
CITY OF DAYTONA BEACH**MINUTES****CODE
ENFORCEMENT
BOARD**

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

**Members: Turner Hymes Interim-Chairman; Neil Harrington, Karen Robey,
and Bradford Gonzalez, Katherine Marsh, and Colleen Calnan and Beth Radebaugh.**

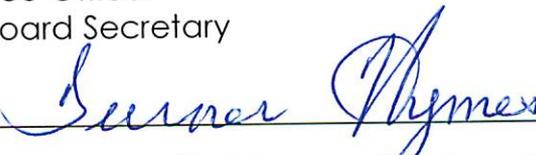
June 12, 2025 - 9:00 A.M.

Members present:

Mrs. Turner-Hymes, Interim Chairman
Ms. Beth Radebaugh
Mrs. Karen Robey
Mr. Bradford Gonzales
Ms. Kerrie Marsh
Ms. Colleen Calnan
Mr. Robert Riggio, Esquire, Board Attorney

Staff present:

Ms. Melissa Diaz, Assistant City Attorney
Mr. Mark A. Jones, Code Compliance Field Supervisor
Ms. Mariah Quinn, Code Compliance Inspector
Mr. Ronald Beeney, Code Compliance Inspector
Mrs. Brianna Itani, Code Compliance Inspector
Mr. Daniel Garcia, Code Compliance Inspector
Mr. Roosevelt Butler, Code Compliance Inspector
Ms. Sara Kirk, Code Compliance Inspector
Mr. Kevin Yates, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Mark Murray, Audio/Video
Mr. Joesph Graves, Audio/Video
Sgt. Shawna Conely, Police Officer
Mrs. Brenda Seivwright, Board Secretary

Approval of Minutes by:  Interim Chairman

The **Interim Chairman Mrs. Hymes called** the meeting to order at 9 am. and gave a brief description of the board functions. And asked for a roll call. **Mrs. Seivwright** called the roll. All board members were present except Mr. Harrington and Mr. Gonzalez made a motion to excuse Mr. Harrington and Ms. Marsh seconded the same and all agreed and approved 6-0

Mrs. Hymes asked if everyone had a chance to read Minutes. **Mrs. Robey** made a motion, and **Mr. Gonzalez** seconded the motion to approve May 8, 2025, Minutes, and all agreed, and the motion approved. 6-0

Mrs. Hymes asked for the staff to come forward and be sworn in.

Staff was sworn in.

Mrs. Hymes asked if there was any Disclosure of Ex Parte Communications but there was none.

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

Mrs. Seivwright made the following announcements.

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CASE # 15 - CEB 02-25-45 - Barbara Lester at 351 Garden St - Zoom- was present instead

CASE # 17 - CEB 03-25-58 - Kenneth E. Klenk and Debra A. Klenk at 740 Derbyshire Rd
Compliance June 6, 2025

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CASE # 22 - CEB 06-25-107 - Debra Ann Nifong at 340 Manhattan Ave

Compliance June 12, 2025

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CASE # 26 - CEB 06-25-109 - Robert E. Leibig at 1307 Moore St. – Zoom

And the cases were heard in the order they were called.

Lien Review

LR-1

CEB 05-21-124 - Melissa A Casper at 820 N Oleander Ave is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.5, 304.6), Violation(s) – **Missing rodent screen, broken area of stucco.** First Notified – 8/10/2020. **Order Imposing Fine/Lien effective June 10, 2021. Compliance January 13, 2025, \$100.00 a day x 150 days = \$15,000.00. Lien interest \$1,408.92 plus \$24.00 recording costs = \$16,432.92.**

The requester was not present.

Thomas Holzafel, the contracted buyer of the property was sworn in.

Staff requested to continue to the next meeting. **Melissa Diaz- Assistant City Attorney**, advised that it be heard next meeting to give all parties to appear and be heard for due process. **Mr. Gonzalez** made a motion to move forward and not prolong the case. There was continue discussion of the case.

Mark A. Jones- Field Inspector Supervisor, explains to the board what's typically been done previously with this type of case is the parcel would be released, and the lien remains on the property owner's name, if that property owner obtains any property in Volusia County it will be encumbered by her name.

