

**BOARD OF BUILDING CODES
REGULAR MEETING
September 15, 2020
MINUTES**

The Regular Meeting of the Board of Building Codes was held on September 15, 2020 at 9:00 a.m. in the City Commission Chambers, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members:

Mr. John Bailey, Chair
Ms. Virginia Brown
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
Becky Groom, Board Secretary

1. **Call to Order**

Mr. Bailey called the meeting to order at 9:00 a.m.

2. **Roll Call**

Roll was called with attendance as noted above.

3. **Introduction of City Staff**

Staff members in attendance were introduced and were sworn in.

Mr. Jagger, City Attorney, reviewed the procedures for public meetings and social distancing requirements.

4. **Approval of Minutes** – February 18, 2020

Board Action:

A motion was made by Mr. Brown, seconded by Mr. Weatherholtz, to approve the minutes of the regular meeting of the Board of Building Codes held on February 18, 2020, as presented. The motion carried (5-0).

5. **New Cases:**

Case A - BP2020-0036 – 1000 N. Atlantic Avenue – Appeal of Notice of Condemnation and Demolition Order

A request by Joseph H. Hopkins, P.E., The Performance Group, on behalf of VISHNU Ltd., property owner, to appeal the City of Daytona Beach's Chief Building Official's determination 2 to condemn the structure located at 1000 N. Atlantic Avenue due to unsafe conditions; and the determination that the building must be demolished

Staff Presentation:

Mr. Urquhart, Chief Building Official, stated the property owner had a contract for renovation of the property but the owner did not proceed. Mr. Urquhart stated the property is currently boarded and there is a problem with visibility into the property. Mr. Urquhart stated there has been a problem with vagrants entering the site. Mr. Urquhart stated there is a vacant hotel nearby where the wood and doors have been removed and staff would like to see this property handled in the same way. Mr. Urquhart stated if the doors and plywood are removed, it will help with visibility into the building and help with keeping vagrants from entering the building. Mr. Urquhart stated if the Board agrees, a follow-up report will be provided at the next meeting and hopefully the owner will have a contract in place.

Mr. Weatherholtz asked if there are issues with beach access at the rear of the building, noting there had been an issue with access under the pool area and deck.

Mr. Urquhart stated there is an opening between the pool and the beach which has been sealed and the area underneath the deck has been secured with plywood.

Respondent's Presentation:

Joseph Hopkins, The Performance Group, 100 Marina Point Drive, Daytona Beach, Florida, spoke representing the applicant. Mr. Hopkins thanked staff for their efforts in moving this project along through the

renovation process. Mr. Hopkins stated the property owner has established fencing around the property and is providing 24 hour security. Mr. Hopkins stated dumpsters will be delivered on Wednesday. Mr. Hopkins stated the property owner has contracted with Nash Built and a design team is in place to proceed with the project. Mr. Hopkins stated the contractor will proceed with submitting an application for building permits to the City. Mr. Hopkins stated an asbestos survey will also be completed on the building. Mr. Hopkins stated he is agreeable to providing an update to the Board at their October meeting.

Mr. Urquhart stated staff would like to receive a copy of the contract for the work to be done.

Mr. Hopkins stated a Scope of Work and schedule of values can be provided to the city within the next week.

Board Action:

A motion was made by Mr. Weatherholtz, seconded by Mr. Brown, to continue BP2020-0036 – 1000 N. Atlantic Avenue – Appeal of Notice of Condemnation and Demolition Order to the October 20, 2020 meeting. The motion carried unanimously (5-0).

Case B - BP2018-0046 – 622 Clark Street – Appeal of Notice of Condemnation and Demolition Order

A request by Michael Alvarez, property owner, to appeal the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 622 Clark Street due to unsafe conditions; and the determination that the building must be demolished.

Staff Presentation:

John Cecil, Demolition and Building Rehabilitation Inspector, presented photographs of the subject property to the Board. Mr. Cecil stated the property is unsecured and there is indication of water damage. Mr. Cecil stated there are indications that vagrants have entered the property. Mr. Cecil stated the chimneys have been removed from the outside of the structure. Mr. Cecil stated some plywood has been placed on the structure and work was being done on the porch area without a permit so a Stop Work Order was issued. Mr. Cecil stated jacks have been placed underneath the structure to support the living room area but a structural analysis has not been done. Mr. Cecil stated there is no electricity or plumbing to the property.

