
MINUTES

CITY OF DAYTONA BEACH

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

CODE
ENFORCEMENT
BOARD

Members: Turner Hymes, Chairman; Bradford Gonzalez, Vice- Chairman, Karen Robey, Katherine Marsh, and Colleen Calnan and Beth Radebaugh, Josephine Callis

October 9, 2025 - 9:00 A.M.

Members present:

Mr. Bradford Gonzales, Vice- Chair
Mrs. Karen Robey
Ms. Katherine Marsh
Ms. Colleen Calnan
Ms. Beth Radebaugh
Ms. Josephine Callis
Mr. Robert Riggio, Esquire, Board Attorney

Staff present:

Ms. Melissa Diaz, Assistant City Attorney
Mr. Denzil Sykes, Code Compliance Manager
Mr. Mark A. Jones, Code Compliance Field Supervisor
Mrs. Abrianna Itani, Code Compliance Inspector
Mr. Tom Clig, Code Compliance Inspector
Mr. Ronald Beeney, Code Compliance Inspector
Mr. Daniel Garcia, Code Compliance Inspector
Mr. Roosevelt Butler, Code Compliance Inspector
Mr. John Stenson, Code Compliance Inspector
Mr. Xavier Campbell, Audio/Video
Mr. Joseph Graves, Audio/Video
Mr. Fertz Gaspard, Police Officer
Mrs. Brenda Seiwright, Board Secretary
Approval of September Minutes by: Turner Hymes Chair/Vice-chair

The Vice-Chair **Mr. Gonzalez** called the meeting to order at approximately 9:00am. And asked for roll call. **Mrs. Seiwright** called the roll. All board members except Mrs. Hymes were present and **Mrs. Robey** made a motion to excuse Mrs. Hymes's absence, **Ms. Marsh** seconded the motion, and all agreed. 6-0

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Mr. Gonzalez explained the process of the proceeding. **Mr. Gonzalez** asked if for a motion to approve the Minutes prior to the approval there was corrections reviewed and corrections made, and **Mrs. Robey** requested when respondent is not the owner to add who they are and their affiliations.

Melissa Diaz - Assistant City Attorney, also asked to add whether they had legal right to speak on behalf of the owner.

Mr. Gonzalez asked **Melissa Diaz-Assistant City Attorney** if they should provide something in writing saying said person can represent me.

Mr. Robert Riggio – Board Attorney explained, ideally that would probably be the best, this is sort of a loose proceeding and sometimes it speeds things along if the board feels comfortable with omitting those types of formalities.

Mrs. Seivwright made a request for chair to announce after each case the name of the member who made motion as well as the member who seconded the motions made and the chair agreed.

Mr. Gonzalez asked if there were any more clarifications, there were none, **Mrs. Robey** made a motion to approve September 11, 2025, Minutes and **Ms. Calnan** seconded the motion and all agreed, and the motion approved. 6-0

Mr. Gonzalez asked if there was any **Disclosure of Ex Parte Communications**, but there was none.

Mr. Robert Riggio – Board Attorney explained typically we think of ex-parte as people talking but includes if somebody got curious and decided to drive by the location of a violation. And the reason here is it has apparently happened in the past in other places where someone and that's what gives rise to this is they go to the wrong place, and they think they're seeing something and their operating under entirely different perspective than what they should be and exparte includes if someone drove by if you do and puts the respondent on notice that he could asked you questions like what color was house to try to cure that problem and note that most of the time inspectors provide a number of pictures of the location there's really no need for to go and look for it on their own. But if you have this would be the time to disclose it. There was further discussion about the pictures used.

Mr. Denzil Sykes, Code Compliance Division Manager, explained the purpose of the pictures present by the inspectors so the board can see progress before and during and after to compare progress.

Mr. Gonzalez asked if there was any for any announcements, and **Mrs. Seivwright** read the following announcements.

