

CITY OF DAYTONA BEACH

MINUTES

**SPECIAL
MAGISTRATE
HEARING**

**February 13, 2018 at 9:00 AM
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida**

ATTENDEES:

Mr. David A. Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney

Mr. Denzil Sykes, Code Supervisor

Mr. Steve Alderman, Code Inspector

Mr. Thomas Clig, Code Inspector

Ms. Juan Davis, Code Inspector

Mr. Daniel Garcia, Code Inspector

Mr. Michael Fitzgerald, Code Inspector

Mr. Jerome McCoy, Code Inspector

Mr. Cliff Recanzone, Code Inspector

Mr. John Stinson, Code Inspector

Ms. Aimee Hampton, Senior Paralegal

Ms. June Barnes, Board Secretary

1. **Call to Order**

The meeting was called to order at 9:00 a.m.

2. **Approval of January 9, 2018 meeting minutes**

Mr. Vukelja stated he has approved and executed the minutes of the January 9, 2018 meeting.

3. **Announcements**

Ms. Barnes stated Item 14, Case SMG-01-18-02, is in compliance as of February 12, 2018.

City Staff members who will be giving testimony were sworn in.

4. **Lien Reviews**

5. **Hearing of Cases**

Continued Cases:

1. **CASE NO SMG 12-17-91 – Daryl L. 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 301.3), at **Homes Ave - Vacant Lot Parcel # 5238-13-06-0310**
Violation(s) – **Junk vehicles - bucket truck; car and commercial trailer storage.**
First Notified – 8/31/2017.

Compliance – 1/23/18

2. **CASE NO SMG 08-17-69 – Carolyn Ricany** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.2, 304.6, 304.7, 304.13, 304.14), at **1225 Waverly**
Violation(s) – **Broken windows; exterior rotten wood; peeling & chipped paint; missing screens; roof and drainage system.**
First Notified – 4/14/2017.

ACTION TO BE TAKEN: Impose Fine Con't to 2-13-18.

Carolyn Ricany was in attendance and was sworn in.

Mr. Jackson stated additional time was allowed in order for the owner to complete a short sale. Mr. Jackson stated the inspector, Juan Davis, has advised that the short sale is in process but is not completed.

Ms. Ricany stated the short sale might not be completed since there is a lien on the property and the property will go to foreclosure.

Mr. Vukelja asked if there are other liens on the property.

Ms. Ricany stated there is a lien on the property as a result of an automobile accident. Ms. Ricany stated she is currently occupying the home.

Mr. Vukelja stated the case was continued in order to allow Ms. Ricany time to complete the sale. Mr. Vukelja stated he would continue the case and would like Ms. Ricany to advise him at the next meeting the amount of the mortgage as well as the amounts for any liens on the property.

Disposition: The Special Magistrate continued the case to the March 13, 2018 meeting, predicated on Ms. Ricany occupying and maintaining the home.

3. **CASE NO SMG 05-17-46 – GEA Seaside Investments, Inc.** is cited for failure to correct violations of the Land Development Code, City Code Ch. 26 Sec. 26-294, at **232 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL).**
First Notified – 1/30/2017.

Compliance – 1/30/2018

4. **CASE NO SMG 05-17-47 – GEA Seaside Investments, Inc.** is cited for failure to correct violations of the Land Development Code, City Code Ch. 26 Sec. 26-294, at **236 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL).**
First Notified – 1/30/2017.

Compliance 1/30/2018

5. **CASE NO SMG 05-17-47 – GEA Seaside Investments, Inc.** is cited for failure to correct violations of the Land Development Code, City Code Ch. 26 Sec. 26-294, at **236 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL).**
First Notified – 1/30/2017.

Compliance 1/30/2018

6. **CASE NO SMG 12-17-97 – George McLendon, Jr. & Ida M. McLendon** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.1, 304.2, 304.6); Art. 6 Sec. 6.19.A.4, at **751 Bellevue Avenue**
Violation(s) – **Exterior paint and masonry joints; trash and debris and garbage.**
First Notified – 8/15/2017.

ACTION TO BE TAKEN: Impose Fine.

Mr. Jackson stated the inspector, Steve Alderman, reports that the property is still in non-compliance and asked that a fine of \$100 per day be imposed up to a maximum of \$10,000.