Melissa Diaz- Assistant City Attorney advises the city objects to moving forward without the owner being present. **Mr. Gonzalez**, a motion to continue to the next meeting; the motion dies for a lack of second.

Mark A. Jones- Field Inspector Supervisor, explains what the staff is requesting, which is that the lien be released parcel be released but remains attached to the original owner.

Melissa Diaz- Assistant City Attorney asked Thomas Holzafel if he requested the lien review or did owner, Mr. Holzafel responds that the owner and **Ms. Melissa Diaz- Assistant City Attorney** explains since it was the owner who made the request and didn't show up, he has been properly notified. **Mr. Robert Riggio- Code Enforcement Board Attorney** explained what is being requested and the correct way the order should be read. **Mr. Gonzalez** amended his motion to accept the recommendations of the city attorney, moved forward to release the lien on the parcel and hold Melissa A. Casper remains responsible. **Ms. Calnan** seconded the same and all agreed motion approved.

6-0

Continued Cases

CASE # 1 - CEB 02-25-32 - Llewellyn Osborne Adams, Jr at 320 Garden St 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, 304.7 Violation(s) – **Outside storage, unmaintained landscaping, dirt & grime, damaged fence, peeling paint, damaged roof and soffit.** First Notified – 5/3/2024

No respondent present.

Inspector Mark A. Jones Field Supervisor testified to the status of the case, says he's had contact with the owner and the violations have been corrected except the roof replacement and he's spoke to Mr. Bill Orrender City staff and verified that Mr.Adams is on the city's roof replacement waiting list. Staff recoomended to ammend until the September 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 **September 3, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Ms. Calnan** seconded the same, and the motion was approved. **6-0**

Inspector Sara Kirk came in after the meeting started and was sworn in.

CASE # 6 - CEB 05-25-108 - Ossie B. Lucy at **424 Marion St** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 308.1), Violation(s) – **Damaged roof, damaged exterior, broken windows, dilapidated shed, debris.** First Notified – 9/27/2024

Tanner Andrews- Attorney for the respondent Ossie Lucy was sworn in.

Inspector Sara Kirk testified to the status of the case. since the last hearing there's been no contact, no progress. staff recommended imposing a fine of \$ 200.00 per day up to a maximum of \$10,000.00

Mr. Tanner says the city won't give Mr. Lucy a permit with that where their hands are tied. There was further discussions explaining to the respondent that the house has been deemed condemned and it's not safe for him to live in it, due to the damage from the fire damaged to the home.

BOARD ACTION: Mr. Gonzalez made a motion to impose a fine of \$100.00 per day against the respondent **effective June 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. The second dies due to lack of seconded.

Further discussion **Mrs. Robey** asked, "why fix it if it's been deemed condemn?"

Inspector Kirk read the condemnation order of why the property was condemned.

Melissa Diaz – Assistance City attorney explains to the respondent the importance of the condemnation and reiterating it's a major concern the city does not want to take his home, but it's for his safety and the safety of the community.

Mark A. Jones Field Supervisor clarifies there has been no new application for permit since the condemnation posted for rehab of the building.

Ms. Calnan recalled at the last meeting the board asked the attorney of the respondent to go to the condemnation department and ask them what they needed for permits. And asked Mr. Tanner if any of that's been done? And **Mr. Tanner** replied, he asked them, they said there's no engineering report, but we do have what you just heard that the roof is bad and needs to be replaced and he doesn't know if Mr. Lucy completed the application correctly, **Mr. Tanner** asked Mr. Lucy to tell the board how he did apply for the permit. **Mrs. Hymes** addressed Mr. Tanner to inform him, Ms. Calnan was asking him with the question and **Ms. Calnan** reiterates yes, she was asking **Mr. Tanner** not Mr. Lucy to go to the condemnation department and find out what it would take to get the condemnation overturned and the engineering report is not the responsibility of the city, but the owner then explains the steps needed to have been taken. And noted seems like nothing has been asked him.

Inspector Kirk says she provided resources to Mr. Lucy for assistance programs.