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Case # 1 CEB 05-25-96 518
Cannon St. via zoom

Pg.3

Case# 4. CEB 08-25-135 830 Berkshire Rd Ezra Safdieh via zoom

Pg. 4

CASE # 8 - CEB 09-25-166 – Noemy Lopez at 101 N Paul Revere Dr via ZOOM

CASE # 9 - CEB 08-25-140 - Karen & Sleiman Zogheib at 398 Golf Blvd via ZOOM

Pg. 5

Case #12 CEB 09-25-161 Wayne E. Schmidt at 924 N. Peninsula Drive

Compliance- October 6, 2025

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Case # 17 CEB 09-25-158 601 Vera Street zoom

Pg. 7

CEB 10-25- 174 155 N
Lanvale Ave via zoom

CASE # 22 - CEB 10-25-179 - DeHaven J. Carter at 1417 Florida St

Compliance October 8, 2025

Staff was sworn in.

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Continued Cases

CASE # 1 - 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, no stove and work exceeding the scope of the permits.** First Notified – 1/13/2025

Alexander Contreras sworn in via zoom.

Inspector Daniel Garcia testified to the status of the case, since the last hearing he had contact with the owner the property not occupied and there's been progress made. Staff recommended to amend until the next cutoff.

Mr. Contreras explained the progress he's made, and he is waiting for finalized inspection.

BOARD ACTION: **Ms. Callis** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **November 5, 2025**, 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 the same, and all agreed motion was approved. **6-0**

CASE # 2 - 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

Mark Jones stood in for Inspector Mariah Quinn testified to the status of the case. Since the last hearing stated that the inspector has had numerous conversations with property owner and property is occupied, owner to get an after-the-fact permit. which has been approved and finalized he must get a permit for closing in the wall building was adjacent to. staff recommended January cutoff to allow the building department for inspection and time give to get everything finalized

BOARD ACTION: **Mr. Robey** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **December 31, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

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CASE # 3 - CEB 07-21-223 - Tracy Smith at **605 Willie Dr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13), Violation(s) – **Damaged roof, missing siding, bare exterior surfaces, damaged doors & windows.** First Notified – 8/4/2020

No respondent present.

Inspector Sara Kirk testified to the status of the case; states respondents who have been on the waiting list since June 17, 2019, has spoken to Mr. Orrender of City of Daytona Beach redevelopment and this property is in the next group of homes to receive work. staff recommended amending until January 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 **December 31, 2025**, 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 the same, and all agreed motion was approved. **6-0**

CASE # 4 - CEB 08-25-135 - 53 Nave LLC at **830 Berkshire Road** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3 (Ref. FBC Supp. IPMC 304.13, 304.7, 308.1), Violation(s) – **Overgrown landscaping, broken window, dilapidated roof, soffit and fascia, garbage and rubbish.** First Notified – 5/29/2025

No respondent present. Via zoom as requested.

Inspector Roosevelt Butler, Jr. testified to the status of the case. since the September hearing he's had contact with the owner, who had a meeting on September 16, 2025 with the city and now he's waiting the results for city to see if the property can come out of condemnation. staff recommended amend until next cutoff.

BOARD ACTION: **Ms. Callis** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mrs. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 5 - CEB 08-25-137 - Apryl Prunty at **1605 N. Patrick Circle** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.13, 304.2, 304.7), Violation(s) – **Dilapidated fencing, dilapidated door, peeling and paint, damaged fascia.** First Notified – 5/29/2025

No respondent present.

Inspector Roosevelt Butler, Jr. testified to the status of the case. since the September hearing he's had no contact with the owner, no progress has been made. staff recommended imposing a fine of \$100.00 per day up to a maximum of \$15,000.00.

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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 October 9, 2025**, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Ms. Calnan** seconded the same, and all agreed motion was approved. **6-0** til next cutoff.

Mrs. Robey amended previous maximum amount of \$ 10,000.00 to \$ 15,000.00

CASE # 6 - CEB 08-25-134 - Leonard Blasso at **111 Nathan Hale Court** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3 (Ref. FBC Supp. IPMC 302.4), Violation(s) – **Unmaintained yard, overgrown grass and weeds**. First Notified – 6/23/2025

No respondent present.

Inspector Tom Clig testified to the status of the case, **and since the September hearing** he had contact with the owner and 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: **Ms. Calnan** made a motion to accept the city's recommendation to impose a fine of \$100.00 per day against the respondent **effective October 9, 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** til next cutoff.

CASE # 7 - CEB 09-25-165 - Charlene Thurman at **627 Fremont Ave** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.8, 308.1), Violation(s) – **Overgrown grass and weeds, expired tag on vehicle. trash & debris in back yard**. First Notified – 7/22/2025

No respondent present.

