

**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, Thomas Mehegan and
Bradford Gonzalez**

June 13, 2024

Members present:

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

Staff present:

Mr. Anthony Jackson, Deputy City Attorney
Mr. Mark A. Jones Code Compliance Field Supervisor
Mr. Curtis Wiggins, Code Compliance Inspector
Mr. Roosevelt Butler, Code Compliance Inspector
Ms. Sara Kirk, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Xavier Campbell, Audio/ Video
Mr. Joseph Graves, Audio/Video
Mr. Timothy Blowers, Police Officer - Liaison
Mrs. Brenda Seivwright, Board Secretary

Approval of ^{Amended} Minutes by: Mary Louise "Weegie" Kuendig Chairman
*Correction made During Meeting
to this copy of Minutes*

The Vice-Chairman **Mrs. Hymes** called the meeting to order at 9:01 am. And ask for a roll call.

1. Roll Call

Mrs. Seivwright called the roll. All board members were present. Except for ^{Kuendig} **Mrs. Kuendig** and **Mr. Mehegan**. **Mrs. Robey** made a motion made to excuse Mrs. Keundig and Mr. Mehegan and **Ms. Marsh** seconded the motion and all agreed 5-0
Staff was all sworn in.

Mrs. Hymes explained the process of the proceeding and the cases were heard according to the way they were called.

2. Approval of May 9, 2024. Meeting Minutes

Ms. Marsh made a motion to approve the May 9, 2024, minutes and **Mr. Gonzalez** seconded and all agreed minutes were approved 5-0

3. Disclosure of Ex Parte Communications

There were none.

4. Announcements:

Pg. 2 LR 1 - CEB 01-24-03 -1815 N Oleander Ave via zoom

Pg.4 case # 7- CEB 05-24-74 - 821 Pinewood St Compliance June 11, 2024

Pg. 5 case # 13 - CEB 04-24-68 543 Division St via zoom

Pg.6 case # 14 - CEB 04-24-59 -618 Roma St Compliance June 11, 2024.

Pg. 9 CASE # 27 - CEB 06-24-92 - 642 Eldorado St Via zoom.

5. Lien Reviews:

At the time the was called, Respondent wasn't connected to zoom board agreed to come back to this case to allow respondent time to appear.

LR - 1 - CEB 01-24-03 - Paragon Capitol Properties LLC 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 302.7, 304.2, 304.7, 304.13, 304.13.1, 304.13.2, 304.14, 304.15), at **1815 N Oleander Ave** Violation(s) – **Maintaining landscaping, wood-peeling paint- damaged garage door, windows opening enclosed, broken window glass, not operable, window screens, front door, painting, flashings and gutters.** First Notified- 9/26/2023 Order Imposing Fine/Lien effective February 15, 2024. \$250.00 a day. Compliance = April 9, 2024. \$100 x 60 days =\$15,000.00, plus \$24.00 recording costs = \$15,024.00.

No Respondent present

Inspector Mark Jones testified to the status of the case and the staff's recommendation was no reduction.

Board Action: **Mr. Gonzalez** made a motion to agree with the recommendation of the city no reduction **without prejudice** **Ms. Marsh** seconded the motion, and all agreed, and the motion approved. 5-0.

Continued Case:

CASE # 1 - CEB 05-24-71 - Gary George & Heidi Robinson is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **520 Poinsetta Rd**
Violation(s) – **No permit for interior renovation.**
First Notified – 12/5/2023

Gary George Robinson was present and sworn in.

Inspector Curtis Wiggins testified to the status of the case. since the last hearing there has been no progress made, he has had contact with the owner. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$15,000.00

Mr. Robinson was allowed to speak and explain what his plans are to bring the property into compliance and explained the process he took in ^{obtaining} repairing the property and repairing it to the status and remains in the process of obtaining permit and there was further discussion

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Mrs. Hymes** seconded the same **Mrs. Hymes** asked for a roll call, **Mrs. Seivwright** call roll as following:

Harrington – No

Marsh – No

Robey – Yes

Hymes – Yes

Gonzalez – No and the motion failed. 3-2

Mrs. Robey made another motion to allow the respondent until **July 3, 2024**, to obtain permit required or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day: **Mrs. Hymes** asked for a roll call **Mrs. Seivwright** call roll as the following:

