



# City of Daytona Beach Shores

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*"A Premier, Friendly Place to Be"*

## **AGENDA**

### **CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING**

### **DECEMBER 2, 2020**

**1:00 PM, Shores Community Center, 3000 Bellemead Drive**  
**Daytona Beach Shores, FL 32118**

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the Code Enforcement Special Magistrate, such person will need a recording of the proceedings conducted at such meeting, and for such purpose or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. NOTE: individuals covered by the American with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at the City Hall of Daytona Beach Shores or by telephone at 763-5353 at least seven working days prior to the meeting.

#### **1. CALL TO ORDER**

- A. Opening Statement by Special Magistrate deLaroche
- B. Swearing In Witnesses

#### **2. OPENING REMARKS**

- A. Indication by Staff of any Items Being Removed From Agenda

#### **3. MINUTES**

- A. Special Magistrate Code Enforcement Minutes Oct. 21, 2020

#### **4. ADVANCED HEARINGS (Post-Initial Hearings)**

#### **5. INITIAL HEARINGS**

- A. Property Owner: B and Y, Inc.  
Property Address: 2000 S. Atlantic Avenue in Daytona Beach Shores, Florida  
Code Enforcement Case #: CDEF2019-74  
Volusia County Parcel ID #: 5316-22-00-0020
- B. Property Owner: Century Nationwide Properties, LLC  
Property Address: 2122 S. Atlantic Avenue in Daytona Beach Shores, Florida  
Code Enforcement Case #: CDEF2020-24  
Volusia County Property ID #: 5315-02-03-0011
- C. Property Owner: AD1 Daytona Hotels, LLC  
Property Address: 2306 S. Atlantic Avenue in Daytona Beach Shores, Florida  
Code Enforcement Case #: CDEF2020-28  
Volusia County Parcel ID #: 5322-03-03-0140
- D. Property Owner: McCormick 100, LLC  
Property Address: 2416 S. Atlantic Avenue in Daytona Beach Shores, Florida  
Code Enforcement Case #: CDEF2020-44  
Volusia County Parcel ID #: 5322-04-14-0180
- E. Property Owner: Joanne Zimmermann as Trustee of the Joanne Zimmermann Revocable Living Trust  
Property Address: 3300 S. Atlantic Avenue in Daytona Beach Shores, Florida  
Code Enforcement Case #: CDEF2020-46  
Volusia County Parcel ID #: 5335-04-00-0010

**6. CLOSING REMARKS**

- A. The next Code Enforcement Special Magistrate Meeting is scheduled for Wednesday, January 20, 2021, at 9:00 a.m.
- B. February's Meeting is scheduled for Wednesday, February 17, 2021, at 9:00 a.m.
- C. March's Meeting is scheduled for Wednesday, March 17, 2021, at 9:00 a.m.

**7. SPECIAL MAGISTRATE COMMENTS**

**8. ADJOURNMENT**

**MINUTES**  
**CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING**  
**October 21, 2020**  
**3000 Bellemead Drive Daytona Beach Shores, FL 32118**

**1. CALL TO ORDER**

A. Opening Statement by Special Magistrate deLaroche

The Special Magistrate called the meeting to order at 9:02 am.

B. Swearing in Witnesses

**2. OPENING REMARKS**

A. Indication of Cases Being Removed from Agenda by Staff

There were no cases removed from the agenda.

**3. MINUTES**

A. Code Enforcement Special Magistrate Minutes September 23, 2020

The minutes of September 23, 2020, were accepted with no objection.

