



## The CITY OF DAYTONA BEACH Board of Building Codes Minutes

City Hall  
Commission Chambers  
Regular Meeting

301 South Ridgewood Avenue  
Tuesday, April 16, 2019  
9:00 AM

Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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The Regular Meeting of the Board of Building Codes was held on April 16, 2019 at 9:00 a.m. in the City Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

### Board Members:

Ms. Virginia Brown, Chair  
Mr. John Bailey (arrived at 9:05 a.m.)  
Mr. Thomas Brown  
Mr. Paul Culver  
Mr. Vernon Weatherholtz

Charles Cino, Board Attorney

### Staff Members Present:

Glen Urquhart, Chief Building Official  
Robert Jagger, City Attorney  
John Cecil, Demolition and Building Rehabilitation Inspector  
Kim Flaherty, Project Manager  
John Stinson, Lead Code Inspector  
Becky Groom, Board Secretary

#### 1. Call to Order

Ms. Brown called the meeting to order.

## 2. Roll Call

Roll was called with attendance as noted above.

## 3. Introduction of City Staff

Staff members in attendance were introduced to the Board and were sworn in.

## 4. Approval of Minutes - March 19, 2019

Board Action:

A motion was made by Mr. Weatherholtz, seconded by Mr. Bailey, to approve the minutes of the regular meeting of the Board of Building Codes held on March 19, 2019, as presented. The motion carried (4-0).

Mr. Bailey arrived for the meeting.

## New Cases:

### 5. Case A - BP2018-0037- 519 Arthur Avenue - Appeal of Notice of Condemnation and Demolition Order

John Cecil, Rehabilitation Inspector, stated the property was damaged by fire and a complaint was received from Code Enforcement in July, 2018. Mr. Cecil stated he has visited the site at least 25 times and visited the site this morning. Mr. Cecil stated no work has been done on the property other than boarding the windows and no permits have been issued for work at the site. Mr. Cecil stated the porch roof is in danger of collapsing.

Glen Urquhart, Chief Building Official, stated the property is dilapidated. Mr. Urquhart stated the block structure is okay but the interior components are gutted. Mr. Urquhart stated rain is getting into the interior and rotting the trusses. Mr. Urquhart stated to replace the mechanical, electrical, and plumbing components would exceed 50% of the value of the property.

### Respondent's Presentation:

Timothy D. Hudson, Sr., 660 Summerhaven Drive, DeBary, Florida, stated he purchased the property 6 to 7 years ago and plans to renovate the property. Mr. Hudson stated he would like 90 days in order to personally have the building demolished and will then build another structure.

### Board Action:

A motion was made by Mr. Brown, seconded by Mr. Weatherholtz, to continue BP2018-0037, 519 Arthur Avenue, for 90 days in order to allow demolition of the existing structure. The motion carried (5-0).

Case B - BP2018-0015 - 520 Cedar Street - Appeal of Notice of Condemnation and Demolition Order

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Mr. Jagger stated there is a tentative agreement on this case and the property owner has requested a continuance.

Mr. Cecil stated the structure was damaged by fire. Mr. Cecil stated vagrants were staying in the rear of the property but have been removed.

Respondent's Presentation:

Tia Graves, 2440 SE Federal Highway, Stuart, Florida stated the fire damage was on the left hand side of the structure. Ms. Graves stated she applied for a building permit in 2017; but the hurricane caused building costs to increase. Ms. Graves stated she plans to apply for new permits within the next two weeks and it will take about three months to complete the repairs. Ms. Graves stated the property has been secured so no one can gain access.

Mr. Urquhart stated he would be agreeable to continuing the case for 30 days. Mr. Urquhart stated when the permit is applied for, he will issue the permit the same day. Mr. Urquhart stated he feels 90 days is reasonable to make the repairs. Mr. Urquhart stated he will provide an update to the Board on the case at the next meeting; and if a permit has been issued, the respondent will not be required to attend the May meeting.

Board Action:

A motion was made by Mr. Brown, seconded by Mr. Culver, to allow the respondent to proceed to secure building permits for Case BP2018-0015 520 Cedar Street and staff will provide an update on the status of the case at the May 21, 2019 meeting.

6. Review Cases

Case A - BP2017-0001- 408 Dr. Mary M. Bethune Boulevard -Appeal of Notice of Condemnation and Demolition Order

Helida Tdoir, 5144 Conroy Road, Apartment No. 1016, Orlando, Florida, stated the debris has been removed and she plans to retain a structural engineer to determine what repairs need to be made to the wall.

Mr. Urquhart stated he is agreeable to continue the case for 30 days since work on the property has been continuous.