Inspector Tom Clig testified to the status of the case, **and since the September hearing** he had no contact with the owner and property was not occupied and there's been no progress. staff recommended imposing a fine of \$100.00 per day up to a maximum of \$15,000.00.

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 October 9, 2025**, continuing until compliance is achieved or reaches a maximum of \$15,000.00 dollars. **Mrs. Robey** seconded the same, and all agreed motion was approved. **6-0**

CASE # 8 - CEB 09-25-166 – Noemy Lopez at **101 N Paul Revere Dr** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 303.1, 304.2), Violation(s) – **Unmaintained landscaping, unsanitary pool, fence in disrepair**. First Notified – 7/23/2025

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Noemy Lopez sworn in via zoom.

Inspector Tom Clig testified to the status of the case. Since the September hearing he had contact with owner, property is occupied, and no progress has been made. Staff recommended imposing a fine of \$100.00 per day up to a maximum of \$15,000.00.

Mr. Clig clarifies there's no tenant the property is owner occupied and amends his recommended with corrections the fine of \$ 100 per day to a maximum \$10,000.00 dollars. There was further discussion with **Ms. Lopez**, who explained her situation and requested more time.

Mr. Denzil Sykes stated he accompanied **Mr. Clig** to the property and states the pool was exposed they spoke the gentleman who was at the home and explained the importance to keep the pool secured and it is a safety issue as well.

Mr. Riggio asked if the pool was still exposed and **Mr. Clig** states the fence pallet was stood up but it wouldn't withstand a heavy wind. **Mr. Riggio** says his recollection that not only is it serious, it could be a felony by statute. **Mr. Clig** says he explained that to them as well and they never signed for the violation letter and nothing has been done.

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 October 9, 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**

Ms. Diaz explains the imposing fine process and lien Review options to respondent.

CASE # 9 - CEB 08-25-140 - Karen & Sleiman Zogheib at **398 Golf Blvd** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.10, 304.12, 304.13.2, 305.3, 305.4, 305.6, 309.1, 309.2, 504.1, 603.1), Violation(s) – **Raw sewage pooling under house, Dilapidated rear deck and handrailing, damaged window, damaged walls and ceilings, and peeling paint, damaged flooring, missing closet doors, infestation of insects, damaged plumbing fixtures, improperly installed plumbing, damaged appliances.** First Notified – 4/12/2025

Sleiman Zogheib owner was sworn in via zoom.

Inspector John Stenson testifies to the status of the case, since the September hearing there has been multiple inspections, the property is no longer occupied, he's been in contact with the owner and property manager, and progress is being made still to rebuild the back deck for the back door and some minor things on the inside. Staff recommended amend until November cutoff.

Sleiman Zogheib was given the opportunity to speak he says contractors are on site basically have flooring closet doors and the deck the flooring is being level October 9, 2025 and the shower is in permits as well drawings and everything looks like they're on track to have all the work that are still open and hope to finish by time allowed.

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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 **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. Mrs. Robey seconded the same, and all agreed motion was approved. **6-0**

CASE # 10 - CEB 09-25-159 - Shandra Carreira at **802 N. Halifax Ave** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3 (Ref. FBC Supp. IPCM 302.8, 304.2, 304.3, 304.7), Violation(s) – **Unmaintained landscaping, junk vehicle, peeling paint, address numbers & damaged fascia boards**. First Notified – 4/8/2024
No respondent present.

Inspector John Stenson testifies to the status of the case, last inspection was October 8, 2025 property remains in non-compliance. There's been no contact and no progress it is owner occupied, staff recommended imposing a fine of \$300.00 per 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 \$300.00 per day against the respondent **effective October 9, 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 # 11 - CEB 09-25-160 - Allen & Deborah Bukowski at **420 Golf Blvd** is cited for failure to correct violations of The Land Development Code, Art. 3, Sec. 4.S.1., Violation(s) – **Unpermitted detached garage being constructed**. First Notified – 6/17/2025
No respondent present.

Inspector John Stenson testifies to the status of the case, There's been no contact and no progress it is owner occupied property remains in non-compliance. Staff recommended imposing a fine of \$500.00 per day up to a maximum of \$10,000.00.