**4. ADVANCED HEARINGS (Post-Initial Hearings)**

- A. Property Owner: SS 2500, LLC  
Violation Address: 2500 S. Atlantic Ave. in Daytona Beach Shores, FL  
Code Enforcement Case #: CDEF2019-38  
Volusia County Parcel ID #: 5322-01-00-0252

Ms. Herstein was sworn in to provide testimony. She requested that all the documents and slides for the case be entered into evidence. Special Magistrate deLaroche accepted them. It was explained that the total fine now due was \$44,250. The property came into final compliance on August 7th. Good service was achieved for all mailings related to this case. It was noted that the Administrative Fee of \$242.62 was paid on October 19th. Slides were shown of the various violations that also noted the number of days of non-compliance. The longest violation (which was for electrical work) took 177 days for compliance. Ms. Herstein

explained that the Building Department was not closed any days during the Covid pandemic. Employees worked in split shifts to keep permits moving. Building Inspector Steve Edmunds was sworn in to provide testimony. He stated his position with the city and that he was the officer of record on the case. He took almost all the pictures and performed most of the inspections. He had nothing to add to the case and validated that everything shown was correct. Special Magistrate deLaroche inquired what a lift station was and Mr. Edmunds explained it. Attorney George Pappas who represented Ms. Ivanhoe questioned the city about the number of days it took for full compliance. He also felt that most of the electrical work was already completed prior to mid July. Ms. Herstein responded that the number of days for compliance were not added together to get the total of days non-compliant; the violations run concurrently. As to some of the electrical work, the permit was obtained on June 30th and the final inspection took place on July 17th. It was 177 days from the day fines started for the property to become fully compliant. Attorney Pappas questioned Ms. Herstein on violation cc, interior furniture being stored or used outside. He felt it was out of the control of Ms. Ivanhoe what her tenants did with their furniture. It was explained that the city's jurisdiction is with the property owner, who can include rules for tenants in the lease agreement. Attorney Pappas questioned his client, Ms. Ivanhoe about the number of electricians she hired. She replied that she hired several due to the fact that they couldn't find the problem. If the contractor didn't pull a permit, she wasn't aware. She was asked if repair work had ever stopped during the pandemic and she replied no. She is a landlord with many properties and it has been hard to collect rent from many during the past few months.

Attorney Pappas stated that the work was completed prior to July 17th, but we can't determine an exact date since there wasn't a permit pulled. Special Magistrate deLaroche instructed Attorney Pappas to confer with his client and determine a reasonable, defensible date that the work was completed. This case was adjourned at 9:54 am for approximately a half hour.

Attorney Pappas is explaining that the violations happened during the Covid pandemic and that slowed everything down. Work was ongoing and he felt it was completed by March 30th. The fines should only be accrued from February 11th to March 30th. The Special Magistrate asked what happened after March 30th? Attorney Pappas stated that is when the work happened. The month of April everything was closed down. Ms. Herstein stated that the violations first began in August 2019. This was not something new during the pandemic. Special Magistrate deLaroche stated he would reduce the number of days by 30 for the month of April with a new total due of \$36,750.

Special Magistrate deLaroche ordered that the fine be reduced to \$36,750 payable in 90 days. Additional Administrative Fee of \$133.63 is due in 30 days.

## **5. INITIAL HEARINGS**

- A. Property Owners: Christine Josephine Harvey & Theresa Michelle Hennis  
Violation Address: 125 Esmeralda Avenue in Daytona Beach Shores, FL  
Code Enforcement Case #: CDEF2020-43  
Volusia County Tax Parcel ID #: 5335-01-05-0300

Ms. Herstein requested that all the documents and slides be entered into evidence. Special Magistrate deLaroche accepted them. The violations were noted for the record and slides were shown. The case began on September 5, 2019, when a complaint was received for unpermitted work. Inspector Matt Thomas went onsite and could see electrical wires hanging

and a remodel in progress through the large window next to the front door. He issued a Stop Work Order immediately. This is a single-family residence and the homeowners began talking with staff regarding the permits required. In July 2020, a complaint was received for high weeds on the property. A Notice of Violation was sent on July 27, 2020, and good service was achieved. On September 8, 2020, an incomplete building permit application was received. Other permits were still needed as well. The property was re-inspected on September 14th and only two violations were rectified of the 11 that were cited. A Statement of Violation/Request for Hearing and Notice of Hearing were sent on October 5th and good service was achieved. The Respondent was not present at the hearing. Special Magistrate deLaroche issued Order #7 with all violations corrected by January 19, 2021, or a fine of \$250 per day will begin. He also ordered reimbursement of the Administrative Fee in the amount of \$161.59 payable within 60 days.