Board Action:

A motion was made by Mr. Bailey, seconded by Mr. Weatherholtz, to continue Case BP2017-0001, 408 Dr. Mary M. Bethune Boulevard, until the May 21, 2019 meeting in order to allow the applicant an opportunity to retain a structural engineer. The motion carried (5-0).

Case B - BP2018-040 - 508 Gibson Street - Appeal of Notice of Condemnation and Demolition Order

Mr. Cecil stated the structure has been removed but a final inspection has not been completed on the property.

Case C - BP2018-0022 - 520 S. Martin Luther King Boulevard Appeal of Notice of  
Condemnation and Demolition Order

Mr. Cina asked that the record reflect that Mr. Cecil was previously sworn in.

Mr. Cecil stated he has visited the property over 50 times and recently visited the site this morning. Mr. Cecil presented new photos of the site to the Board and stated debris at the front of the site could have fallen from the structure. Mr. Cecil stated the wall is bowing and weeds are growing over the structure and none have been removed. Mr. Cecil stated water is getting inside the structure through cracks in the concrete. Mr. Cecil stated there is a missing overhang of the roof.

Respondent's Presentation:

Mister Harvin, Manager, Nivrah Consulting, stated the boards on the ground that were shown in Mr. Cecil's photographs are not dark in color and are different from the boards on the roof.

Mr. Weatherholtz asked how close the property line is to the city's right of way.

Mr. Cecil stated 4 to 5 feet and the walkway on the side of the structure is not a city sidewalk.

Mr. Weatherholtz stated he feels the structure could be a safety hazard, particularly as we get closer to Hurricane season.

Mr. Urquhart stated he visited the site this morning and feels the property is a safety hazard, particularly as we approach the Hurricane season. Mr. Urquhart stated the roof is dilapidated and there is plenty of debris that could blow off the structure.

Mr. Weatherholtz asked if the bowing of the wall affects the structural integrity of the building.

Mr. Urquhart stated yes and water has been getting inside the structure which would compromise the structure. Mr. Urquhart stated he feels the structure presents a safety hazard to anyone walking nearby.

Mr. Harvin stated he has talked with contractors and investors and now has a contract on the property. Mr. Harvin stated permits will be secured within the next couple of weeks. Mr. Harvin provided a copy of a sales contract for the property to the Board. Mr. Harvin stated there are utilities to the property and it is something that can be repaired. Mr. Harvin stated the potential buyer has contacted the city about potential uses for the site.

Mr. Weatherholtz asked if there are any current Code Enforcement liens from the city on the property.

John Stinson, Lead Code Inspector, stated there have been multiple code cases on the property and the property has been in a dilapidated condition for at least 7 to 10 years.

Kim Flaherty, Project Manager, stated there is only one lien on the property and it is for lot clearance in the amount of \$150.

Mr. Cino asked Mr. Harvin if the prospective owner is aware of the condition of the structure and the violations.

Mr. Harvin stated the prospective owner has already contacted the city about the issues with the property.

Mr. Weatherholtz stated he is hesitant to make a decision since there may be a new owner on the property who would assume responsibility for the property. Mr. Weatherholtz stated there is a time element in that the new owners would have to be cited and we are approaching Hurricane season.

Board Action:

A motion was made by Mr. Culver, seconded by Mr. Weatherholtz, to deny the appeal of Case BP2018-0022 - 520 S. Martin Luther King Boulevard. The motion carried (5-0).

7. New Business

Mr. Cine stated there will be a meeting in May but there will not be a meeting in June. Mr. Weatherholtz stated the city should be checking on the longevity of the Code cases that are presented.

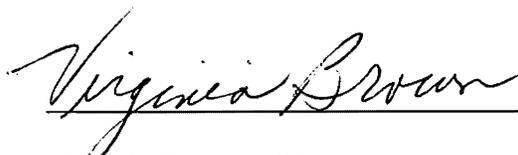
Mr. Urquhart stated this is a change of process for the city. Mr. Urquhart stated the demolition team has only been in place for a year. Mr. Urquhart stated the city used to only process 4 or 5 demolitions a year and 40 demolitions have been completed in the last year. Mr. Urquhart stated the team works closely with Code Enforcement. Mr. Urquhart stated many times property owners will sell the property quickly in order to avoid demolition and then the city must start the process over in order to notify the new owners.

Mr. Bailey asked about the property that the Board discussed on North Peninsula where the owner was unsure of the property line.

Mr. Urquhart stated the two properties on the front are being rehabilitated and the property owner is working to secure the additional footage where the garage is located and encroaches on the adjoining property owner's lot. Mr. Urquhart stated he will provide an update to the board on that case at the next meeting.

8. Adjournment

There being no further business, the meeting was adjourned.

  
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Virginia Brown, Chair

  
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Becky Groom, Board Secretary