



CITY OF SOUTH DAYTONA SPECIAL MASTER CODE ENFORCEMENT Minutes

February 11, 2021 at 9:00 AM

CITY COUNCIL CHAMBERS

1672 S. Ridgewood Avenue, South Daytona, Florida

SPECIAL MASTER: Attorney J. Peyton Quarles, Esquire

STAFF:

Becky Witte, Code Compliance Manager
Beverly Abrahamson, Code Compliance Officer
Bret Steele, Code Compliance Officer
John Malin, Rental Housing Inspector
Lauren Rizzo, Planning Technician
Jennifer St. Jean, Permit Technician

I. CALL TO ORDER

Special Master J. Peyton Quarles called the City of South Daytona's Special Master Code Enforcement Hearing to Order at South Daytona's City Hall, City Council Chambers, 1672 S. Ridgewood Ave, South Daytona, Florida at 9:00am on February 11, 2021.

II. PLEDGE OF ALLEGIANCE

III. OATHS OF THE CITY OFFICIAL, RESPONDENTS AND WITNESSES

Executed by Recording Secretary, Jennifer St. Jean.

IV. APPROVAL OF MINUTES FOR: January 14, 2021

Minutes approved by Special Master Quarles.

OFFICIAL BUSINESS:

V. CASES CONTINUED: None

VI. CASES PENDING ACTION:

Item VI- A: Case Number: 21-000026
SHOEBX SALOON LLC
1903 S RIDGEWOOD, SOUTH DAYTONA FL 32119
Code Officer: Bret Steele

1. VIOLATION: Section: City of South Daytona Code of Ordinances 5-216 (17), Conditions constituting public nuisance: Care of premises
Comments: Inoperable abandoned vehicle on property.

Becky Witte, Code Compliance Manager, presented the case and requested that the respondent be found in violation.

Respondent: Adam Winterstein was present and spoke. Mr. Winterstein explained that when he acquired the property that it was an eyesore, and he has been working to fix it up. He presented photographs to the Special Master. Special Master Quarles read the definition of abandoned vehicle with input from Respondent Winterstein and Code Compliance Manager Becky Witte.

Special Master Quarles found the respondent in violation and ordered a compliance date of February 26, 2021 to have the vehicle moved or a fine of \$250.00 a day will be imposed for each day the violation continues past the prescribed date.

Special Master Quarles signed the Findings of Fact, Conclusion of Law and Order.

Item VI- B: Case Number: 20-000432
TEICH HOLDINGS GROUP LLC
548 CAMBRIDGE CIR, SOUTH DAYTONA FL 32119
Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Code of Ordinances 10-37, Outdoor lighting
Comments: Outdoor lighting that shines directly on or results in glare on adjacent property(ies).
2. VIOLATION: Section: Florida Building Code 105.1, Permit Required
Comments: Above ground pool, deck around pool, addition to rear of house, addition to accessory structure, plumbing (outdoor sink) and electric. There may be addition permitting requirements.
3. VIOLATION: Section: City of South Daytona Code of Ordinances 16-19(13)(b), Rental dwellings Inspection required
Comments: Annual rental inspection required.

Respondent was not in attendance. An email was received by the Attorney of the Respondent asking for a continuance.

Special Master Quarles continued 30 days until March 11, 2021.

Special Master Quarles signed the Findings of Fact, Conclusion of Law and Order stating the case was continued.

Item VI- C: Case Number: 20-000856
JAISINGH RYAN
110 OLD SUNBEAM DR, SOUTH DAYTONA FL 32119
Code Officer: Beverly Abrahamson

1. VIOLATION: Section: Florida Building Code 105.1, Permit Required
Comments: Addition(s) to rear of principle structure.

Beverly Abrahamson, Code Compliance Officer, presented the case and requested that the respondent be found in violation.

Respondent, Maggie Jaisingh presented that she is working toward getting the permit for this with an engineer.

Special Master Quarles found the respondent in violation and ordered a compliance date of March 15, 2021 or a fine of \$250.00 a day will be imposed for each day the violation continues past the prescribed date.

Special Master Quarles signed the Findings of Fact, Conclusion of Law and Order.

Item VI- D: Case Number: 20-000891

FARRELL JOHN J JR

860 TEMPLE RD, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: Florida Building Code 105.1, Permit Required
Comments: Accessory structure in rear yard with no evidence of a finalized permit with inspection approval(s).

