

Agenda

Commission Chambers, City Hall
301 South Ridgewood Avenue
Daytona Beach, Florida

CODE ENFORCEMENT BOARD

Date: THURSDAY, FEBRUARY 8, 2018

9:00 A.M.

NOTICE: Any person who decides to appeal any decision made by the Code Enforcement Board will need a record of the proceedings and for such purpose he may need to insure, at his own expense, for the taking and preparation of a verbatim record of all testimony and evidence of the proceeding upon which the appeal is to be based. The City does not prepare or provide such record. Any discussion or contact outside the Code Enforcement Board meeting with members of the Board concerning any quasi-judicial matter which is, or will come, before the Board for a vote are to be disclosed and made part of the record prior to or at the hearing on the matter.

CITY OF DAYTONA BEACH

Members: Weegie Kuendig, Chairman, Turner Hymes, Vice-Chairman; Cheryl House, Neil Harrington, Thomas A.D. Jones, Dalynn Purdy and Vernon Weatherholtz

1. Call to Order
2. Roll Call
3. Approval of January 11, 2018 Meeting Minutes
4. Disclosure of Ex Parte Communications
5. Announcements
6. Lien Reviews

LR -1

CASE NO CEB 06-09-116 - 949 Vernon Street - Seales-Harris, IDA (Viva Investment Homes, LLC) is cited for failure to correct violations of The Land Development Code, Art. 8 Sec. 2.7; Art. 19 Sec. 1 & 2 (ref. 302.8 IPMC), - Violation(s) – Failure to remove vehicle from the yard; parking in the yard; Junk vehicle storage; Failure to remove from exterior- First Notified – 3/5/2009. **Order Imposing Fine-Lien of \$50.00 per day effective 07/09/2009. Compliance 7/15/2010 = \$15,000.00* maximized, plus \$22.00 recording costs = \$15,022.00. Tax deed sale proceeds received \$9,262.24 = total amount owed \$5,759.76.**

DISPOSITION _____

(S. Alderman)

7. Hearing of Cases

CONTINUED CASES:

- | | |
|----------------------------------|---|
| 1
Jerry W.
Sanders,
Jr. | <u>CASE NO CEB 12-17-166 - Matthew F. Kwitowski</u> is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 12 Sec. 12.4.12, at 112 Knight Place
Violation(s) – Trash, junk and debris in the yard; parking of junk vehicles; parking of recreational vehicles.
First Notified – 7/11/2017 |
|----------------------------------|---|

COMPLIANCE 1/31/2018

2
Jerry W. Sanders, Jr. **CASE NO CEB 12-17-167 - Three Oaks Inn, LLC** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.1, 302.4, 304.2, 304.7, 304.13.2, 304.14), at **331 S. Palmetto Avenue**
Violation(s) – **Exterior needs painted; roof in disrepair; inoperable windows; insect screens; rotten wood on exterior.**
First Notified – 6/28/2017

ACTION TO BE TAKEN: Progress Report and determination of a compliance date.

DISPOSITION _____

3
Jerry W. Sanders, Jr. **CASE NO CEB 01-18-04 - Lynn Stepp** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.1, 302.4, 302.7, 303.1, 303.2, 304.1, 304.2, 304.5, 304.6, 304.7, 304.9, 304.10, 304.13, 304.13.1, 304.13.2, 304.14, 304.15, 304.16, 505.1), at **44 N. Halifax Avenue**
Violation(s) – **Damaged roof; broken windows; no insect screens, the front and back doors are broken; fence is broke down around the pool; overgrown yard; dirty and unmaintained pool; the house need to be painted; there is no water service to the occupied house.**
First Notified – 9/21/2017; Posted 10/31/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

4
Jerry W. Sanders, Jr. **CASE NO CEB 01-18-06 - Gilbert Myara** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.1, 304.7, 304.13, 304.14); Art. 3 Sec. 3.4.S.2, at **127 N. Hollywood Avenue**
Violation(s) – **Damaged roof; missing windows; missing window screens; protective treatment; overgrown grass.**
First Notified – 10/26/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

5
Tom Clig **CASE NO CEB 11-15-58 - Daytona Beach Club Condo Association** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.4), at **800 N. Atlantic Avenue**
Violation(s) – **Exposed and rusty rebar, support beams; concrete missing in parking area and balconies.**
First Notified – 9/17/2015