- B. Property Owners: Charles Ghobeira and Paul Ghobeira  
Violation Address: 2008 S. Atlantic Ave. in Daytona Beach Shores, FL  
Code Enforcement Case Number: CDEF2020-03  
Volusia County Tax Parcel ID #: 5316-21-00-0060

Mr. Raid Hayyat was in attendance with authorization for the Respondent. Ms. Herstein requested that all the documents and slides be entered into evidence. Special Magistrate deLaroche accepted them with no objections. The property is a two-story vacant commercial building. There has been no tenant for the past fourteen years. In November 2019, a letter and application for the vacant property Certificate of Compliance was sent to the owner. The property owner completed the application in December and scheduled an inspection for January 21st. Staff met with Mr. Hayyat for that inspection. A Notice of Violation and deficiency letter were mailed and good service was achieved. The case was re-evaluated on October 1st. Inspector Edmunds re-inspected the property and found most violations were still present. A Statement of Violation/Request for Hearing and Notice of Hearing were sent and good service was achieved. Ms. Herstein showed slides of the code violations and both exterior and interior deficiencies that affect the Certificate of Compliance. She called Inspector Steve Edmunds to the podium. He stated his position with the city and that he was the officer of record on the case. He took almost all the pictures and performed most of the inspections. He validated that everything shown was correct and added that some of the interior columns were deteriorated. Since they are support beams, he would like an engineering structural report on them.

Raid Hayyat spoke on behalf of the property owner. The building has been vacant for the past 15 years. It is deteriorating due to hurricanes and tropical storms. He explained that he has a contractor that is ready to pull permits and felt 90 days would be sufficient. Special Magistrate deLaroche inquired why the building had been vacant for so many years. Mr. Hayyat explained that it's due to the area. The neighboring shops are tattoo and body piercing and across the street is the vacant Treasure Island Inn.

Special Magistrate deLaroche issued order #7 with all violations corrected by January 19, 2021, or a fine of \$250 per day will begin. A letter from the engineer is requested within 45 days to certify the interior safety of the building. He also ordered reimbursement of the Administrative Fee in the amount of \$161.59 payable within 30 days.

- C. Property Owner: Ocean Shore Properties LLC  
Violation Address: 3738 S. Atlantic Ave. in Daytona Beach Shores, FL  
Code Enforcement Case #: PCDEF2020-45  
Volusia County Tax Parcel ID #: 6302-05-08-0180

Ms. Herstein requested that all the documents and slides be entered into evidence. Special Magistrate deLaroche accepted them with no objections. The property is a 2-3 story motel with long-term tenants. The violations were stated for the record. The case began with a complaint regarding unpermitted work. Inspector Matt Thomas visited the site and issued a Stop Work Order. He noticed that cabinets were pulled out and electrical fixtures had been removed from units #6 and #11. A second complaint was received from another tenant who stated the ceiling was leaking for the past few months. Inspector Edmunds visited the unit and photographed the water damage in unit #15. A Notice of Violation was sent on August 11th and good service was achieved. The Statement of Violation/Request for Hearing and Notice of Hearing were sent on October 2nd and good service was achieved. The tenant of unit #15 was contacted for a new inspection, but there had been no response. The office had received a recent lien search on the property so there may be pending sale. Inspector Steve Edmunds stated his position with the city and that he was the officer of record on the case. He took most of the pictures and validated that everything shown was correct. In regards to the leak, the unit is on the bottom floor and with no access to the above units, he couldn't determine the cause. There was no one in attendance to speak for the Respondent. Special Magistrate deLaroche issued order #7 with all violations corrected by December 21st, or a fine of \$250 per day will begin. He also ordered reimbursement of the Administrative Fee in the amount of \$147.78 payable within 30 days.