Beverly Abrahamson, Code Compliance Officer, presented the case and requested that the respondent be found in violation.

Respondent John Farrell was not present but Shawn Mockery from CD I was present and spoke. He is working with Lauren and Gary to submit. Susan Meyer was present who is a neighbor at 856 Temple and doesn't want the permit approved.

Special Master Quarles found the respondent in violation and ordered a compliance date of March 8, 2021 or a fine of \$250.00 a day will be imposed for each day the violation continues past the prescribed date.

Special Master Quarles signed the Findings of Fact, Conclusion of Law and Order.

Item VI- E: Case Number: 21-000021

FIRST COAST ENERGY LLP

1980 S RIDGEWOOD, SOUTH DAYTONA FL 32119

Code Officer: Bret Steele

1. VIOLATION: Section: City of South Daytona Land Development Regulations 8.1(E), Landscape standards installation and maintenance
Comments: Replace all dead landscaping and maintain to present a healthy, neat and orderly appearance.

Bret Steele, Code Compliance Officer, presented the case and requested that the respondent be found in violation.

Rob Merrell with Cobb, Cole and Bell represented the Respondent. Attorney Merrell requested a Day continuance to correct the landscaping violation.

Special Master Quarles provided a 60-day continuance.

Special Master Quarles signed the Findings of Fact, Conclusion of Law and Order noting the continuance.

VIII. REPEAT VIOLATIONS: None

IX. REQUEST FOR REDUCTION OF FINES:

Item IX- A: Case Number: **20-000010**

Request Reduction of Fines (Total: \$15,250 – 61 days of non-compliance)

VENETIAN APARTMENT HOMES LLC

3109 S RIDGEWOOD , SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Code of Ordinances 10-9, Drainage, obstructing or changing

Comments: Accumulation of fill material on property.

2. VIOLATION: Section: City of South Daytona Code of Ordinances 10-10(a), Excavations

Comments: No submitted site plan for completed and proposed scope of work on property, for the obtaining of required permit.

Beverly Abrahamson, Code Compliance Officer, presented the request of reduction of fees request.

Mark Dowst, P.E., President of Mark Dowst & Associates, Inc., Owner Representative was present and requested to speak.

Special Master Quarles reduced the fine to \$770.00 to be paid within 30 days signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien.

Item IX- B: Case Number: **20-000153**

Request Reduction of Fines (Total: \$15,250 – 61 days of non-compliance)

VENETIAN APARTMENT HOMES LLC

3117 RIDGEWOOD , SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Code of Ordinances 10-9, Drainage, obstructing or changing

Comments: Accumulation of fill material on property.

2. VIOLATION: Section: City of South Daytona Code of Ordinances 10-10(a), Excavations

Comments: No submitted site plan for completed and proposed scope of work on property, for the obtaining of required permit.

Beverly Abrahamson, Code Compliance Officer, presented the request of reduction of fees request.

Mark Dowst, P.E., President of Mark Dowst & Associates, Inc., Owner Representative was present and requested to speak.

Special Master Quarles reduced the fine to \$770.00 to be paid within 30 days signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien.

- Item IX- C: Case Number: **20-000595**
 Request Reduction of Fines (Total: \$5,750 for 23 days of non-compliance)
 HAGER MARY TR
 2214 KENILWORTH , SOUTH DAYTONA FL 32119
 Code Officer: Bret Steele
1. VIOLATION: Section: International Property Maintenance Code 304.7, Roofs and drainage
 Comments: Temporary tarp on roof.

Bret Steele, Code Compliance Officer, presented the request of reduction of fees request.

Attorney Lonnie McGee, Owner Representative was available by phone and requested to speak.

Special Master Quarles reduced the fine to \$540.00 to be paid within 30 days signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien

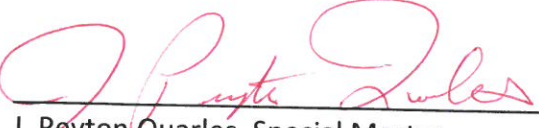
X. COMMUNICATIONS AND PETITIONS: None

The meeting was adjourned at 9:59 a.m.

Respectfully submitted,


Jennifer St. Jean, Recording Secretary

ATTEST:


J. Peyton Quarles, Special Master
Minutes transcribed by Jennifer St. Jean