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

6
Tom Clig **CASE NO CEB 01-18-01 - VISHNU LTD** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.10, 304.13), at **1000 N Atlantic Avenue**
Violation(s) – **Failure to maintain roof, windows and balconies**
First Notified – 4/28/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

7
Tom Clig
CASE NO CEB 01-18-02 - Donald M., Genevieve T. & Dwayne D. Waltrip, as JTRS is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3, at **263 Seaview Ave aka 273 Seaview Ave**
Violation(s) – **outside storage**
First Notified – 7/8/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

8
Jerome O.
McCoy
CASE NO CEB 11-17-150 - Kevin Salomono is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 302.7, 304.2, 304.5, 304.7, 304.10, 304.13, 304.14, 305.3, 305.4, 604.3, 702.2), at **551 Whitehall Street**
Violation(s) – **Exterior property area - weeds, accessory structures, fence, protective treatment; Exterior conditions - foundation walls, roofs and drainage, stairways, windows, skylight, and door frames; insect screens; Interior structure - walking surfaces; electrical system hazards; fire safety - means of egress-aisles.**
First Notified – 4/10/2017

COMPLIANCE – 1-30-2018

9
Jerome O.
McCoy
CASE NO CEB 11-17-142 - Nell 4, LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 605.1, 605.2, 704.2, 304.2, 304.7, 304.10, 304.12, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 309.2); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **713 Cedar Street**
Violation(s) – **Electrical equipment; receptacle; smoke alarms; roofs and drainage; handrails and guards; stairs; infestation; pest; insect screens; windows, skylights and door frames; failure to obtain required rental license (RTL); failure to obtain business tax receipt (BTR).**
First Notified – 6/2/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

10
Jerome O.
McCoy
CASE NO CEB 11-17-144 - Troy A. Horwedel & Travis R. Horwedel is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 604.3, 605.1, 702.1, 702.2, 304.13.2, 304.14, 403.1); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **508 Fremont Avenue**
Violation(s) – **Electrical system hazards; electrical installation; fire safety - means of egress; smoke alarms; unopenable windows; insect screens; ventilation -habitable spaces; failure to obtain required rental license (RTL); failure to obtain business tax receipt (BTR).**
First Notified – 8/9/2017

COMPLIANCE – 1-30-2018

11
Mark A.
Jones
CASE NO CEB 11-17-158 - AF126southoleander Residential Trust dated 1/26/16 and Stonegate Properties, LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.3, 302.7, 304.1, 304.2, 304.6, 304.8, 304.13, 304.13.2, 304.14, 604.3); Art. 6 Sec. 6.19.A.3, at **126 S. Oleander Avenue**
Violation(s) – **Sidewalks; driveways; accessory structures; general maintenance; protective treatment; exterior walls; decorative features; window, skylight, door frames; unopenable windows; insect screens; electrical sytem hazards and site appearance standards.**
First Notified – 8/18/2017

ACTION TO BE TAKEN: Impose Fine (con't from 1-11-18).

DISPOSITION _____

12
Mark A.
Jones
CASE NO CEB 11-17-160 - Rosetta Henderson 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 302.1, 302.4, 302.8; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **785 Tennessee Street**
Violation(s) – **Work without permits; site appearance standards; sanitation; weeds; unlicensed, inoperable vehicle; failure to obtain required residential rental license (RTL); failure to obtain business tax receipt (BTR).**
First Notified – 8/18/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

13
Mark A.
Jones
CASE NO CEB 01-18-08 - Kalil Land, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **1222 Essex Road**
Violation(s) – **Parking on the front lawn; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL).**
First Notified – 10/27/2017

ACTION TO BE TAKEN: Progress Report 2-8-18; (Compliance set for 2-28-18).

DISPOSITION _____

14
Mark A.
Jones
CASE NO CEB 01-18-09 - Imperial Land Trust is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **1006 Imperial Drive**
Violation(s) – **Failure to obtain required residential rental license (RTL); Failure to obtain business tax receipt (BTR).**
First Notified – 11/15/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

15
Mark A.
Jones
CASE NO CEB 01-18-10 - Nell2, LLC is cited for failure to correct violations of The Land Development Code, Art. 8 Sec. 2.A; City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **530 Washington Street**
Violation(s) – **Non-conforming use - zoned as a Single Family and has added second residence; failure to obtain a required rental license (RTL); failure to obtain a business tax receipt (BTR).**
First Notified – 11/3/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