BOARD ACTION: Mr. Gonzalez made a motion to accept the recommendation of the city after hearing the information of respondent not applying for permits, he change the amount to impose a fine of \$150.00 per day against the respondent **effective June 12,**

2025, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Mrs. Robey** seconded the same, and all agreed motion was approved. **6-0**

Mrs. Hymes advised Mr. Tanner and Mr. Lucy to get together and reminded them the property had been condemned. And **Melissa Diaz, Assistant City Attorney** advised they could do a lien review as well.

CASE # 2 - CEB 03-25-71 - Robin Dale Kingma at **133 Mallard Lane** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.6 **Violation(s) – Junk vehicles, peeling/faded paint.** First Notified – 1/21/2025

Robin Dale Kingma sworn in.

Mark A. Jones testified to the status of the case. there has been progress, which can be seen in the photos shown to his understanding there was some challenges with the lumber delivered. Staff recommended amending until the next cutoff date.

Ms. Dale explained the continued progress plans and said it should be completed by next Friday, which would be June 20, 2025.

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 2, 2025**, 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. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 3 - CEB 05-25-94 - Eileen M Fichtner TR & Albon R Fichtner Living Trust dated 2-4-04 at **114 N Gardiner Ct** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7.a; Art. 6 Sec. 19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 308.2.2), **Violation(s) – Outside storage, boat parked in front yard, damaged vinyl fence, refrigerator being stored in front yard.** First Notified – 2/13/2025.

John Davis sworn in. **Melissa Diaz, Assistant City Attorney** asked if he had permission to speak on her behalf, he responded yes, he's been given permission by the granddaughter who is the trustee to speak her behalf.

Inspector Ronald Beeney testified to the status of the case. he states since the last hearing he has contact with the occupant John Davis who says he represents the property owner and there has been progress and Staff recommended amending until the next cutoff date.

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 2, 2025**, 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 all agreed motion was approved. **6-0**

CASE # 4 - CEB 05-25-95 - LJP Empire Property LLC at **336 Hobart Ave.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec 4.S.1.; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 308.1), Violation(s) – **No permit (fence)**. First Notified – 12/3/2024

Sandra Velazquez – General Contrator sworn in. Melissa Diaz, Assistant City Attorney asked if she had permission to speak on behalf of the respondent at this hearing.

Ms. Velazquez responded yes.

Inspector Ronald Beeney testified to the status of the case. he states since the last Hearing he has contact with the property owner and there has been progress and Staff recommended amending until the next cutoff date. And **Ms. Velazquez asked for more time-2 months.**

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **August 6, 2025**, 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** seconded the same, and all agreed motion was approved. **6-0**

CASE # 5 - CEB 05-25-107 - Joseph F. Pouncey at **241 S Franklin St # & 245** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7.a; Art. 6 Sec. 19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.3), Violation(s) – **Semi parked in yard, outside storage, vehicles parked in yard & RV parked in yard, inadequate address numbers.**

No respondent present.

Inspector Sara Kirk testefies to the status of the case. since the last hearing she's had contact with owner but no progress. staff recommended imposing a fine of \$ 100.00 per day up to 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 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 7 - CEB 04-25-79 - Gary E. Holt at **524 Butler Blvd** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.4; Art. 3 Sec. 4.S.1; Art. 6 Sec. 8.G., Violation(s) – **Damaged exterior walls, damaged roof, chipped and peeling paint, enclosed door(without permit), damaged privacy fence.** First Notified – 12/26/2024

Gary Holt was sworn in.

Inspector Mariah Quinn testified to the status of the case. since the last hearing she's had contact with the owner and the property is occupied. and there's been progress made, Staff recommended amending until the next cutoff date.

Mr. Holt explains he has an owner builder permit application which he's submitted to the city, and he's made contact with FPL to stipulate there's no power to the area, the whole house is not being demo just the addition will be demolished. And he's waiting to meet with John Cecil with building & permit to ensure what he's doing to meet the requirements, which is taking longer than expected but needs it confirmed by Mr. Cecil.