- D. Property Owner Hue Management, LLC  
Violation Address: 2400 S. Atlantic Ave. in Daytona Beach Shores, FL  
Code Enforcement Case #: CDEF2020-09  
Volusia County Tax Parcel ID #: 5322-03-05-0180

This case was conducted using Zoom. Ms. Herstein requested that all the documents and slides be entered into evidence. Special Magistrate deLaroche accepted them with no objections. The property is a single story commercial building that in the past has been a bar. The case began in November 2019, with staff sending a letter and application for the vacant building Certificate of Compliance. The application was completed and an inspection of the property was scheduled for January 30th. After completing the inspection, a Notice of Violation and deficiency letter were mailed and good service was achieved on April 2nd. Ms. Tran made contact with the city and stated she planned to sell the building and would be turning off the utilities. The building was broken into in June, and the window was boarded up. Ms. Herstein spoke to Ms. Tran about the window and the remaining violations that were not being addressed. One such item was the opening in the roof. When inside the building, daylight clearly streams through the roof opening. Staff is concerned that water and other things can get inside. The property was re-inspected on August 24th, and all the violations remained. A Notice of Violation/Request for Hearing and Notice of Hearing were sent on September 4th and good service was achieved. The case was continued last month until today. Ms. Tran sent exhibits for the case that were received late yesterday. Ms. Tran was sworn in to provide testimony. She explained that she has spent over \$50,000 since purchasing the property. She had a business partner but they have backed out now. The property is currently for sale. The roof is brand new installed by Suncoast. The opening is for bracing the future a/c. The interior was stripped so a new concept restaurant could be created. There is a property maintenance company who stops by twice a month. At this point, she only wants to handle life safety issues inside. SM deLaroche felt a property manager would be beneficial to assist her since she lives out of state. Special Magistrate deLaroche issued order #7 with violations a-k corrected by December 21st, or a fine of \$250 per day will begin. He also ordered reimbursement of the Administrative Fee in the amount of \$147.79 payable within 30 days. Ms. Herstein requested

the following be included in the record. Ms. Tran was asked if the \$45,000 spent on the building prior to the beginning of the Code Enforcement case and the answer was yes. Ms. Tran was instructed to have the roofing contractor send a picture and a statement regarding the opening on the roof.

**6. CLOSING REMARKS**

- A. The next Code Enforcement Special Magistrate Meeting is scheduled for Wednesday, December 2, 2020, at 9:00 a.m.
- B. January's Meeting is scheduled for Wednesday, January 20, 2021, at 9:00 a.m.
- C. February's Meeting is scheduled for Wednesday, February 17, 2021, at 9:00 a.m.

**7. SPECIAL MAGISTRATE COMMENTS**

**8. ADJOURNMENT**

The meeting ended at 11:55 am.



## **CODE ENFORCEMENT CASE SUMMARY DECEMBER 2, 2020 AGENDA**

**TO:** The Code Enforcement Special Magistrate

**FROM:** Gwyn Herstein, Code Enforcement Coordinator

**PREPARED BY:** Gwyn Herstein, Code Enforcement Coordinator

**SUBJECT:** Property Owner: B and Y, Inc.

Property Address: 2000 S. Atlantic Avenue in Daytona Beach Shores, Florida

Code Enforcement Case #: CDEF2019-74

Volusia County Parcel ID #: 5316-22-00-0020

### **TYPE OF HEARING:**

Initial Hearing

### **CODE(S) CITED:**

*The Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" - Land Development Code, Chapter 14, Section 14-52.9.(B)(14), (16), & (17) and (D)(1), (3), & (6), along with City of Daytona Beach Shores Ordinances 2019-09 & 2019-14, Part III, Section 14-61.1.(b).*