Steve Alderman stated he spoke with Mr. McClendon yesterday; and over half of the house is painted and the trash has been removed from behind the house and the respondent plans to have everything completed within 30 days. Mr. Alderman requested that the case be extended to the next

cut-off date.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

7. **CASE NO SMG 12-17-96 – Jong Soo Yoon & Lee OK** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7); Art. 6 Sec. 6.19.B, at **309 N. Atlantic Avenue**
Violation(s) – **Metal roofing sections missing and existing metal rusting.**
First Notified – 7/25/2017.

ACTION TO BE TAKEN: Impose Fine.

Jong Soo Yoon was in attendance and was sworn in.

Mr. Jackson stated the inspector, Steve Alderman, has received a letter from the MBG law firm regarding insurance issues. Mr. Jackson stated Mr. Alderman is requesting that the case be continued until the April cut-off date and that a progress report be provided at the March 13, 2018 Special Magistrate meeting.

Mr. Vukelja asked what will happen between now and April that will bring the property into compliance.

Mr. Yoon stated a mediation is set for April 25, 2018 and a trial date is set for May 7, 2018.

Mr. Jackson stated he would like to receive a progress report at the May, 2018 Special Magistrate meeting in order to determine what happened at the mediation.

DISPOSITION: The Special Magistrate continued the case to the May 8, 2018 Special Magistrate meeting .

8. **CASE NO SMG 11-17-85 – Hope T. & Kenneth H. Lindsey** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8 and 304.3); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a, at **909 Lockhart Street**
Violation(s) – **Outside storage; parking on yard; boat storage; inoperative vehicles parked on sidewalk; no address numbers.**
First Notified – 9/1/2017.

Compliance 1/30/2018

9. **CASE NO SMG 11-17-86 – Beverly Shearer** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 303.1, 304.13, 304.7), at **1215 Golfview Drive**
Violation(s) – **Swimming pools, spas and hot tubs; exterior windows, skylight and door frames; roofs and drainage.**
First Notified – 6/26/2017.

ACTION TO BE TAKEN: Impose Fine.

The respondent was not in attendance.

Mr. Jackson stated the inspector, Steve Alderman, reports the property is still in non-compliance and asks that a fine of \$100 per day be imposed.

Mr. Alderman stated the swimming pool is inaccessible but he has had no contact from the respondent.

DISPOSITION: The Special Magistrate fined the respondent the sum of \$100 per day commencing February 8, 2018 and continuing to accrue each day thereafter until the property is brought into compliance or the amount of the fine reaches \$10,000, whichever occurs first.

10. **CASE NO SMG 01-18-07 – Michael K. Toole** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.8 and 304.9), at **138 W. International Speedway Blvd.**
Violation(s) – **Exterior structure overhang extensions; exterior structure decorative features; damaged awning.**
First Notified – 9/5/2017.

Compliance 1/26/2018

11. **CASE NO SMG 01-18-08 – Delbert D. Gayle & Kerriann Gayle** 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. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.8), at **925 Niles Street**
Violation(s) – **Site appearance standards; structural appearance standards; off-street parking; junk vehicles.**
First Notified – 9/1/2017.

ACTION TO BE TAKEN: Impose Fine.

Delbert Gayle was in attendance and was sworn in.

Mr. Jackson stated the inspector, Steve Alderman, reports the property is in non-compliance but some work has been done. Mr. Jackson stated the city is requesting the imposition of a fine.

Mr. Gayle stated he recently had surgery but he is not able to lift anything. Mr. Gaye stated the truck is licensed and insured.

DISPOSITION: The Special Magistrate ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for imposition of a fine of \$100 per day beginning that date and continuing each day thereafter accruing until the property is in compliance or the maximum fine reaches \$10,000.

12. **CASE NO SMG 01-18-09 – L.J. Freeman & Robin Spencer** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at **1232 Peachtree Road**
Violation(s) – **No permit for post fire demolition/construction.**
First Notified – 11/10/2017.

ACTION TO BE TAKEN: Impose Fine.

The respondent was not in attendance.

Mr. Jackson stated the inspector is Steve Alderman; and Mr. Alderman reports the property is not in compliance and is requesting imposition of a fine. Mr. Alderman stated he spoke with the respondent on January 30, 2018 who stated a permit would be obtained but nothing has been done. Mr. Alderman stated work had started on the property without obtaining a permit.

DISPOSITION: The Special Magistrate imposed a fine on the respondent of \$100 per day effective February 8, 2018, continuing until the amount of the fine reaches \$10,000 or the property is brought into compliance.

