



**CITY OF SOUTH DAYTONA
SPECIAL MASTER CODE ENFORCEMENT
Minutes**

March 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
John Malin, Rental Housing Inspector
Patsy Huffman, Permit Technician
Gary Hiatt, Chief Building Official

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 March 11, 2021.

II. PLEDGE OF ALLEGIANCE

III. OATHS OF THE CITY OFFICIAL, RESPONDENTS AND WITNESSES

Executed by Recording Secretary, Patsy Huffman.

IV. APPROVAL OF MINUTES FOR: February 11, 2021

Minutes approved by Special Master Quarles.

OFFICIAL BUSINESS:

V. CASES CONTINUED: None

VI. CASES PENDING ACTION:

Item VI- A: Case Number: 21-000047
OFFERPAD (SPVBORROWER1) LLC
2279 ROBINHOOD TR, SOUTH DAYTONA FL 32119
Code Officer: Bret Steele
1. VIOLATION: Section: Florida Building Code 105.1, Permit Required
Comments: No permit on file for renovations to structure.

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

Respondent: Terry Carlton, Renovations Director for Offerpad was present. He stated that he understood the requirements and requested an extension for permit issuance from March 25, 2021. Special Master Quarles agreed to an extension until April 9, 2021.

Special Master Quarles found the respondent in violation and ordered a compliance date of April 9, 2021 to obtain permits 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: 21-000037

SOUTHERN STAR RESTAURANT

1600 S RIDGEWOOD AVE, 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: Trash and debris on property.

2. VIOLATION: Section: City of South Daytona Code of Ordinances 5-217 (4), Minimum standards: Broken or missing windows

Comments: Broken windows on structure.

3. VIOLATION: Section: City of South Daytona Code of Ordinances 5-217 (1), Minimum standards: Fresh appearance

Comments: Peeling paint on structure.

4. VIOLATION: Section: City of South Daytona Code of Ordinances 5-217 (2), Minimum standards: Structurally sound

Comments: Foundation, exterior walls and fascia damage on structure.

5. VIOLATION: Section: City of South Daytona Code of Ordinances 5-217 (7), Minimum standards: Neat and fresh appearance

Comments: Damaged and not maintained fence on property.

6. VIOLATION: Section: City of South Daytona Code of Ordinances 5-217 (3), Minimum standards: Nonfunctional elements

Comments: Not secured and hanging service drops to structure.

7. VIOLATION: Section: International Property Maintenance Code 605.1, Installation - Electrical
Comments: Damaged and exposed electrical on structure.

8. VIOLATION: Section: City of South Daytona Code of Ordinances 5-216 (2), Conditions constituting public nuisance: Health and Safety

Comments: Attractive nuisance which constitutes an imminent threat to the health, safety, and welfare of children, whether in a building or on the premises.

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

Olga Buonicore, Representative, stated that estimates were requested, and Samsula Demolition has been hired to perform the demolition of the structure. Ms. Buonicore requested an extension until the end of April 2021. Mr. Hiatt indicated that the date was relevant in meeting the deadline to go before the City Council meeting if necessary. Special Master Quarles agreed to with Staff's recommendation of March 22, 2021 for permit issuance.

Special Master Quarles accepted the Certificate of Service provided by staff.

Special Master Quarles found the respondent in violation and ordered a compliance date of March 22, 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- C: Case Number: 21-000050

NGUYEN HUNG MINH

1075 BECKMAN DR, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: International Property Maintenance Code 108.1.3, Structure unfit for human occupancy

Comments: Mobile home on site is dilapidated and per Gary Hiatt, Chief Building Official, unfit for human habitation.

2. VIOLATION: Section: City of South Daytona Code of Ordinances 5-201, Finding and notice requiring correction.

Comments: If approved by city council, all structures on site will be demolished if not corrected by the property owner.

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

Respondent was not in attendance. Special Master Quarles accepted the Certificate of Service provided by staff.

Special Master Quarles found the respondent in violation and ordered a compliance date of March 22, 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.

VIII. REPEAT VIOLATIONS: None

IX. REQUEST FOR REDUCTION OF FINES:

Item IX- A: Case Number: **19-001169**

Request Reduction of Fines (Total: \$108,000– 432 days of non-compliance)

GLOVER JUDITH B

2037 HICKORYWOOD DR, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: International Property Maintenance Code 302.1, Sanitation

Comments: Accumulation of debris on carport and exterior property.

Becky Witte, Code Compliance Manager, presented the request of reduction of fees request.

Tanya Bartholf, daughter of property owner, spoke on behalf of her mother. The family was out of town and Mrs. Glover has health issues. They requested leniency due to hardship. They have worked with the City to bring the property to Code.

Special Master Quarles reduced the fine to \$540.00 (included recording fee) to be paid by March 25, 2021, and signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien.

Item IX- B: Case Number: **20-000720**

Request Reduction of Fines (Total: \$10,540 – 42 days of non-compliance)

HOFFERTH RICHARD

4 APPLEWOOD CIR, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Land Development Regulations
7.5(B)(10)(a)(1), Prohibited vehicles

Comments: please remove oversize truck by October 2, 2020.

2. VIOLATION: Section: International Property Maintenance Code 304.2,
Protective Treatment

Comments: finish repairs on exterior of home to prevent any more weather damage.

3. VIOLATION: Section: International Property Maintenance Code 302.1,
Sanitation

Comments: remove all pavers and debris from front yard also hot tub.

Becky Witte, Code Compliance Manager, presented the request of reduction of fees request.

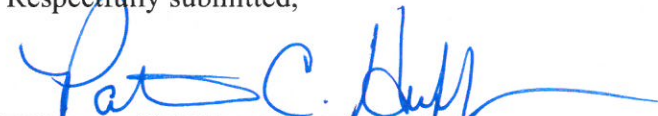
Richard Hofferth, property owner, stated that he was not aware he was not in compliance.

Special Master Quarles reduced the fine to \$640.00 (included recording fee) to be paid by March 25, 2021 and signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien.

X. COMMUNICATIONS AND PETITIONS: None


The meeting was adjourned at 9:30 a.m.

Respectfully submitted,



Patsy Huffman, Recording Secretary

ATTEST:



J. Peyton Quarles, Special Master