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 2, 2025**, 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. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 8 - CEB 04-25-80 - Blondell M. Ezell at **647 Clark St** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.1, 304.2, 304.6, 304.7, 304.10, 304.11, 305.3, 308.1, 504.1 & 506.2), Violation(s) – **Trash & debris under the house, deteriorated exterior walls, rotten wood, peeling paint, deteriorated exterior walls, damaged roof, front porch ceiling collapsing, damaged chimney , and dilapidated flooring. Accumulation of rubbish in the exterior of the property, broken plumbing fixtures, damaged and deteriorated plumbing stack.** First Notified – 7/25/2024

No respondent present.

Mr. Riggio Code Board Attorney asked if respondent was properly notified and **Mrs. Brenda Seivwright-** City secretary confirmed the respondent was present at the last hearing from previous minutes.

Ms. Melissa Diaz City Assistant attorney confirms respondent has been notified.

Inspector Mariah Quinn testified to the status of the case. since the last hearing she's had no further contact with the owner and the property, and the property is occupied but there's been no progress. staff recommended imposing a fine of \$ 100.00 per day up to 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 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 9 - CEB 01-25-11 - Tam Uyen VU Nguyen, at **133 Eagle Harbor Way** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec 4.S.1 Violation(s) – **Work without a permit (Installation of pavers)**. First Notified – 9/26/2024
No respondent present.

Ms. Melissa Diaz City Assistant attorney confirms the respondent was present at the last hearing and have been properly notified.

Inspector Roosevelt Butler, Jr., testified to the status of the case, since last month he heard he has had contact with the owner who hired a new contractor, and all documents have been submitted still waiting for permits to be issued from the city. Staff recommends amending until the next cutoff.

BOARD ACTION: Mr. Gonzalez made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **July 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 10 - CEB 04-25-90 - Merlin Velasquez at **1136 Lakewood Park Dr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2. H.7.a; Art. 6 Sec. 19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.8), Violation(s) – **Outside storage, illegal parking, dilapidated fencing, junk vehicles**. First Notified – 2/6/2025
Merlin Velasquez was sworn in.

Inspector Roosevelt Butler, Jr., testified to the status of the case, since last month he has had contact with the owner who has cleaned up a lot. Staff recommends amending until the next cutoff. currently someone is there working on it at the time of hearing.

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 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Mr. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 12 - CEB 05-25-96 - Alexander Contreras at **518 Cannon St.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1 Violation(s) – **Overgrown landscaping, damaged fence, damaged window, garbage/rubbish, trash & debris, dirt & grime, no identification numbers, holes and damages to exterior surface, damaged screens/exterior doors, unfinished interior surfaces, missing interior doors, plumbing fixtures missing and exposed wires, and no stove and work exceeding the scope of the permits**. First Notified – 1/13/2025

Ms. Melissa Diaz City Assistant attorney confirms the respondent was not present at the last hearing but have been properly notified.

No respondent Present.

Inspector Daniel Garcia testified to the status of the case. he's had contact with the owner who is out of the country, with no progress. but the property has been secured he applied for permits but needs to reapply contractor did them incorrectly. Staff recommends amending until the next 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 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Mr. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 13 - CEB 05-25-104 - Charles McDowel at **504 Fairmount Rd** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7.a; Art. 6 Sec. 19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), Violation(s) – **Outside storage, parking on the grass, trailer in the driveway, unmaintained landscaping, unregistered vehicles, inoperable vehicles, unpainted fascia, no identification numbers.** First Notified – 2/17/2025

Charles Edward McDowel was sworn in.

Inspector Daniel Garcia testified to the status of the case, since the last hearing contact with the property owner. and with no progress, the owners daughter asked if there were any financial resources to help with the property, he stated he told her there were no such programs available and the property remains in non-compliance. Staff recommends to impose a fine of \$100 per day up a maxium of \$10,000.00.

Mr. McDowel states he has been working on it every day and has been hospitalized in a coma and afterwards was placed in a health & rehabilitation facility. and he is doing the best he can in his condition, and he also reached out to other agencies for assistance and asked for more time to comply.