13. **CASE NO SMG 01-18-10 – US Bank Trust NA as Trustee for LSF9 Master Participation Trust** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.3, 302.7, 303.2, 304.1, 304.6, 304.7, 304.9), at **1200 Sunland Road**
Violation(s) – **Vacant structure and land; exterior property areas; swimming pool enclosure; exterior structure general; exterior structure walls; roofs and drainage; overhang extensions.**
First Notified – 10/13/2017.

ACTION TO BE TAKEN: Secure pool within 10 days; Impose Fine.

The respondent was not in attendance.

Mr. Jackson stated the inspector, Steve Alderman, reports that the pool has not been secured and the remainder of the property is in non-compliance. Mr. Jackson stated the city is requesting imposition of a fine.

Janet Benton and Jeff Wynn, neighbors of the subject property, were sworn in. Ms. Benton stated the house has deteriorated over the last 3 years due to the death of the owner. Ms. Benton stated the current owners have done nothing to repair the property and stated she feels the house needs destruction. Mr. Wynn stated he lives next door to the property and feels it is a health hazard.

Mr. Vukelja asked about the pool.

Mr. Alderman stated the gate on the north side of the property is closed but the fence on the south side of the property is non-existent.

Mr. Vukelja asked at what point the city would require demolition of the structure.

Mr. Jackson stated the City has new criteria in place for condemnation proceedings and this property may fit that criteria.

Mr. Vukelja stated the order imposed at the last meeting required that the pool be secured within 10 days and the rest of the property be in compliance by February 7, 2018, which did not happen. Mr. Vukelja asked what date he should use for imposition of a fine.

Mr. Jackson stated the date would be 10 days from January 19, 2018.

DISPOSITION: The Special Magistrate imposed a fine of \$1,000 per day commencing January 30, 2018, continuing each day thereafter to a maximum of \$15,000 or until the respondent comes into compliance by securing and cleaning the abandoned pool as the respondent was ordered to do. The Special Magistrate imposed a fine of \$200 per day for the remaining items commencing February 8, 2018, and continuing to accrue each day thereafter to a maximum of \$15,000 or the property is brought into compliance.

14. **CASE NO SMG 01-18-02 – Andrew Phillips** 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 302.4, 302.8, 304.2), at **625 Loomis Avenue**
Violation(s) – **Outside storage; junk vehicle; protective treatment; high weeds.**
First Notified – 10/2/2017.

ACTION TO BE TAKEN: Impose Fine.

Compliance – 2/12/18

15. **CASE NO SMG 01-18-03 – Dexter Hawkins** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 505.3), at **2 Debiasi Lane**
Violation(s) – **No water service.**
First Notified – 11/28/2017.

Compliance 1/9/2018

16. **CASE NO SMG 01-18-04 – Ejaz Ahmed** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 504.1, 305.3, 309.4) City Code Ch. 90 Sec. 90-297, at **1370 S. Palmetto Avenue**
Violation(s) – **Damaged plumbing; damaged walls; proof of pest elimination; failure to obtain business tax receipt (BTR).**
First Notified – 7/28/2017.

Compliance 1/23/2018

17. **CASE NO SMG 01-18-05 – Douglas R. Miles and Patricia R. Miles Trust Agreement dated 6-2-2016** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8); Art. 6 Sec. 6.2.H.7.a, at **2628 S. Peninsula Drive**
Violation(s) – **Junk vehicle; parking vehicle on the front lawn.**
First Notified – 6/14/2017.

ACTION TO BE TAKEN: Impose Fine.

The respondent was not in attendance.

Mr. Jackson stated the inspector is Mr. Recanzone who advises the property is in non-compliance and asks that a fine be imposed.

DISPOSITION: The Special Magistrate imposed a fine of \$100 per day commencing February 8, 2018, and continuing to accrue every day thereafter until the amount of the fine reaches \$15,000 or the property is brought into compliance, whichever occurs first.

18. **CASE NO SMG 01-18-06 – Helena W. Montgomery Revocable Trust dated 12/17/09** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.7, 304.12, 304.14, 305.3, 309.1), at **405 Wisteria Road**

Violation(s) – **Rental Inspection - damaged roof; damaged walls; handrails; damaged windows.**

First Notified – 11/17/2017.

ACTION TO BE TAKEN: Impose Fine.

Michael Clower spoke representing the respondent. Mr. Clower stated his client has entered into a contract with Collis Roofing for the roof and work is scheduled to start within 3 to 5 weeks. Mr. Clower stated a handyman is also working to repair the windows. Mr. Clower asked that the case be continued until the next meeting in order to allow time for the repairs to be made.