BOARD ACTION: Ms. Callis made a motion to accept the city's recommendation to impose a fine of \$500.00 per day against the respondent **effective October 9, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. Ms. Calnan seconded the same, and all agreed motion was approved. **6-0**

CASE # 12 - CEB 09-25-161 - Wayne E. Schmidt at **924 N. Peninsula Drive**
Compliance October 6, 2025

CASE # 13 - CEB 09-25-162 - Todd A. Balzarano at **306 Riverview Blvd.** 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 (Ref. FBC Supp. IPCM 301.3, 302.4, 304.7), Violation(s) – **Outside storage, utility trailer on front lawn, unmaintained landscaping, unsecured building, damaged soffit, fascia, gutter & downspouts**. First Notified – 5/29/2025
No respondent present.

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Inspector John Stenson testifies to the status of the case, There's been one contact on October 8, 2025, property is occupied and no progress property remains in non-compliance. Staff recommended imposing a fine of \$200.00 per day up to a maximum of \$10,000.00.

BOARD ACTION: Ms. Radebaugh made a motion to accept the city's recommendation to impose a fine of \$200.00 per day against the respondent **effective October 9, 2025**, continuing until compliance is achieved or reaches a maximum of \$10,000.00 dollars. **Ms. Calnan** seconded the same, and all agreed motion was approved. **6-0**

CASE # 14 - CEB 03-25-60 - Janice Hoover Estate at **365 Woodland Ave** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 4.S.1., Violation(s) – **No permit (garage repairs)**. First Notified – 1/9/2025

No respondent present.

Inspector John Stenson testifies to the status of the case, since the September hearing, he's been in contact with the daughter of Janice Barclay who is listed as Holly Dee Hoover, the Administrator of the Estate has finally completed probate and has obtained permit. Staff recommended amend until January 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 **December 31, 2025**, 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 the same, and all agreed motion was approved. **6-0**

Ms. Diaz City Attorney requested to enter the recorded authorization petition for **Holly Dee Hoover, the administrator of the Estate of Janice Hoover Estate probate case.**

Ms. Marsh made a motion to enter the petition of administration authorization for probate into the records and **Mrs. Robey** seconded all agreed and motion passed. **6-0**

CASE # 15 - CEB 07-25-117 - Robert Shulter Estate, Doris Taylor, Debra Torrence, Ronald Ancrum, Linda Hart, Andrea Lee, Delores Gibson, Matthew Riggins & Betty Lou Smith Estate at **418 N. Lincoln Street** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 6 Sec. 19.A.4 (Ref. FBC Supp. IPMC 302.7, 304.7), Violation(s) – **Outside storage, dirt & grime, faded paint, dilapidated fence, damaged (roof, fascia, and soffit)**. First Notified – 10/23/2024

Ronald Gibson, husband of Delores Gibson, was sworn in.

Inspector Abrianna Itani testified to the status of the case; since the September hearing she had contact and there is progress Last Inspection was October 1, 2025, and the results were non-compliance. Staff recommended to amend until the January cutoff.

Mr. Gibson was given and took the opportunity to speak he reiterated that he's done everything required and the roof hasn't passed the inspection due to the fact the roofer

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removed the header in front of a beam in the front of the house does think the roofer realized he needed a permit to do so.

Inspector Itani says she hasn't seen the permit for the additional work that was done come into the permit and Licensing department yet, company needs to get an engineer. but the only thing that needs to be done is the roof that needs to be finalized, and we'll have to go through the steps with permits & licensing department.

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 **December 31, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

CASE # 16 - 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 numbers & damaged roof.** First Notified – 8/23/2024

William Thompson Jr was sworn in.

Inspector Abrianna Itani testified to the status of the case since September hearing she had contact with the owner and there is progress, and he received eligibility to receive assistance from Transform386 for what in non-compliance Last inspection October 6, 2025, the results was non-compliance. Staff recommended to amend until February 2026, cutoff to allow Transformation 386 to assist.

Mr. Thompson, given the opportunity to speak, he just reiterated he's glad he's got assistance and it's up Transform386 to do what needs to be done.

Ms. Diaz City Attorney requested to enter the eligibility notification letter of approval in the record.