Mrs. Robey stressed to **Mr. McDowel** get the numbers for the property today from ACE hardware, or Home depot incase of an emergency the home can be identified. As did **Mrs. Hymes.**

BOARD ACTION: **Mrs. Robey** made a motion to amend the previous order of non-compliance and allow the Respondents until **July 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Mr. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 14 - CEB 02-25-30 - Pablo Raffaghelli PA at 1158 Hampton Rd 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. IPCM 304.3), Violation(s) – **No permit (closed in the garage, added electrical fixtures on the exterior, installed new exterior doors and windows), no identification numbers.** First Notified – 11/15/2024

Pablo Raffaghelli sworn in.

Inspector Daniel Garcia testified to the status of the case, since the last hearing contact with the property owner once which was June 10, 2025, the property not occupied they have a permit for electrical, plumbing & mechanical and they have put up numbers on the house that was once the last things, and the property needs to maintain the landscaping. Staff recommended amending until the next 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 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Mr. Gonzalez** seconded the same, and all agreed motion was approved. **6-0**

CASE # 14 - CEB 03-25-74 - Charles H. Wright & Belinda Wright at 550 Essex Rd is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7. a ; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPCM 302.1, 302.7, 302.8, 304.3, 304.15), Violation(s) – **Vehicle parked on grass, peeling paint and damaged exterior surface, no identification numbers on building, rubbish and garbage.** First Notified – 1/10/2025

No respondent present.

Ms. Melissa Diaz City Assistant attorney confirms the respondent was not present at the last hearing but have been properly notified.

Inspector Daniel Garcia testified to the status of the case, since the last hearing contact with the property owner once which was June 9, 2025, property is occupied with progress they have repaired painted front exterior which can be seen in photos shown. The owner has been in and out of the hospital. He assured Mr. Garcia he would have it completed by June 13, 2025, and someone would pick up the trailer and put up the numbers, and there's just a little paint around the windows and in the back a little pressure washing to be done. Staff recommended amending until the next cutoff. Staff recommends amending until September cutoff.

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **July 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 16 - CEB 02-25-45 - Barbara Lester at **351 Garden St** 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 Violation(s) – **Overgrown landscaping, work without permit (porch)**. First Notified – 11/22/2024

Barbara Lester and Joniette White both were sworn in.

Inspector Abrianna Itani testified to the status of the case. since the March hearing she's had contact with the owner, the city is waiting for the mortgage company to approve the house to be demolished and rebuilt, once the mortgage company approves. Mr. Willam Orrender of the City of Daytona Beach Redevelopment stated the city will move forward with the project. Last inspection June 6, 2025, property remains in non-compliance.

BOARD ACTION: **Mr. Gonzalez** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **September 3, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Ms. Marsh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 16 - CEB 03-25-70 - Wilbert Williams & Gail L Williams at **325 Walnut St** 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, 302.8, 304.7), Violation(s) – **Overgrown landscaping, outside storage, dirt & grime, dilapidated carport, junk vehicle, damaged roof**. First Notified – 11/1/2024

Patrina Nunnally was sworn in, the niece of the respondents and she states she has permission to speak on their behalf.

Inspector Abrianna Itani testified to the status of the case, since the April hearing she had no contact with the owners and there's been no progress, last inspection was June 6, 2025 and result was non-compliance Staff recommended a fine of \$100 a day up to a maximum of \$15,000.00.

Ms. Nunnally disagrees, and states there has been progress in the carport has been removed, and trash has been removed she paid the city \$200.00 to remove the trash. 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 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Ms. Marsh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 17 - CEB 03-25-58 - Kenneth E. Klenk and Debra A. Klenk at **740 Derbyshire Rd** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 4.S.1., Violation(s) – **Work w/out a permit (driveway)**. First Notified – 11/1/2024
Compliance June 6, 2025

CASE # 18 - CEB 01-25-21 - Willie May McCoy Estate at **332 Deeley St** 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. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.3, 304.7, 304.14, Violation(s) – **Outside storage, dirt & grime, parking in back and side yard, trash and debris, no identification numbers, dilapidated roof, boarded windows.** First Notified – 10/14/2024.