Harrington – Yes

Marsh – Yes

Robey – Yes

Hymes – No

Gonzalez - No

Ms. Marsh seconded same, and the motion was approved. 3 - 2

CASE # 2 - CEB 04-24-70 - Clarise A Spagnuolo is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2) City Code Ch. 26 Sec. 26-294, at **1206 Peachtree Rd** Violation(s) – **Overgrown lawn (weeds), No rental license.**

First Notified – 9/14/2023

No respondent present

Inspector Mark Jones testified to the status of the case. staff recommendation is to vacate order of non-compliance and dismiss the case.

BOARD ACTION: **Mr. Gonzlez** made a motion to accept the recommendations of the city to vacate the previous order of Non-Compliance and dismiss the case. **Mr. Harrington** seconded the motion and all agreed, and the motion approved 5-0.

CASE # 3 - CEB 01-24-19 - Nicole McErlean & Miguel Pagan 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 304.2, 304.7, 304.13.2, 304.15), at **402 Auditorium Blvd Violation(s) – Unmaintained landscaping, inoperable windows, exterior doors, protective treatment, roof and drainage.**

First Notified – 8/7/2023

No respondent present

Inspector John Stenson testified to the status of the case. Staff recommended amending it until the next cutoff.

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

CASE # 4 - CEB 05-24-82 - John Nicholson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **413 & 413 1/2 N Grandview Ave Violation(s) – Unmaintained landscaping, outside storage trash & debris.**

First Notified – 1/9/2024

Inspector John Stenson testified to the status of the case. has had contact with little progress Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00.

BOARD ACTION: **Ms. Marsh** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Mr. Gonzalez** seconded the same, and the motion was approved.5-0.

CASE # 5 - CEB 04-24-63 - Linda Carol Jones & Connell Charles Jones 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 304.2, 304.7, 305.1, 305.3), at **1036 Cedar Highlands Blvd Violation(s) – Outdoor storage, damaged doors, dilapidated roof, fascia and soffit, unsanitary living conditions, and damaged walls, peeling paint.**

First Notified – 1/31/2024

No respondent present.

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 \$10,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Mr. Gonzalez** seconded the same, and the motion was approved.5-0.

CASE # 6 - CEB 04-24-64 - Jairo Ezau Morales Santos & Dilcia Maribel Fuentes Lara is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **1409 3rd St Violation(s) – Work without permit.**

First Notified – 1/31/2024

Juan Roberto subcontractor was present and sworn.

Mr. Roberto was given the opportunity to explain what was done and the discussion continued.

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 \$10,000.00.

BOARD ACTION: **Ms. Marsh** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Mrs. Robey** seconded the same, and the motion was approved 4-1 **Gonzalez**

CASE # 7 - CEB 05-24-74 - Christine Ziglar is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2H.7a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.3), at **821 Pinewood St Violation(s) – Outdoor storage, parking in yard, dilapidated fence, no house numbers.**

First Notified – 12/2/2023

Compliance June 11, 2024

CASE # 8 - CEB 05-24-88 - Michelle Hall is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **1305 3rd St Violation(s) – Outdoor storage, and unmaintained landscaping.**

First Notified – 3/27/2024

No respondent present.

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

BOARD ACTION: **Mrs. Robey** made a motion to accept the city's recommendation impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Marsh** seconded the same, and the motion was approved.5-0.

CASE # 9 - CEB 01-24-09 - BAT Development LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; City Code Ch. 26 Sec 26-294, at **712 Park Dr & 714 Violation(s) – No permit for fence and no rental license.**

First Notified – 5/4/2023

No respondent present.

Inspector Sara Kirk testified to the status of the case. since last hearing there has been progress and fence permit has been finalized rental license still in application status waiting for

inspection for rental and she anticipates it being completed by next cutoff staff recommended amending until the next cutoff.