Mr. Vukelja stated the next Special Magistrate meeting is March 7 which is beyond the timeframe needed for the roof repairs.

Mr. Jackson stated he has seen the contract with Collis Roofing for the roof repairs; and Mr. Jackson stated he has spoken with the inspector, Cliff Recanzone, and has asked that the case be continued to the April cut-off date.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until April 4, 2018, to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

19. **CASE NO SMG 10-17-80 – Kinsey & Debbie Whaley** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.2, 304.8, 304.10, 304.13, 304.15, 305.1,305.3, 305.4, 404.4.3, 404.6, 504.1, 601.2, 603.1, 605.1, 704.1); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **152 Madison Avenue** Violation(s) – **Protective treatment; decorative features; stairways, decks, porches and balconies; windows; exterior doors; general interior; interior surfaces; stairs and walking surfaces; Water closet accessibility; Efficiency unit requirements; general plumbing fixtures; failure to maintain mechanical and electrical requirements; mechanical appliances; electrical installation in disrepair; missing smoke detectors; failure to obtain required residential rental license (RTL); failure to obtain business tax receipt (BTR).**

First Notified – 8/2/2017.

ACTION TO BE TAKEN: Impose Fine

Kinsey Whaley was in attendance and was sworn in.

Mr. Jackson stated the inspector, John Stenson, reports the property is in non-compliance. Mr. Stenson stated the case has been on-going since August of 2017 and since that time, the only repair that has been made was to the rear stairs. Mr. Stenson stated the owner was working on the front porch yesterday and the owner stated the interior is not ready to be inspected.

Mr. Whaley stated there has been work done on the property and it has been cleaned. Mr. Whaley stated the Building Inspector inspected the stairs yesterday and they were approved. Mr. Whaley stated interior doors have been replaced and work has been done on the front porch deck area. Mr. Whaley stated he expects the windows completed and inspection completed by April 4, 2018.

DISPOSITION: The Special Magistrate ordered that an inspection of the interior be completed within 5 days and continued the imposition of a fine to the March 13, 2018, Special Magistrate meeting. Mr. Vukelja stated he would not continue the case until April 4, 2018 since the interior inspection has not been completed and the nature of the repairs are not known.

20. **CASE NO SMG 09-17-72 – Terry Tejeram Sitaram & Bibi N. Sitaram** 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 302.8, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at **326 Jefferson Street**
Violation(s) – **Outside storage; Junk vehicles; dilapidated roof; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL).**
First Notified – 6/24/2017.

ACTION TO BE TAKEN: Impose Fine.

Bibi Nanda Alley was in attendance and was sworn in. Ms. Alley stated her name was Sitaram but she was recently divorced.

Mr. Jackson stated the inspector, John Stenson, advises the owners are divorced and the property was awarded to Ms. Alley. Mr. Jackson stated staff requests that the case be continued to the March cut-off date for compliance.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

21. **CASE NO SMG 01-18-11 – Budget Builders Wholesale Lumber Company** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **120 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Impose Fine (plus one-time \$250.00).

The respondent was not in attendance.

Mr. Jackson stated Items 21, 22, 23, 24, and 25 are all for the same property owner, Budget Builders Wholesale Lumber Company and all cases are for failure to obtain a rental license.

Mr. Jackson stated the inspector, John Stenson, reports that the rental inspections failed for minor issues. Mr. Jackson stated staff is requesting that the case be continued until the next cut-off date in order to allow the respondent time to obtain a rental license.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

22. **CASE NO SMG 01-18-12 – Budget Builders Wholesale Lumber Company** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **124 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Impose Fine (plus one-time \$250.00).

The respondent was not in attendance.

Mr. Jackson stated Items 21, 22, 23, 24, and 25 are all for the same property owner, Budget Builders Wholesale Lumber Company and all cases are for failure to obtain a rental license.

Mr. Jackson stated the inspector, John Stenson, reports that the rental inspections failed for minor issues. Mr. Jackson stated staff is requesting that the case be continued until the next cut-off date in order to allow the respondent time to obtain a rental license.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

23. **CASE NO SMG 01-18-13 – Budget Builders Wholesale Lumber Company** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **132 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Impose Fine (plus one-time \$250.00).

The respondent was not in attendance.

Mr. Jackson stated Items 21, 22, 23, 24, and 25 are all for the same property owner, Budget Builders Wholesale Lumber Company and all cases are for failure to obtain a rental license.

