



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

May 13, 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  
Bret Steele, Code Compliance Officer  
Patsy Huffman, 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 May 13, 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: April 8, 2021**

Minutes approved by Special Master Quarles.

**OFFICIAL BUSINESS:**

**V. CASES CONTINUED: None**

**VI. CASES PENDING ACTION:**

Item VI- A: Case Number: 21-000101

SMYSER PAMELA L

700 RIDGE BLVD, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. *VIOLATION: Section: International Property Maintenance Code 304.7, Roofs and drainage*

*Comments: Tarp on roof*

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

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

Respondent representative, Jay Martinez (We Work You Play Handyman) was in attendance and represented the home owner of 700 Ridge Blvd. He explained the delay due to an insurance claim. He was unsure of the number of days needed to correct the violation and obtain permits and explained that the attorney representing the owner was running late.

Special Master Quarles continued the case until the June hearing, stating that the attorney needed to be present and ready to explain the time needed to correct the violation.

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

Item VI- B: Case Number: 21-000112

CYR KYLE W & CAREY F

922 VALENCIA RD, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: International Property Maintenance Code 105.2,  
*Alternative materials*

*Comments: The permanent use of tarps for screening purposes.*

2. VIOLATION: Section: International Property Maintenance Code 304.1.1, *Unsafe conditions.*

*Comments: The permanent use of tarps for screening purposes.*

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

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

Respondent Carey Cyr was in attendance. She explained the case and the circumstances.

Neighboring property owner, Joseph Decilla (2062 Oak Meadow Circle) also discussed the case with the Special Master.

Special Master Quarles continued the case until the June hearing.

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

Item VI- C: Case Number: 21-000104

RWF PROPERTIES LLC

1725 S NOVA RD, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Land Development Regulations  
5.5(N)(2), *LI-Light Industrial district-Permitted Uses*

*Comments: Vacant parcel of land zoned LI being used to park vehicles and equipment.*

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

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

Respondent Larry McDermott was in attendance as well as his Attorney Joey Posey who spoke.

Special Master Quarles found the respondent in violation and ordered a compliance date of May 24, 2021 to correct violations and if the respondent fails to comply a fine of \$250 per day until the violations are corrected.

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

Item VI- D: Case Number: 21-000014

RIEDER MELISSA J

1958 PAPAYA DR, SOUTH DAYTONA FL 32119

Code Officer: Bret Steele

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

*Comments: Rotting fascia and chipped paint on structure*

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

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

Inspector Steele read into the record a letter from the respondent, Melissa Rieder.

Special Master Quarles found the respondent in violation and ordered a compliance date of June 28, 2021 to correct violations and if the respondent fails to comply a fine of \$250 per day until the violations are corrected.

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

Item VI- E: Case Number: 21-000113

LAMONT ELIZABETH ET AL & MICHAEL LAMONT

729 STEELE AV, SOUTH DAYTONA FL 32119

Code Officer: Beverly Abrahamson

1. *VIOLATION: Section: City of South Daytona Code of Ordinances 14-36(a), Maintain ROW including mowing, edging, cutting & trimming*

*Comments: Mowing, edging, cutting & trimming required.*

2. *VIOLATION: Section: International Property Maintenance Code 302.1, Sanitation*  
*Comments: Remove all trash/junk/debris from exterior yard.*

3. *VIOLATION: Section: International Property Maintenance Code 302.4, Weeds*  
*Comments: Mow, edge, cut & trimming required.*

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

*Comments: Discoloration of exterior siding requires maintenance (cleaned/painting)*

5. VIOLATION: Section: International Property Maintenance Code 302.5, Rodent harborage

Comments: Harboring of rodents (moles and snakes)

6. VIOLATION: Section: International Property Maintenance Code 302.7, Accessory structures

Comments: dilapidated fence

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

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

Becky Witte, Code Compliance Manager presented a letter from owner Michael Lamont to the Special Master.

Neighboring property owner, Darlene Hoadley, (727 Steele Ave) discussed the case with the Special Master.

Special Master Quarles found the respondent in violation of *International Property Maintenance Code 302.7, Accessory structures (Comments: dilapidated fence)* and ordered a compliance date of June 12, 2021 to correct violation and if and if the respondent fails to comply the city is authorized to begin abatement process and an administrative fee of \$125.00 will be imposed.

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

Item VI- F: Case Number: 21-000109

PAGO INC

DRAINAGE EASEMENT BETWEEN POPE AVE & GREEN ST

Code Officer: Beverly Abrahamson

1. VIOLATION: Section: City of South Daytona Land Development Regulations 7.3(E)(3)(a), Maintenance

Comments: Unmaintained property.

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

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

Becky Witte, Code Compliance Manager noted that a recent abatement was needed for the easement and was signed by the City Manager. A dangerous, rotting tree which was harboring rodents and had a noxious odor was removed on May 4, 2021.

Special Master Quarles found the respondent in violation and ordered a compliance date of May 14, 2021 to correct violations and if and if the respondent fails to comply the city is authorized to begin abatement process and an administrative fee of \$125.00 will be imposed for each abatement.

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: **20-000261**

**Request Reduction of Fines (Total: \$71,250 -- 285 days of non-compliance)**

US BANK TRUST NA TR – ***Property for Sale***

910 LEMON RD , SOUTH DAYTONA FL 32119

*VIOLATION: Section: City of South Daytona Code of Ordinances 16-19(13)(b),  
Rental*

*dwelling's Inspection required.*

*Comments: Have an approved final inspection from Rental Housing repair list  
issued March 20, 2020.*

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

Representative Geri Westfall, Broker for Geri Westfall Real Estate for 910 Lemon Avenue was present.

Special Master Quarles reduced the fine to \$7,540.00 to be paid by May 20, 2021 and signed the Amendment of Findings of Fact, Conclusions of Law and Order/Lien.

Item IX- B: Case Number: **20-000891**

**Request Reduction of Fines (Total: \$9,500.00 – 38 days of non-compliance)**

FARRELL JOHN J JR

860 TEMPLE RD , SOUTH DAYTONA FL 32119

*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).*

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

Representative Shaun Schollossmacher (Contractor) for 860 Temple Road.

Special Master Quarles reduced the fine to \$190.00 to be paid by May 23, 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 10:24 a.m.