BOARD ACTION Ms. Marsh made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **July 3, 2024**, 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 # 10 - CEB 04-24-55 - Oregon LLC 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. 6 Sec. 6.19.A.3 ; & LDC Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 304.15, 305.3, 305.6, 309.1, 504.1, 602.3, 604.3,704.6.1.2) City Code 26 Sec 26-294., at **935 S Martin Luther King Blvd.** Violation(s) – **No rental license, boat in driveway, overgrowth, missing insect screens, missing smoke detectors, loose flooring defective interior surfaces, missing & defective doors, infestation, defective plumbing, no heat, broken & loose electrical outlets, and fixtures, interior door closed off without permit.**

First Notified – 1/17/2024

No respondent present at the time case was called Inspector Kirk was corresponding via email with respondent and asked to move this case toward the end to allow the respondent who is enroute from I-4 interstate.

Ms.Marsh made a motion to delay case #10 CEB 04-24-55 and case # 13 CEB 04-25-54 to allow the delay to hear these cases until arrival of respondents **Mr. Gonzalez** seconded same, and motion was approved. 5-0

CASE # 11 - CEB 02-24-35 - Kelvin Lee & Anthony DeWilliams, Sr 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 **524 S Lanvale Ave** Violation(s) – **Unpermitted renovations, exposed surfaces, missing garage door and missing trim.**

First Notified – 7/19/2022

Kevin Lee was present and sworn in.

Inspector Sara Kirk testified to the status of the case. since the last hearing there has been some progress this week, they've been working on the property but there was a delay with the permit department and there's going to be an additional 4-week delay with the permit department. Staff recommended amending it until the August cutoff.

BOARD ACTION Mrs. Robey made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **July 31, 2024**, 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 same, and motion was approved. 5-0

CASE # 12 - CEB 04-24-54 - Christopher William Miller & Brittney M Lee 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 ; & LDC Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 308.1), at **227 S Lanvale Ave**
Violation(s) – **Outside storage, vehicles in yard, inoperable vehicles, trash and debris.**
First Notified – 9/30/2023

No respondent present

Inspector Sara Kirk testified to the status of the case. there has been no contact and no progress. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00.

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Marsh** seconded the same, and the motion was approved.5-0.

CASE # 13 - CEB 04-24-68 - BMS Holding LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.3, 308.1), at **543 Division St** Violation(s) – **Unsanitary & unsecured vacant structure, trash & debris and address numbers not visible from the street.**

First Notified – 11/15/2023

No respondent present at the time case was called Inspector Kirk was corresponding via email with respondent and asked to move this case toward the end to allow the respondent who is enroute from I-4 interstate.

Previously, **Ms.Marsh** made a motion to delay case #10 CEB 04-24-55 and case # 13 CEB 04-25-54 to allow the delay to hear these cases until arival of respondents **Mr. Gonzalez** seconded same, and motion was approved. 5-0

CASE # 14 - CEB 04-24-59 - Jimmie & Lola S Moore is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **618 Roma St** Violation(s) – **Vehicles parked on the grass.**

First Notified – 12/16/2023

Compliance June 11, 2024

CASE # 15 - CEB 04-24-61 - Leon & Pheenie Mae Myers 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, 302.4, 302.8, 304.10), at **525 Cannon St** Violation(s) – **Junk vehicle, landscaping, trash and outside storage, damaged steps and walkway.**

First Notified – 9/16/2023

Complaince June 3, 2024

Mr. Gonzalez left the chambers 9:49

CASE # 16- CEB 05-24-75 - Johnnie A & Toni D Stewart is cited for failure to correct violations of The Land Development Code, City Code Ch. 26 Sec. 26-294, at **954 Bryant St** Violation(s) – **No rental license.**

First Notified – 10/30/2023

No respondent present

Inspector Mark Jones testified to the status of the case. he has had no contact with the owner and there has been no progress and no rental application applied and property is occupied. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. seconded the same, and the motion was approved.4-0. **Gonzalez no vote.**

Mr. Gonzalez returns to chambers 9:55

CASE # 17 - CEB 05-24-76 - Henry Floyd Daughtry 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, 304.2, 304.7), at **430 N Caroline St** Violation(s) – **Outside storage, unmaintained landscaping, sanitation, trash & debris, unpainted surfaces, damaged roof, damaged roof.**

First Notified – 10/31/2023

Henry Daughtry & Cheryl Daughtry & Deidre Jones (who are the daughters of Mr. Daughtry) **all were present and sworn in.**

Inspector Mark Jones testified to the status of the case. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00.