No respondent present.

Ms. Melissa Diaz City Assistant attorney confirms the respondent's representative was present at the last hearing and have been properly notified.

Inspector Abrianna Itani testified to the status of the case, since the May hearing she's had contact with the owner and representative Maria who called his morning stating she's in the hospital is the reason she's not attending the hearing today, the main house and the garage has a finalized roof, still waiting for two other roofs to be completed. And the painting of the house, last inspection was June 6, 2025 and result property remains non compliance. Staff recommended amending 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 **September 3, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day, until compliance is achieved. **Mrs. Robey** amended her previous motion to correct the date to August 6, 2025, **Ms. Marsh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 19- CEB 04-25-82 - Felix Matta at **124 Azalea Dr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 6 Sec. 19.A.4, Violation(s) – **Outside storage, overgrown landscaping and peeling paint.** First Notified – 9/26/2024.

Felix Matta was sworn in.

Inspector Abrianna Itani testified to the status of the case, since the May hearing she's had no contact with owner and no progress. Last inspection was June 6, 2025 and result was not compliance. Staff recommended a fine of \$100 a day up to a maximum of \$10,000.00.

BOARD ACTION: Mr. Gonzalez made a motion to accept the city's recommendation to impose a fine but lower the amount to \$50.00 per day against the respondent **effective June 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Marsh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 20 - CEB 05-25-102 - Charles Slappy at **322 Fulton St** is cited for failure to correct violations of The Land Development Code, Art 3 Sec 4.S.1.; Art. 6 Sec. 19.A.3; Art. 6 Sec. 19.A.4 (Ref. FBC Supp. IPMC 302.1,302.8, 304.1, 304.10, 304.12, 304.13, 304.14, 304.15, 305.3, 305.4, 305.6, 308.1, 309.1, 504.1, 505.4, 605.1, 605.4, 702.1, 702.4, 704.6.1.2), Violation(s) – **Outside storage, damaged exterior of building, no permit (shed, roof, and fence), trash & debris, junk vehicles, damaged steps, damaged handrails, damaged window, no screens, damaged exterior doors, damaged interior surfaces, dilapidated flooring, damaged interior doors, pest infestation, inoperable plumbing, inoperable water heater, light fixtures, extension cords, blocked egress, bars (window), smoke alarms.** First Notified – 1/22/2025

No respondent present.

Ms. Melissa Diaz City Assistant attorney confirms the respondent was not present at the last hearing but have been properly notified via certified mail.

Inspector Abrianna Itani testified to the status of the case, since the May hearing she's had no contact with owner and no progress. Last inspection was June 6, 2025 and result was not compliance. Staff recommended a fine of \$200 a day up to a maximum of \$10,000.00.

BOARD ACTION: **Mrs. Robey** made a motion to accept the city's recommendation to impose a fine of \$200.00 per day against the respondent **effective June 12, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

New Cases

CASE # 22 - CEB 06-25-111 - Rodney Merrill Loker and Catherine A Mede, at **1213 Margina Ave** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7. a; Art. 3 Sec. 3.4.S.1 Violation(s) – **Utility trailer in driveway. No permit (shed).** First Notified – 4/21/2025

Rodney Merrill Loker and Catherine A Mede both were sworn in.

Mark A. Jones Field Supervisor testified to the status of the case, the Inspector has been in contact with the owner, last reinspection June 2, 2025 and property remains in non-compliance. Staff recommended a finding of non-compliance due next cutoff.

Catherine A Mede explains the process she took to comply and she now knows what's needed to comply she's starting the process.

Ms. Melissa Diaz City Assistant attorney advises the respondents that ownership is in both parties names and once that's taken care of with the property appraiser office let her know. Ms. Mede agrees to do so.

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 July 2, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day or until compliance is achieved. **Ms. Marsh** seconded the motion and all agreed, and the motion approved **6-0**.

CASE # 22 - CEB 06-25-107 - Debra Ann Nifong at **340 Manhattan Ave** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.7. a Violation(s) – **Parking on lawn, Dilapidated fence in backyard.** First Notified – 2/28/2025
Compliance June 11, 2025.

