compliance is achieved **Ms. Marsh** made a motion to amend **Mrs. Robey** seconded the same and the motion was approved. 6-0

CASE # 4 - 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

Compliance October 11, 2023

CASE # 5 - 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) – **Landscaping, dirt and grime, dilapidated fencing, junk vehicle, dilapidated porch, and broken windows, outdoor storage.**
First Notified – 8/2/2023

Do'shan Wilder was present and sworn in.

Inspector Roosevelt Butler, Jr testified to the status of the case. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$15,000.00.

BOARD ACTION: **Mrs. Hymes** made a motion to impose a fine of \$100.00 per day against the respondent effective October 12, 2023, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Ms. Marsh** seconded the same, and the motion was approved. 6-0

CASE # 6 - 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) – **Falling stucco.**
First Notified – 1/27/2023

No respondent present

Inspector John Stenson testified to the status of the case. Staff requested to vacated order of non-compliance and that case be dismissed due to the case has already been heard by Special Magistrate

BOARD ACTION: **Mrs. Hymes** made a motion to accept the staff's request to vacated order of non-compliance and the case be dismissed the case due to the case has already been heard by Special Magistrate **Mrs. Robey** seconded the same, and the motion was approved. 6-0

CASE # 7 - 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 – 6/1/2

No respondent present.

Inspector Sara Kirk testified to the status of the case. Staff recommended amending it until the January cutoff.

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

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 Keating present waived her rights to speak.

Attorney Tanner Andrews represented respondent.

Inspector Sara Kirk testified to the status of the case. Staff recommended amending it 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 until compliance is achieved **Mr. Harrington** seconded the same and the motion was approved. 6-0

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 was present and sworn in.

Inspector Sara Kirk testified to the status of the case. Staff recommended amending it until the January cutoff.

BOARD ACTION: **Mr. Harington** 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 until compliance is achieved **Mrs. Hymes** seconded the same and the motion was approved. 6-0

CASE # 10 - 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

No respondent present.

Inspector Sara Kirk testified to the status of the case. Staff recommended amending it until the November cutoff.

BOARD ACTION: **Mrs. Robey** 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 until compliance is achieved **Ms. Marsh** seconded the same and the motion was approved. 6-0

CASE # 11 - CEB 05-23-67 - Albert Burton III, Sharon D Burton and Ethelreda T Burton and 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

David Burton was sworn in via zoom.

Inspector Sara Kirk testified to the status of the case. Staff recommended amending until the November 1, 2023, cutoff.

BOARD ACTION: **Mrs. Robey** 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 until compliance is achieved **Ms. Marsh** seconded the same and the motion was approved. 6-0

New Cases

CASE # 12 - CEB 10-23-126 - Edwin Santa is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **552 Bellevue Ave.** Violation(s) – **Expired after the fact permit for fence, window enclosed without permit.**

First Notified – 8/5/2023

No respondent present.

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 find the respondent in Non-Compliance and ordered the respondent to come in 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 and **Mrs. Hymes** seconded the motion and all agreed, and the motion approved 6-0.

CASE # 13 - CEB 10-23-129 - Resource Properties INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A3, at **930 Berkshire Rd** Violation(s) – **Unmaintained landscaping and outdoor storage**.
First Notified – 9/6/2023

No respondent present.

Inspector Roosevelt Butler, Jr. 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, 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 and **Mrs. Hymes** seconded the motion and all agreed, and the motion approved.6-0.

CASE # 14 - CEB 10-23-131 - Carnell W Edwards Est 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 **340 N Caroline St** Violation(s) – **Outdoor storage, dirt and grime, damaged roof, soffit and fascia**.
First Notified – 8/17/2023

Ben Edwards (son of the respondent) was present and 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: **Mrs. Hymes** made a motion to find the respondent in Non-Compliance and order the respondent to come in 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 and **Mrs. Robey** seconded the motion and all agreed, and the motion approved.6-0.

CASE # 15- CEB 10-23-132 - Ronald S & Jacqueline Northrip is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.7), at **931 Madison Ave** Violation(s) – **Unmaintained landscaping and damaged fencing, exterior paint, damaged sidewalks, damaged roof**.
First Notified – 6/12/2023

Ronald Northrip was present and 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, 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 and **Mrs. Robey** seconded the motion and all agreed, and the motion approved.6-0.

CASE # 16 - CEB 10-23-133 - Vereni & Waldemar Silva is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a of LDC, at **351 Morningside Ave** Violation(s) – **Parking in front yard.**
First Notified – 5/22/2023

Compliance October 6, 2023.

CASE # 17- CEB 10-23-125 – Kistein Glen and Maylen Atchana 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 303.2, 304.13 City Code Ch 26 Sec 26-294, Ch. 90 Sec.90-297), at **1027 Bel Aire Dr.** Violation(s) – **Outside storage, damaged pool enclosure, broken window, rental license.**
First Notified – 2/16/2023

No respondent present.

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 find the respondent in Non-Compliance and order the respondent to come in 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 and **Mrs. Robey** seconded the motion and all agreed, and the motion approved.6-0.

CASE # 18 – CEB 10-23-127 – John R Allen 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 City Code Ch 26 Sec 26-294, at **728 Essex Rd.** Violation(s) – **No RTL, no permit for shed, outside storage.**
First Notified – 8/10/2023

No respondent present.

Inspector Daniel Garcia testified to the status of the case. **Mrs. Keundig** asked who is the person in video? And the person was identified by the Inspector as **Martha Allen** who is the wife and **additional owner of the property.** After a short discussion a decision was made to add **Martha Allen** to the case. **Deputy City Attorney Anthony Jackson** recommended that we need to give **Mrs. Martha Allen** an give her opportunity to be noticed by continuing until month would give her time and **Code Board Counsel Charles Cino** recommended that as well.

BOARD ACTION: Mrs. Robey made a motion to continue the case until next month until and November 1, 2023, to allow all respondents to be notified. Ms. Marsh seconded the motion and all agreed, and the motion approved.6-0.

CASE # 19- CEB 10-23-128 – Anita Rose & Daniel Richard Alferes 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 302.1,302.4,302.7), at **901 Jeffrey St.** Violation(s) – **Trash & debris, overgrown grass & weeds, dilapidated fence, parking on the grass.**
First Notified – 8/31/2023

Anita Rose & Daniel Richard Alferes both were present and sworn in.

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

Mr. Thomas Mehegan left the chambers 10:27

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 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 and **Mrs. Hymes** seconded the motion and all agreed, and the motion approved.5-0. **Mehegan** didn't vote.

Mr. Thomas Mehegan return the chambers @ 10:31

CASE # 20 – CEB 10-23-123 – Richard MacNeil 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 302.8), at **515 Brentwood Dr.** Violation(s) – **Junk vehicle, parking on the grass, outside storage, overgrown grass.**
First Notified – 6/5/2023

Richard MacNeil was present and sworn in.

Inspector Daniel Garcia 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 find the respondent in Non-Compliance and order the respondent to come in 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 and **Ms. Marsh** seconded the motion and all agreed, and the motion approved.6-0.

CASE # 21 – CEB 10-23-130 – Maria Sedani is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.6, 304.7), at **551 Essex Rd** Violation(s) – **Dilapidated fence, dirty exterior surface, damaged exterior surface, damaged exterior wall and leaking roof in rear.**
First Notified – 5/6/2023

Maria Sedani was present and sworn in.

Inspector Daniel Garcia 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 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 **Mr. Harrington** seconded the motion and all agreed, and the motion approved.6-0.

Adjournment: 10:44