Ms. Daughtry explained what happened and explained the process of what took place and says Mr. Daughtry is apart of the city's rehab program.

Anthony Jackson, Deputy City Attorney explains what the letter they brought in means and explains that Mr. Daughtry was denied for the roof rehab.

Ms. Daughtry stated they were notified via phone on June 12, 2024, stating that Mr. Daughtry was still on the city's rehab list and he's now eligible for the entire rebuild of his home.

Mr. Jackson explained it's possible that Mr. Daughtry could very well be on a different list that's apart of what's going on and **Mr. Jackson** has recommended until the next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to accept the city attorney recommendation of to amend the previous order of non-compliance to get clarification and determine what should happen next and allow the Respondents until **July 3, 2024**, 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 same, and motion was approved. 4-1 **Harrington**

CASE # 18 - CEB 05-24-77 - Daniel I & Jennifer Petrie is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **413 Pleasant St Violation(s) – Work without permit (siding & soffit)**

First Notified – 10/20/2023

No respondent present.

Inspector Mark A. Jones testified to the status of the case. he has had contact with the owner and property is occupied and progress is being made. The permit have submitted and they're waiting on final inspection that's scheduled for July staff recommended amend to amend to July cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until **July 3, 2024**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day **Ms. Mash** seconded same and motion was approved. 5-0

CASE # 19 - CEB 05-24-78 - Sandora Y Davis & Kenzel Washington is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.2H.7a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A(Ref. FBC Supp. IPMC 302.1, 304.2, 304.7), at **349 Wilson Ave Violation(s) – Outside storage, landscape maintenance, boat and utility trailer in front yard, unpermitted structure, sanitation, trash & debris, stains on residence, missing fascia and damaged soffit.**

First Notified – 10/23/2023

No respondent present.

Inspector Mark Jones testified to the status of the case. have been in contact with the property owner, they've made some progress but have not got a permit for a shed and there is still outside storage requested them to get a permit or remove the structure, and states that it's rental property. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$15,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to accept the recommendation of the city to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Mr. Gonzalez** seconded the same, and the motion was approved.5-0.

CASE # 20 - CEB 05-24-79 - Cornelius Wesley 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 302.7, 304.3, 304.19) City Code Ch. 78 Sec. 78-112; City Code Ch. 26 Sec. 26-294, at **630 Winchester St. Violation(s) – Landscape maintenance, dirt & grime on building, damaged chain link fence, broken/bent gate, no address numbers, overgrown abutment, No Rental License.**

First Notified – 2/26/2024

Compliance May 28, 2024

CASE # 21 - CEB 05-24-81 - Mozel W Hendley Est 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. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 308.1), at **318 N Keech St Violation(s) – Outside storage in rear of property, no permit (rear structure), faded paint of front exterior surface and dirt on the northside exterior surface.**

First Notified – 2/20/2024

No respondent present.

Inspector Mark Jones testified to the status of the case. and has been in contact with property resident. Staff recommended imposing a fine of \$100.00 per day until it reaches a maximum of \$10,000.00.

BOARD ACTION: Mrs. Robey made a motion to accept the city’s recommendation to impose a fine of \$100.00 per day against the respondent effective June 13, 2024, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Marsh** seconded the same, and the motion was approved.5-0.

CASE # 22 - CEB 05-24-87 - John & Marilyn Dunbar is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.3, 304.13), at **736 Edwards St Violation(s) – Broken windows, peeling paint, dirt & grime, no address numbers.**

First Notified – 2/19/2024

John & Marilyn Dunbar both were present and sworn in.

Inspector Mark A. Jones testified to the status of the case. has had contact with property owners and there is progress staff recommended amend to amend to July cutoff.

BOARD ACTION: Mr. Gonzalez made a motion to accept the recommendation of the city to amend the previous order of non-compliance and allow the Respondents until **July 3, 2024**, 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

Harrington left the chambers 10:15

CEB New Case:

CASE # 23 - CEB 06-24-89 - Talitha A Austin is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 8.G. ; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.8, 304.6), at **227 Michigan Ave Violation(s) – Damaged privacy fence, no permit (privacy fence) junk & debris, mildew and rot on structure, high grass/weeds, inoperable vehicles, deterioration of walls.**

First Notified – 1/16/2024

No respondent present.