Mr. Urquhart stated the property has been open to the elements for two years; and although he has not been inside the structure, he feels there may be mold and animals inside the structure. Mr. Urquhart stated the property would have to be brought up to Code and he does not think it would be a reasonable expense based on his observation of the structure.

Mr. Weatherholtz asked if a plan from a structural engineer would have to be provided in order to receive a building permit.

Mr. Urquhart stated a report from a structural engineer would be required in order to show that the building is safe.

Respondent's Presentation:

Michael Alvarez stated he is the property owner and he does have a building permit and would like to be permitted to continue work under that plan, noting an architectural plan has been submitted to the city.

Mr. Urquhart stated no work has been done.

Mr. Culver asked what Scope of Work is outlined on the permit.

Mr. Urquhart stated no Scope of Work has been provided and no inspections have been requested by the property owner.

Mr. Bailey asked if the applicant could be given a 30 day extension in order to provide the applicant an opportunity to submit a structural plan.

Mr. Urquhart stated he would agree with a 30 day extension.

Board Action:

A motion was made by Mr. Weatherholtz, seconded by Mr. Culver, to continue BP2018-0046 – 622 Clark Street – Appeal of Notice of Condemnation and Demolition Order to the October 20, 2020 meeting. The motion carried unanimously (5-0).

Case C - BP2020-0049 – 614 Ribault Avenue – Appeal of Notice of Condemnation and Demolition Order

A request by Robert Apat, on behalf of Daytona Pacific LLC, property owner, to appeal the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 614 Ribault Avenue due to unsafe conditions; and the determination that the building must be demolished.

Staff Presentation:

John Cecil, Demolition and Building Rehabilitation Inspector, presented photos to the Board of the subject property. Mr. Cecil stated there is water damage inside the structure. Mr. Cecil stated the subject property was a rental and the tenant has been removed.

Respondent's Presentation:

Robert Apat stated he is a managing member of the corporation that owns the subject property. Mr. Apat stated the tenant has been removed. Mr. Apat stated during clean-up of the property, additional problems were revealed, including dead animals on site. Mr. Apat stated the smell is terrible inside the building and he is unable to get contractors to go inside. Mr. Apat stated he intends to clean up the property and move in there himself. Mr. Apat stated the conditions inside the structure relate to the tenant who did not maintain the property and allowed animals to destroy the inside. Mr. Apat stated an air conditioning unit was installed in the upstairs and water dripped into the interior of the property from the unit. Mr. Apat stated currently he does not know what the cost will be to make the repairs to the building.

Mr. Urquhart stated he would agree to allowing the applicant a 60 day extension in order to give the applicant an opportunity to determine what needs to be done with the structure.

Board Action:

A motion was made by Mr. Weatherholtz, seconded by Mr. Culver, to grant a 60 day extension on BP2020-0049 – 614 Ribault Avenue – Appeal of Notice of Condemnation and Demolition Order. The motion carried unanimously (5-0).

6. **Review Cases**

Case A - BP2019-0094 – 925 Glenwood Street – Appeal of Notice of Condemnation and Demolition Order

A request by Jay Frazier, on behalf of Williamsburg Painting Services, Inc., property owner, to appeal the City of Daytona Beach's Chief Building Official's determination to condemn the structure located at 925 Glenwood Street due to unsafe conditions; and the determination that the building must be demolished.

Staff Presentation:

John Cecil, Demolition and Building Rehabilitation Inspector, stated nothing has been done on the property and the owner would like to proceed to file for a demolition permit.

Mr. Brown asked if there is a time limit to have the structure removed.

Respondent's Presentation:

Jay Frazier, property owner, stated he tried to submit an application for a demolition permit on Thursday so it would be in the system prior to today's meeting. Mr. Frazier stated he will take care of submitting the application this week. Mr. Frazier stated he plans to have the demolition complete within 30 days.

Mr. Urquhart stated he is agreeable to extending the case for 30 days; and if the owner does not remove the structure, the City will.

Board Action:

A motion was made by Mr. Brown, seconded by Ms. Brown, to extend BP2019-0094 – 925 Glenwood Street – Appeal of Notice of Condemnation and Demolition Order until October 20, 2020. The motion carried unanimously (5-0).

7. **New Business**

Ms. Virginia Brown stated she is resigning from the Board and this will be her last meeting.

Mr. Urquhart thanked Ms. Brown for her service on the Board.

8. **Adjournment**

There being no further business, the meeting was adjourned.



John Bailey, Chair



Becky Groom, Board Secretary