BOARD ACTION: **Ms. Callis** made a motion to accept the city's recommendation to amend the previous order of non-compliance and allow the Respondents until **February 4, 2026**, 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 the same, and all agreed motion was approved. **6-0**

Mrs. Robey made a motion to enter the eligibility notification letter of approval in the record and **Ms. Calnan** seconded all agreed and motion passed. **6-0**

CASE # 17 - CEB 09-25-158 - Common Wealth Trust Services LLC TR 601 Vera Land Trust at **601 Vera Street** 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; Art. 3 Sec. 4.S.1., Violation(s) – **Outside storage, dirt and grime & work without permit (fencing).** First Notified – 6/14/2025

Ricardo Adames who states he's the owner was sworn in.

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Inspector Abrianna Itani testified to the status of the case, Since the September hearing she has had contact with the owner who says he is going through eviction process with the tenants and requested more time for the process, last inspection was October 6, 2025, the result was non-compliance. Staff recommended amend until the February cutoff.

Mr. Adames was given the opportunity to speak he says the eviction process should be wrapped up within the next 2 weeks he's working with an eviction attorney. Then at that point he'll be able to take possession of the property back and clean it up.

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 **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Mrs. Robey** seconded the same, and all agreed motion was approved. **6-0**

CASE # 18 - CEB 09-25-172 - Ahmad D Crum at **533 N Keech St** is cited for failure to correct violations of The Land Development Code, Art. 3, Sec. 4.S.1., Violation(s) – **Working without permit (plumbing)**. First Notified – 8/6/2025

Ahmad Crum owner and Susan Crum, mother of the owner/property manager both sworn in.

Inspector Abrianna Itani testified to the status of the case, Since the September hearing she has had contact with the owner and there been progress and the plumbing permit has been finalized and waiting for the concrete permit to finalized, last inspection was October 1, 2025, the result was non-compliance. Staff recommended amend until the next cutoff. the permit is under review they should know something by October 21, 2025.

Mr. Crum states he's waiting for the concrete permit. and hopes they can be done with case.

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 **November 5, 2026**, to come into compliance or be returned to a subsequent meeting for consideration of a fine up to \$1,000 per day. **Ms. Radebaugh** seconded the same, and all agreed motion was approved. **6-0**

New Cases

CASE # 19 - CEB 10-25-178 – Joy Brown-Maxwell, Vivian M. Brown, Tia Watson & Richard Thomas at **425 Maple St** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.13, 304.3, 308.1), Violation(s) – **Unsecured & unsanitary vacant structure, damaged fence, broken windows, inadequate address numbers, trash & debris**. First Notified – 7/9/2025

No respondent present.

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Inspector Sara Kirk testified to the status of the case, this was a field generated case last inspection was October 8, 2025 and property remains in non-compliance. Staff recommended non-compliance with compliance next cutoff.

BOARD ACTION: **Ms. Callis** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day and **Mrs. Robey** seconded the motion, and all agreed, and the motion approved **6-0**.

CASE # 20 - CEB 10-25-174 - Dilena L. Talley at **155 N Lanvale Ave** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 6 Sec. 19.A.4; Art. 6 Sec. 2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 605.4), Violation(s) – **Overgrown landscaping, peeling paint, dirt, and grime, parking on the lawn, unsanitary pond, damaged fence, wiring** First Notified – 6/26/2025

No respondent present.

Inspector Abrianna Itani testified to the status of the case, was compliant generated case last inspection was August 18, 2025 she's had contact with the owner and property remains in non-compliance. Staff recommended non-compliance with compliance 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 **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day and **Ms. Marsh** seconded the motion, and all agreed, and the motion approved **6-0**.

CASE # 21 - CEB 10-25-176 - Dominique Lynch, Taylor Varner, Kirsta Varner & Doug Varner at **1005 Lewis Dr** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 19.A.3; Art. 6 Sec. 2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8), Violation(s) – **Overgrown landscaping, parking, junk vehicle.** First Notified – 8/8/2025
Doug Varner owner was sworn in.

Inspector Roosevelt Butler, Jr. testified to the status of the case this a field generated last inspection October 8, 2025 and property remains in non-compliance. He's had contact with the owner. Staff recommended non-compliance with compliance next cutoff.

Mr. Varner says the jeep in the photo was a friend of theirs and it he was working on fixed then he got the notice he had another friend who had a trailer take it to the owner, wherever the owner wanted it delivered but he doesn't know where that is, he tries to maintain the yard, but he keeps his in the front yard in view of the camera since it's easy to break into it's an older truck that's his situation.