Inspector Mariah Quinn testified to the status of the case. has had minimal contact and property remains in non-compliance. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Mrs. Robey** made a motion to accept the city recommendation to find the respondent in Non-Compliance and order the respondent and allow the Respondents until **July 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 4-0. **Harrington no vote.**

Mr. Harrington return to the chambers at 10:19

CASE # 24 - CEB 06-24-90 - Twin Homes 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 305.6,504.1) and City Code Ch. 26 Sec. 26-294, at **1401 3rd St Violation(s) – Dilapidated door in bathroom, bathroom sink stopped up and kitchen sink leaks, No rental license.**
First Notified – 3/25/2024

Melissa Cox owner / Mgr. present and sworn in. and **Michael Kelton Attorney was present.**

Inspector Roosevelt Butler, Jr testified to the status of the case. Staff recommended finding of non-compliance with compliance due next cutoff.

Mr. Harrington asked if the permit was granted since it's not on the agenda.

Mrs. Seivwright Code Enforcement Board Coordinator responded stating it was mailed out on the notice of violation correctly as work without permit scrivener omission on the agenda.

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to find the respondent in Non-Compliance and order the respondent and allow the Respondents until **July 3, 2024**, 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 5-0.

CASE # 25 - CEB 06-24-93 - Matthew Michaels is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **820 Wild Olive Ave Violation(s) – Unpermitted work (replacing wooden deck on property).**
First Notified – 2/23/2024

Matthew Michaels was present and sworn in.

Inspector John Stenson testified to the status of the case. permit have been submitted but waiting on resubmittal that was dated March 12, 2024, returned for threshing. Staff recommended finding of non-compliance with compliance due next cutoff.

BOARD ACTION: **Ms. Marsh** made a motion to accept the city's recommendation to find the respondent in Non-Compliance and order the respondent and allow the Respondents until **July 31, 2024**, 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 5-0.

Mr. Jackson recommended, although the case was already heard now that the respondent arrived, he should be given the opportunity to be heard and it's the board's decision to reconsider or make any changes with recommendation of **Charles Cino**- board's counselor.

Mrs. Robey made a motion to revisit **case # 4 - CEB 05-24-82 at 413 & 413 ½ N Grandview**
Mr. Gonzalez seconded same, and motion was approved 5-0

Rehearing of CASE # 4 - CEB 05-24-82 - John Nicholson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **413 & 413 1/2 N Grandview Ave** Violation(s) – **Unmaintained landscaping, outside storage trash & debris.**
First Notified – 1/9/2024

John Nicholson was present and sworn in.

Inspector John Stenson testified to the status of the case.

Mr. Nicholson gave his explanation of his progress of what has done to bring property in compliance and pictures was reviewed and there was further discussion.

Mr. Stenson was not able to verify what Mr. Nicholson says, he has done as to the additional clean up to the property until he go back and reinspect the property

Mr. Stenson states the property was not in compliance on June 26, 2024, and there was some progress but there was still a substantial amount to be removed.

Mrs. Hymes asked if the order decision should remain the same **Ms. Marsh** agreed, and **Mr. Gonzalez** seconded to keep the order the same with no changes.

Mr. Jackson clarified the city's recommended fine certain on the next cutoff.

Ms. Marsh made a motion to continue until July 3, 2024, and impose a fine effective July 3, 2024, if respondent found in non-compliance **Mr. Gonzalez** seconded the same motion all agreed motion approved.

CASE # 26 - CEB 06-24-91 - Mentho H Badie 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 304.13, 304.14), at **620 Hudson St** Violation(s) – **Damaged trim & soffit, dirt & grime, damaged window, skylight and door frames, missing patio door, missing insect screens.**

First Notified – 9/13/2021

Andrea Badie and Mentho Ja-Naira Mayhorn both were present and 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: **Mr. Gonzalez** made a motion to accept the city's recommendation to find the respondent in Non-Compliance and order the respondent and allow the Respondents until **July 3, 2024**, 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 5-0.