CASE # 23 - CEB 06-25-103 - William Warren Thompson Jr at **307 Garden St** 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 (Ref. FBC Supp. IPMC 302.7, 304.3, 304.7), Violation(s) – **Overgrown landscaping, peeling paint and dirt & grime, damaged fence, no identification & damaged roof.** First Notified – 8/23/2024

William Warren Thompson Jr and Johnny Kelley both were sworn in.

Inspector Abrianna Itani testified to the status of the case, she's had contact with owner and no progress last inspection June 6, 2025 and results were non-compliance. Staff recommended a finding of non-compliance with compliance due August cutoff.

BOARD ACTION: **Mr. Gonzalez** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents **until August 6, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day or until compliance is achieved. **Ms. Radebaugh** seconded the motion and all agreed, and the motion approved **6-0**.

CASE # 24 - CEB 06-25-106 - Miguel Atariguana at **630 May St.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1.; Art. 6 Sec. 2.H.7. a; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 302.7, 304.3, 304.7), Violation (s) – **Outside storage, Peeling paint and dirt & grime, parking on the grass, after the fact permit (shed & roof).** First Notified – 11/29/2024

Miguel Atariguana and Fredrico Zambrano both were sworn.

Inspector Abrianna Itani testified to the status of the case, this was a field generated case, she's had contact with owner and has been progress last inspection June 6, 2025 and results were property remains in non-compliance. Staff recommended a finding of non-compliance due next cutoff.

Miguel Atariguana says he lived there previously but his nephew lives there and had someone else do the roof three years ago after a hurricane, he has been out of the country just recently returned.

Ms. Melissa Diaz City Assistant attorney advised the respondents there will be an official interper at the next hearing.

BOARD ACTION: **Mr. Gonzalez** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents **until August 6, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day or until compliance is achieved. **Mrs. Robey** seconded the motion and all agreed, and the motion approved **6-0**.

CASE # 27 - CEB 06-25-108 - Progressive Home Investment Inc. at **560 Model St.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1., Violation(s) – **Work w/o permit (fence)**. First Notified – 1/13/2025

No respondent present.

Ms. Melissa Diaz City Assistant attorney confirms the respondent was been properly notified via certified mail.

Inspector Abrianna Itani testified to the status of the case, this was a field generated case, she's had no contact with owner and progress has been made last inspection June 6, 2025 and results were property remains in non-compliance. Staff recommended a finding of non-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 August 6, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day or until compliance is achieved. **Ms. Marsh** seconded the motion and all agreed, and the motion approved **6-0**.

CASE # 28- CEB 06-25-109 - Robert E. Leibig at **1307 Moore St** 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. 6 Sec. 6.19.C (Ref. FBC Supp. IPMC 302.1), Violation(s) – **Outside storage, dirt & grime, faded paint, boarded window, work without permit (roof), trash & debris**. First Notified – 4/11/2025

Robert E. Leibig was sworn in via zoom.

Inspector Abrianna Itani testified to the status of the case, this was a field generated case, she's has had contact with owner and there has been progress last inspection June 6, 2025 and results were property remains in non-compliance. Staff recommended a finding of non-compliance due next cutoff.

Mr. Liebigh explained further all that he has done to comply and what he plans to do. And says he didn't receive notice he was told by a neighbor that it was posted on the door. **Inspector Itani explains on the property appraisal has the Moore St. address is listed for all mail to be sent there.**

BOARD ACTION: **Mr. Gonzalez** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents **until August 6, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day or until compliance is achieved. **Mrs. Robey** seconded the motion and all agreed, and the motion approved **6-0**.

Miscellaneous Business:

There was further discussion about updating the process of how the lien reviews will be handled, It was suggested that moving forward, the city staff can meet prior to the meeting and bring the board their recommendation. The board can choose to accept the city's recommendation, as it was explained that cases have already been heard in the past and the board can review the hardship and make the final decision to grant the request. **Mr. Gonzalez** disagreed, stating not having the opportunity to review the case and not becoming a rubber stamp. There was no final decision made on the of lien review process.

Adjournment: approximately 11:42