### **VIOLATION(S) FOUND:**

- a) Multiple parking bumpers are in disrepair
- b) Walkway cracked and not flat, east of building
- c) Seal/trim at large, west window on north building face has failed
- d) Wood unprotected by paint or trim in places at edge of roof
- e) Stucco cracked in places at column located at northeast entrance and at northeast corner of building
- f) Weeds encroaching parking lot in multiple areas
- g) White patch of graffiti at northwest corner of building
- h) Open electrical junction box at west building face near northwest corner
- i) Open electrical junction box at east building face near southeast corner
- j) Two column bases on either side of east-facing entrance doors are non-functional elements which create a trip hazard
- k) Roof edge trim missing in places and loose in others
- l) Building remains vacant longer than 60 days without obtaining a *Certificate of Compliance - Vacant Property*

### **REQUESTED ORDER(S):**

#7. Initial Hearing, In Violation w/ fees

**POSSIBLE ORDERS:**

#1. Continuance

#2. Dismissal

#3. Initial Hearing, No Violations found

#7. Initial Hearing, In Violation w/ fees

**SUPPLEMENTARY INFORMATION:**

Please see supplementary document packet

**ATTACHMENT:**     None



## **CODE ENFORCEMENT CASE SUMMARY DECEMBER 2, 2020 AGENDA**

**TO:** The Code Enforcement Special Magistrate

**FROM:** Gwyn Herstein, Code Enforcement Coordinator

**PREPARED BY:** Gwyn Herstein, Code Enforcement Coordinator

**SUBJECT:** Property Owner: Century Nationwide Properties, LLC

Property Address: 2122 S. Atlantic Avenue in Daytona Beach Shores, Florida

Code Enforcement Case #: CDEF2020-24

Volusia County Property ID #: 5315-02-03-0011

### **TYPE OF HEARING:**

Initial Hearing

### **CODE(S) CITED:**

*The Code of Ordinances of the City of Daytona Beach Shores, Chapter 11, Section 11.1. Florida Fire Prevention Code adopted by reference., which refers, in part, to the Florida Statutes, Chapter 633, Section 633-222. Buildings with Light-frame Truss-type Construction; Notice Requirements; Enforcement.; Code of Ordinances of the City of Daytona Beach Shores, Chapter 5, Section 5-6. Building Code adopted., which refers, in part, to the Florida Building Code, Sixth Edition (2017), Chapter 1, Section 105.1 Required.; Appendix "G" - Land Development Code, Chapter 14, Section 14-52.9.(B)(16) & (17) and (D)(1), (2), (3), (4), & (6) along with City of Daytona Beach Shores Ordinances 2019-09 & 2019-14, Part III, Section 14-61.1.(b).*

### **VIOLATION(S) FOUND:**

- a) Building's required truss sign is no longer being displayed
- b) - rectified
- c) - rectified
- d) - rectified
- e) Light added to south building face near roofline was unpermitted and is not code compliant
- f) Roof patch made between mansard and second story was unpermitted and is not code compliant, ponding water is visible
- g) Roof patch made near utility pole, northwest corner of building was unpermitted
- h) Wood separated from building at northwest corner, second floor, areas under separated coating are now exposed
- i) Cracks present in stucco surface, south building face
- j) Cracks present in exterior finish, north building face, second floor

- k) Paint deteriorated on fascia in multiple places
- l) Rumped tarps and other materials being stored outdoors, under stairs
- m) Paint discolored, deteriorated, and rust-streaked in places, multiple building faces
- n) Rusted fasteners through shingles on mansard roof do not "present a neat and fresh appearance"
- o) Spalled concrete at top of eastern-most column, north building face
- p) Electrical gutter box bottom is rusted through, rust on meter can below, clip missing
- q) Unused water line is a non-functional element, immediately east of spalled column on north building face
- r) Disconnected phone lines and phone line boxes are non-functional elements, north building face
- s) Unsupported phone and cable lines from building to pole are non-functional elements
- t) Rusty pipe elbow between first and second floors, near spalled column is a non-functional element
- u) Rusted unused light bracket and other rusted component on south building face are non-functional elements
- v) Window opening remains boarded longer than 60 days, not replaced or properly abandoned
- w) Mansard roof is missing shingles in places
- x) Roof scuppers are compromised in places and missing in others, north building face
- y) Building remains vacant longer than 60 days without obtaining a *Certificate of Compliance - Vacant Property*