CASE # 27 - CEB 06-24-92 - Keep Investment INC, 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; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.13, 304.14), at **642 Eldorado St** Violation(s) – **Interior demolition without permit issued, unsecured & unsanitary vacant structure, no windows or doors, ripped screens, peeling paint, dirt & grime, rotted wood.**

First Notified – 12/26/2023

Sebastion Bergonzoli owner was present via zoom and 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: **Ms. Marsh** made a motion to find the respondent in Non-Compliance and order the respondent and allow the Respondents until **July 3, 2024**, 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 5-0.

Mr. Bergonzoli asked for 60 days to determine if he needs to demo the home or elevates the structure the city is in agreement to extend time to allow the decision.

Ms. Marsh made motion to amend her motion to extend to July 31, 2024, cutoff and allow the Respondents until **July 3, 2024**, 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 5-0

CASE # 28 - CEB 06-24-96 - Ellen & Bernard Wall 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, 304.7, 308.1), at **233 S Franklin St** Violation(s) – **Outside storage, inoperable vehicle, tarp roof, debris.**

First Notified – 3/25/2024

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 order the respondent and allow the Respondents until **July 3, 2024**, 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 5-0.

The respondent for the following cases #10 and case # 13 is now present. And will be heard in the order in which they are called.

CASE # 10 - CEB 04-24-55 - Oregon LLC 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. 6 Sec. 6.19.A.3 ; & LDC Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 304.15, 305.3, 305.6, 309.1, 504.1, 602.3, 604.3,704.6.1.2) City Code 26 Sec 26-294., at **935 S Martin Luther King Blvd.** Violation(s) – **No rental license, boat in driveway, overgrowth, missing insect screens, missing smoke detectors, loose flooring defective interior surfaces, missing & defective doors, infestation, defective plumbing, no heat, broken & loose electrical outlets, and fixtures, interior door closed off without permit.**

First Notified – 1/17/2024

Ed O'Donnell was present via zoom and sworn in.

Inspector Sara Kirk 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. continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars.

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the recommendation of the city to of imposing a fine of \$100.00 per day until it reaches a maximum of \$15,000.00. **Mr. Harrington** seconded the same, and the motion was approved.5-0.

CASE # 13 - CEB 04-24-68 - BMS Holding LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.3, 308.1), at **543 Division St** Violation(s) – **Unsanitary & unsecured vacant structure, trash & debris and address numbers not visible from the street.**

First Notified – 11/15/2023

Ed O'Donnell was present via zoom and sworn in.

Inspector Sara Kirk testified to the status of the case. Staff recommended imposing a fine of \$100.00 per day continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars.

Mr. O'Donnell was sworn previously.

Mr. O'Donnell explained his process and asked for 10 days' extension of time to comply.

Inspector Kirk says she's okay with the extension, but the property needs to be maintained.

Mr. Jackson Deputy City Attorney city agrees 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 **July 3, 2024**, 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. 5-0.

LR - 1 - CEB 01-24-03 - Paragon Capitol Properties LLC 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 302.7, 304.2, 304.7, 304.13, 304.13.1, 304.13.2, 304.14, 304.15), at **1815 N Oleander Ave** Violation(s) – **Maintaining landscaping, wood-peeling paint- damaged garage door, windows opening enclosed, broken window glass, not operable, window screens, front door, painting, flashings and gutters.** First Notified- 9/26/2023 **Order Imposing Fine/Lien effective February 15, 2024. \$250.00 a day. Compliance = April 9, 2024. \$100 x 60 days =\$15,000.00, plus \$24.00 recording costs = \$15,024.00.**

Revisited lien review Not present via zoom

Mr. Gonzalez made a motion to agree with the recommendation of the city to deny the request without prejudice, **Ms. Marsh** seconded the motion, and all agreed, and the motion approved. 5-0.

6. Miscellaneous Business:

Rental Discussion

Mrs. Robey made a motion to move the rental discussion to the next meeting. **Ms. Marsh** seconded same, and the motion was approved. 5-0.

Adjournment: 11:27