16
Mark A.
Jones
CASE NO CEB 01-18-11 - Wesley & Candy Crew is cited for failure to correct violations of The Land Development Code, Art. 9 Sec.9.2.A. (Ref. FBC Supp IPMC 302.8), at **665 Winchester Street**
Violation(s) – **junk vehicle.**
First Notified – 10/10/2017

COMPLIANCE 2/1/2018

17
John C.
Stenson
CASE NO CEB 07-17-79 - John B. Clark is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S, at **726 Rawlings Court**
Violation(s) – **No permit for building renovations.**
First Notified – 6/2/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

18
John C.
Stenson
CASE NO CEB 01-18-16 - Donald R. McKenzie is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i., at **162 Lee Street**
Violation(s) – **Parking in the front yard (unimproved surface).**
First Notified – 9/2/2017

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

19
John C.
Stenson
CASE NO CEB 01-18-17 - JL & W Property of Daytona, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.3 and 504.3); City Code Ch. 26 Sec. 294 and City Code Ch. 90 Sec. 90-297, at **1116 Madison Avenue**
Violation(s) – **Outside storage; address numbers; plumbing system hazard; no residential rental license (RTL); no business tax receipt (BTR).**
First Notified – 10/31/2017

COMPLIANCE: 1-25-2018

20
John C.
Stenson

CASE NO CEB 01-18-15 - Eddie & Joyce Ann Anderson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a.i; Art. 6 Sec. 6.19.A.3.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7 and 302.8), at **568 Heineman Street**
Violation(s) – **Off-street parking; outside storage and dilapidated accessory structure (fencing); junk vehicle.**
First Notified – 10/17/17

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

NEW CASES:

21
Tom Clig

CASE NO CEB 02-18-19 - Robby & Wendy Burke is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.7); City Code Ch. 26 Section 26-294., at **273 Hartford Ave.**
Violation(s) – **Failure to Maintain roof; Failure to obtain required residential rental license (RTL).**
First Notified – 12/5/2017

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

22
Mark Jones

CASE NO CEB 02-18-21 - Cartwright & Sons LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 4.S.1, at **1122 Mason Ave**
Violation(s) – **No Permit – for installation of A/C unit.**
First Notified – 12/8/2017

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

23
Daniel
Garcia

CASE NO CEB 02-18-22 - MHC Carriage Cove LLC C/O Equity Property Tax Group is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7), at **4 Golf Cove Ct**
Violation(s) – **Damaged roof.**
First Notified – 10/10/2017

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

24
Daniel
Garcia

CASE NO CEB 02-18-23 - Samuel E Blanco is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.a (Ref. FBC Supp IPMC 304.2 and 304.13), at **127 Fairview Ave**
Violation(s) – **Peeling paint; broken windows.**
First Notified – 11/20/2017

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

25 Daniel Garcia **CASE NO CEB 02-18-24 - Samuel E Blanco** is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.a (Ref. FBC Supp IPMC 304.2), at **125 Fairview** Violation(s) – **Peeling paint.**
First Notified – 11/20/2017

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

26 Steve Alderman **CASE NO CEB 02-18-25 - Earnest & Joann Rich** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, at **1213 Sunland Rd** Violation(s) – **Personal & commercial vehicles with trailer parking on grass.**
First Notified – 11/16/2017

COMPLIANCE – 1-29-2018

8. **Election of Vice Chairman**

9. **Miscellaneous Business –**

MB-1

CASE NO CEB 12-17-172 - Mike Nelson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A.; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.13.2, 309.1, 504.1), at **104 Maplewood Drive** - Violation(s) – Parking on front lawn; roof leaking; inoperable windows; pest infestation; plumbing system and fixtures (missing fixtures in bathroom) - First Notified – 9/25/2017

ACTION: Respondent's Motion to Vacate {complete full title} ...

DISPOSITION _____

MB – 2

CEB 12-17-162 - John Clark is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.4, 302.8) City Code Ch. 90 Sec. 90-297, at **559 N. Beach Street** - Violation(s) – Unlicensed vehicles; high weeds; Failure to obtain business tax receipt (BTR) - First Notified – 9/26/2017.

ACTION TO BE TAKEN: **Staff request for Dismissal of Order Imposing Fine/Lien of \$250.00 per day imposed 1/11/2018 as property was in compliance on 1/11/18.**

DISPOSITION _____

10. **Adjournment**