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Mrs. Robey advised him that he couldn't park on the grass in the front yard, there was further discussion about where he could park. **Mr. Butler** advise him to go to permit & license department to see what other options are available to him for parking.

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 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day and **Mrs. Robey** seconded the motion, and all agreed, and the motion approved **6-0**.

**CASE # 22 - CEB 10-25-179 - DeHaven J. Carter at 1417 Florida St
Compliance October 8, 2025**

CASE # 23 - CEB 10-25-173 - Anthony R. Starnes at **414 S. Palmetto Ave** 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 304.12, 304.2), Violation(s) – **Outside storage, unmaintained landscaping, damaged handrails, peeling paint, dirt and grime**. First Notified – 6/12/2025
No respondent present.

Inspector Ronald Beeney testified to the status of the case this a compliant generated last inspection October 6, 2025 and property remains in non-compliance. He's had no contact with the owner. Staff recommended non-compliance with compliance next cutoff.

Mr. Riggo Board Attorney advised Ms.Radebaugh to withdraw the previous motion made. **Ms.Radebaugh** withdrew the previous motion made.

BOARD ACTION: **Ms. Radebaugh** made a motion to find the respondent in Non-Compliance and order the respondent to come in compliance and allow the Respondents until **November 5, 2025**, to come into compliance or be returned to a subsequent meeting for consideration of a fine of up to \$1,000 per day and **Ms. Marsh** seconded the motion, and all agreed, and the motion approved **6-0**.

There was further discussion by **Ms. Diaz, City Assistant Attorney** begin with apologizing to the board and their attorney for the delay in setting up the tentative workshop for the board members and their attorney, she's been consumed with new law open to carry and immigration and further advised the board not to give respondents advice on what they need to do to come into compliance, advise them to ask the Code Officers, he or she can advise you on that.

Wait until they're sworn in, then we ask what their relationship is to the respondent if the person(s) present isn't the respondent, if they say if before they're sworn, we can't hold them accountable for that.

**Code Enforcement Board Meeting
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And there was continued discussion that's paraphrased here not verbatim about the open to carry law **Ms. Diaz** explained basically police open carry were prohibited as of 1987. Approximately the early 2000's Florida Supreme court upheld that statute constitutional, they use a test called intermediate scrutiny which means to pass intermediate scrutiny you have an important government interest, the restrictive as possible.

The court in that Norman looked at the history and everything and thought the statute was constitutional, then US. Supreme Court Breuan established a new test on how to view second amendment regulations. Basically, it was to look a historic of that regulation. If there's not some history of that regulation you can't do it. This point is in that case AG in that case the state lost and said they're not going to appeal.

The AG issued a ruling in the first DCA. The court basically reviewed someone, properly holstering a handgun it's not about a handgun this case was not about a firearm, long gun, riffle, an ak-47 it was about a handgun holstered in a proper retention holster which he outside of his shirt on a tripod recording, this was something he was testing. The court in that situation looked at those facts and reviewed in the new Florida US Supreme Court case to say this statute is unconstitutional.

The whole state is split no- one really agrees there are couple jurisdictions that believe the Florida Supreme is binding because the lower court can overrule it the first DCA didn't certify a question to the Supreme Court asking them to decide on whether they shouldn't done that regardless, that DCA in the first district says it's unconstitutional and the AG says it's the law of the land. We are all bound by it and we're going to agree with what the AG said.

In Daytona Beach, **Ms. Diaz** advised our Daytona Beach police officers that we cannot prohibit open carry anywhere, but there are specific so there are location sensitive areas that we can, if the board wants the statute is 7906 subsections 2 that statute AG has said was unaffected by this case that statue says there's 15 sensitive areas that by law you can't open or conceal to carry a firearm.

There is debate about half the state let's say approximately 5% are still prohibiting open to carry everywhere.

and there was further discussion by **Ms. Diaz and Mr. Riggio, Board Attorney**, and there was a brief open discussion about how to respond should a situation arise during the Code Enforcement meeting, that will be addressed in the tentative workshop and further advised if they wanted more police coverage that can be discussed further at the upcoming workshop.

Adjournment approximately 10:50