**REQUESTED ORDER(S):**

#7. Initial Hearing, In Violation w/ fees

**POSSIBLE ORDERS:**

- #1. Continuance
- #2. Dismissal
- #3. Initial Hearing, No Violations found
- #7. Initial Hearing, In Violation w/ fees

**SUPPLEMENTARY INFORMATION:**

Please see supplementary document packet

**ATTACHMENT:**     None



## **CODE ENFORCEMENT CASE SUMMARY DECEMBER 2, 2020 AGENDA**

**TO:** The Code Enforcement Special Magistrate

**FROM:** Gwyn Herstein, Code Enforcement Coordinator

**PREPARED BY:** Gwyn Herstein, Code Enforcement Coordinator

**SUBJECT:** Property Owner: AD1 Daytona Hotels, LLC

Property Address: 2306 S. Atlantic Avenue in Daytona Beach Shores, Florida

Code Enforcement Case #: CDEF2020-28

Volusia County Parcel ID #: 5322-03-03-0140

### **TYPE OF HEARING:**

Initial Hearing

### **CODE(S) CITED:**

*The Code of Ordinances of the City of Daytona Beach Shores, Chapter 13, Section 13-5., and Appendix "G" - Land Development Code, Chapter 14, Section 14-52.9.(B)(11) & (17), along with City of Daytona Beach Shores Ordinances 2019-09 & 2019-14, Part III, Section 14-61.1.(b).*

### **VIOLATION(S) FOUND:**

- a) Grass/weeds over 12" high in places
- b) ~~Large pile of~~ vegetative debris at southwest corner of property, loose fronds in other places
- c) Open storage of ~~trailer~~, stacks of beach chaises, and miscellaneous debris
- d) Building remains vacant longer than 60 days without obtaining a *Certificate of Compliance - Vacant Property*

### **REQUESTED ORDER(S):**

#7. Initial Hearing, In Violation w/ fees

### **POSSIBLE ORDERS:**

- #1. Continuance
- #2. Dismissal
- #3. Initial Hearing, No Violations found
- #7. Initial Hearing, In Violation w/ fees

**SUPPLEMENTARY INFORMATION:**

Please see supplementary document packet

**ATTACHMENT:**     None



## **CODE ENFORCEMENT CASE SUMMARY DECEMBER 2, 2020 AGENDA**

**TO:** The Code Enforcement Special Magistrate

**FROM:** Gwyn Herstein, Code Enforcement Coordinator

**PREPARED BY:** Gwyn Herstein, Code Enforcement Coordinator

**SUBJECT:** Property Owner: McCormick 100, LLC

Property Address: 2416 S. Atlantic Avenue in Daytona Beach Shores, Florida

Code Enforcement Case #: CDEF2020-44

Volusia County Parcel ID #: 5322-04-14-0180

### **TYPE OF HEARING:**

### **CODE(S) CITED:**

*The Code of Ordinances of the City of Daytona Beach Shores, Appendix "G" - Land Development Code, Chapter 5, Section 5-6. Building Code adopted. which refers, in part, to the Florida Building Code - Sixth Edition (2017), Chapter 1, Section 105.1 Required. and Chapter 14, Section 14-52.9.(B)(16), and (D)(1), (2), & (3), & (12), along with City of Daytona Beach Shores Ordinances 2019-09 & 2019-14, Part III, Section 14-61.1.(b).*