Mr. Jackson stated the inspector, John Stenson, reports that the rental inspections failed for minor issues. Mr. Jackson stated staff is requesting that the case be continued until the next cut-off date in order to allow the respondent time to obtain a rental license.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

24. **CASE NO SMG 01-18-14 – Budget Builders Wholesale Lumber Company** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **144 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Impose Fine (plus one-time \$250.00).

The respondent was not in attendance.

Mr. Jackson stated Items 21, 22, 23, 24, and 25 are all for the same property owner, Budget Builders Wholesale Lumber Company and all cases are for failure to obtain a rental license.

Mr. Jackson stated the inspector, John Stenson, reports that the rental inspections failed for minor issues. Mr. Jackson stated staff is requesting that the case be continued until the next cut-off date in order to allow the respondent time to obtain a rental license.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

25. **CASE NO SMG 01-18-15 – Budget Builders Wholesale Lumber Company** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **196 Tarracina Way**
Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**
First Notified – 11/22/2017.

ACTION TO BE TAKEN: Impose Fine (plus one-time \$250.00).

The respondent was not in attendance.

Mr. Jackson stated Items 21, 22, 23, 24, and 25 are all for the same property owner, Budget Builders Wholesale Lumber Company and all cases are for failure to obtain a rental license.

Mr. Jackson stated the inspector, John Stenson, reports that the rental inspections failed for minor issues. Mr. Jackson stated staff is requesting that the case be continued until the next cut-off date in order to allow the respondent time to obtain a rental license.

DISPOSITION: The Special Magistrate amended the current order of non-compliance to allow the respondent until March 7, 2018 to come into compliance or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

26. **CASE NO SMG 02-18-18 – Harold Long Jr** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3), at **Loomis Ave - Parcel #39-15-33-82-01-0150**
Violation(s) – **Junk Vehicles - RV & boat parked on vacant lot.**
First Notified – 8/31/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector, Juan Davis, stated the property is in non-compliance and asks that the respondent be given until March 7, 2018 to come into compliance.

Ms. Davis stated Officer Steve Jessemer has tagged the vehicles so they should be removed within the next ten days.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018, or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

27. **CASE NO SMG 02-18-19 – Sarolea Trust** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 403.1), at **882 E Coquina Dr**
Violation(s) – **Windows covered with plywood.**
First Notified – 11/30/2017.

Compliance 1/30/2018

28. **CASE NO SMG 02-18-20 – Carolyn R Frazier** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.2; 604.3; 302.5; 303.1; 304.7; 309.1; 309.2); City Code Ch. 26 Sec. 294, at **1657 Lawrence Cir**
Violation(s) – **Maintenance Code – Electric facilities – electric system hazards; Electrical equipment – receptacles, smoke alarms; infestation of bugs; broken screen enclosure; roof & drainage; failure to obtain Rental License (RTL).**
First Notified – 12/1/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance

The respondent was not in attendance.

Mr. Jackson stated the inspector, Juan Davis, has stated the property is not in compliance.

Ms. Davis stated on January 23, 2018 the owner did a writ of possession and the tenant was removed and since that time many of the repairs have been made. Ms. Davis stated a permit was issued on January 18 for the roof repairs.

Disposition: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018, or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

29. **CASE NO SMG 02-18-21 – Roosevelt Taylor & Mary V** 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; 304.4; 304.6; 304.7; 304.9; 304.13), at **617 Bellevue Ave**
Violation(s) – **Exterior Structure - protective treatment, premise identification; Structural Members - exterior walls, roofs and drainage & overhang extensions.**
First Notified – 11/28/2017.

Compliance 1/30/2018

30. **CASE NO SMG 02-18-22 – Lynda Greene** 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 **616 Shady Pl**
Violation(s) – **Junk vehicle/No tags.**
First Notified – 11/14/2017.

Compliance 1/30/2018

31. **CASE NO SMG 02-18-23 – Jaman Brundage & Priscilla** 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. 6 Sec. 6.2.H.7.a (Ref. FBC Supp IPMC 302.1; 302.4; 302.7; 302.8; 304.1; 304.8; 304.9), at **925 Benecia Ave**
Violation(s) – **Junk vehicle; off street parking; site appearance standards; Exterior structural appearance standards; Exterior Property - weeds and storage; Exterior Structure - decorative features & overhang extensions.**
First Notified – 11/22/2017.

Compliance 2/5/2018

32. **CASE NO SMG 02-18-24 – Bhadresh I Patel & Bharti B** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **104 Fernwood Cir**
Violation(s) – **Dilapidated fence; failure to obtain business tax receipt (BTR); failure to obtain Rental License (RTL) and inspection.**
First Notified – 11/30/2017.

Compliance 1/30/2018

33. **CASE NO SMG 02-18-26 – Alban Metani** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7; 304.2; 304.7; 304.10; 304.13; 305.3; 605.1; 504.1; 704.2; 305.6); City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297, at **822 Forest Ln**
Violation(s) – **Outside storage; nonconforming use (illegal duplex); Accessory structure - fence; peeling paint; junk vehicles; dilapidated roof; dilapidated decking; damaged windows; damaged interior surfaces; damaged electrical wiring; missing smoke detectors; missing interior doors; failure to obtain Business Tax Receipt (BTR); failure to obtain Rental License (RTL) & inspection.**
First Notified – 7/3/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

Alban Metani was in attendance and was sworn in.

Mr. Jackson stated the inspector, John Stenson, reports that the property should be in compliance by the next cut-off date.

Mr. Metani stated he has been working on the property and feels he can be in compliance by March 7, 2018.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

34. **CASE NO SMG 02-18-27 – Fred L Bowman** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 303.2), at **204 Pleasant Valley Dr**
Violation(s) – **lack of pool enclosure.**
First Notified – 12/13/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

The respondent was not in attendance.

Mr. Jackson stated the inspector, John Stenson, reports that the property is in non-compliance. Mr. Jackson stated the pool is drained but needs enclosure. Mr. Jackson stated staff requests that the respondent be given until the next cut-off date to come into compliance.

Mr. Stenson stated the property was damaged by the hurricanes and the pool will have to be resurfaced.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

35. **CASE NO SMG 02-18-28 – Anthony Reaves** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3; 605.2; 704.2); Art. 6 Sec. 6.19.A.4; (Ref. FBC Supp IPMC 302.1; 302.4; 304.2; 304.7; 304.13; 504.3); City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297, at **386 Jefferson St**
Violation(s) – **Maintenance Code - Electric facilities - electrical system hazards; Electrical Equipment - receptacles, smoke alarms, protective treatment; Structural appearance standards; plumbing systems and fixtures; plumbing system hazards; roofs and drainage; failure to obtain Business Tax License (BTR); failure to obtain Rental License (RTL).**
First Notified – 9/20/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

Anthony Reaves was in attendance and was sworn in.

Mr. Jackson stated the inspector, Jerome McCoy, feels the property could be brought into compliance by the next cut-off date.

Mr. Reaves stated he has a realtor and may sell the property before March 7, 2018.

Mr. Anthony Marone stated he is a realtor and will have to bring the property into compliance. Mr. Marone stated he will need additional time to make the repairs. Mr. Marone stated the property may need to be rezoned since he plans to acquire the vacant lot next door for parking as well.

Mr. Jackson suggested allowing the respondent until the next cut-off date to come into compliance and after that date, the new owner will have to be noticed.

Mr. Marone stated the property could be cleaned and secured but there are items that will require an electrical contractor so additional time will be needed.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter. The Special Magistrate

ordered that this item be placed on the March 13, 2018 Special Magistrate meeting agenda for determination of ownership and time that will be necessary to make the repairs.

36. **CASE NO SMG 02-18-29 – Clarence & Ursula Singletary** is cited for failure to correct violations of the Land Development Code, City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **630 Tarragona Way** Violation(s) – **Failure to obtain Business Tax License (BTR); failure to obtain rental license (RTL).**
First Notified – 11/3/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

Clarence Singletary was in attendance and was sworn in.

Mr. Jackson stated the inspector is Daniel Garcia and Mr. Garcia feels the respondent should be given until the next cut-off date to make the repairs.

Mr. Singletary stated he feels he should be in compliance by March 7, 2018 and noted the property may be sold by March 1, 2018.

Lucy Ann Girard stated she is a neighbor of the property and there have been 5 to 7 tenants at the property at a time.

Mr. Vukelja suggested Ms. Girard should contact the city if she feels there are code violations.

DISPOSITION: The Special Magistrate found the respondent in non-compliance and ordered the respondent to come into compliance by March 7, 2018 or be returned to the Special Magistrate for consideration of a fine of up to \$1,000 per day thereafter.

6. **MISCELLANEOUS BUSINESS**

There was no miscellaneous business.

7. **ADJOURNMENT**

There being no further business, the meeting was adjourned.