### **VIOLATION(S) FOUND:**

- a) Stucco is delaminating in places on most vertical parapet surfaces
- b) Paint is faded, streaked, and deteriorated, contributing to stucco delamination on vertical parapet surfaces
- c) Concrete spalling on northeast corner of building, upward from grade
- d) Building paint peeling, streaked, and discolored in places
- e) Two electrical boxes rusting through and deteriorating, near northwest corner of building
- f) Rusty drop box on south building face is a non-functional element
- g) Mirror bracket hanging from parapet soffit is a non-functional element
- h) Two sets of clear tubes and call boxes at drive-thru window are non-functional elements
- i) Concrete pad (formerly supporting pole sign) at southeast corner of property is a non-functional element
- j) Junction box (formerly feeding pole sign) at southwest corner of property is a non-functional element
- k) Grass/weeds are overtaking shrubs and encroaching sidewalks in places
- l) ATM removed and wall boarded without a building permit, west building face
- m) Two lighted wall signs removed without an electrical permit to properly cap connections, east and

north building faces

n) Pole sign removed without an electrical permit to properly cap connection, wires exposed

o) Building remains vacant longer than 60 days without obtaining a *Certificate of Compliance - Vacant Property*

**REQUESTED ORDER(S):**

#7. Initial Hearing, In Violation w/ fees

**POSSIBLE ORDERS:**

#1. Continuance

#2. Dismissal

#3. Initial Hearing, No Violations found

#7. Initial Hearing, In Violation w/ fees

**SUPPLEMENTARY INFORMATION:**

Please see supplementary document packet

**ATTACHMENT:**     None



## **CODE ENFORCEMENT CASE SUMMARY DECEMBER 2, 2020 AGENDA**

**TO:** The Code Enforcement Special Magistrate

**FROM:** Gwyn Herstein, Code Enforcement Coordinator

**PREPARED BY:** Gwyn Herstein, Code Enforcement Coordinator

**SUBJECT:** Property Owner: Joanne Zimmermann as Trustee of the Joanne Zimmermann Revocable Living Trust

Property Address: 3300 S. Atlantic Avenue in Daytona Beach Shores, Florida

Code Enforcement Case #: CDEF2020-46

Volusia County Parcel ID #: 5335-04-00-0010

### **TYPE OF HEARING:**

Initial Hearing

### **CODE(S) CITED:**

*The Code of Ordinances of the City of Daytona Beach Shores, Chapter 13, Section 13-5., and Appendix "G" - Land Development Code, Chapter 14, Section 14-52.9.(B)(16) & (17) and (D)(1), (2), (4), (7), (9), & (12)*

### **VIOLATION(S) FOUND:**

- a) Grass & weeds are over 12" high in many places on the property
- b) ~~Taped-in-place cardboard~~ and deteriorated wood being used in places to block openings next to window A/C units
- c) Paint shows fading, streaking, peeling, and discoloration in places (both east and west buildings)
- d) Weeds are present in places across property
- e) Debris in the form of trash and fallen palm fronds are present in places on property
- f) Paint is peeling in places (both east and west buildings)
- g) Buildings do not "present a neat and fresh appearance" in that paint is streaked, discolored, and deteriorated (both east and west buildings)
- h) Buildings do not "present a neat and fresh appearance" in that paint on doors, shutters, windowsills, and fascia is chipped, faded, streaked, and discolored in places
- i) Two rusted A/C units do not "present a neat and fresh appearance", north and south building faces
- j) Window elements are broken on west building face, bottom half of window falls off into room
- k) Meter cans and disconnect housings are rusty and rusted-through in places, east building face
- l) Window is broken on south building face
- m) Wall in front of Unit W is not in good repair with a cared for appearance

- n) Light fixture missing at Unit E, wires exposed
- o) Landscaping is not being "kept in a neat and well-maintained condition"

**REQUESTED ORDER(S):**

#7. Initial Hearing, In Violation w/ fees

**POSSIBLE ORDERS:**

- #1. Continuance
- #2. Dismissal
- #3. Initial Hearing, No Violations found
- #7. Initial Hearing, In Violation w/ fees

**SUPPLEMENTARY INFORMATION:**

Please see supplementary document packet

**ATTACHMENT:**     None