

Agenda

Commission Chambers, City Hall
301 South Ridgewood Avenue
Daytona Beach, Florida

DATE: TUESDAY, JANUARY 9, 2018

9:00 A.M.

SPECIAL MAGISTRATE PROCEEDING

NOTICE: Any person who decides to appeal any decision made by the Special Magistrate will need a record of the proceedings and for such purpose he may need to insure, at his own expense, for the taking and preparation of a verbatim record of all testimony and evidence of the proceeding upon which the appeal is to be based. The City does not prepare or provide such record. Any discussion or contact outside the Special Magistrate hearing with the Special Magistrate concerning any quasi-judicial matter which is, or will come, before the Special Magistrate for a decision are to be disclosed and made part of the record prior to or at the hearing on the matter.

CITY OF
DAYTONA BEACH

Robert J. Riggio, Special Magistrate

1. Call to Order
2. Approval of November 14, 2017 and December 12, 2017 Meeting Minutes
3. Announcements
4. Lien Review

LR-1

SMG 08-17-68 – 367 Fordham Drive – Owner: Anthony M. Tocco is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 8.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, 304.13, 308.1), Violation(s) – Dilapidated fence; inoperable and unlicensed vehicle; broken windows; outside storage and broken exterior wall - First Notified – 3/27/2017. **Order Imposing Fine/Lien of \$100.00 per day imposed on 11/9/2017. Compliance 11/20/2017 = 11 days x \$100 = \$1,100.00 plus Interest of \$7.61 and recording costs of \$24.00 = Total amount owed \$1,131.61.**

DISPOSITION _____

(G. Davis)

5. Hearing of Cases

Continued Cases:

- 1
John C.
Stenson
- CASE NO SMG 09-17-72 – Terry Tejeram Sitaram & Bibi N. Sitaram** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at **326 Jefferson Street**
Violation(s) – **Outside storage; Junk vehicles; dilapidated roof; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL)**
First Notified – 6/24/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

2
Glejuanda
Davis
CASE NO SMG 05-17-38 – GEA Seaside Investments, Inc. is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **509 & 511 Harvey Ave.**
Violation(s) – **Failure to obtain required residential rental license (RTL)**
First Notified – 1/30/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

3
Glejuanda
Davis
CASE NO SMG 05-17-46 – GEA Seaside Investments, Inc. is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **232 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL)**
First Notified – 1/30/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

4
Glejuanda
Davis
CASE NO SMG 05-17-47 – GEA Seaside Investments, Inc. is cited for failure to correct violations City Code Ch. 26 Sec. 26-294, at **236 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL)**
First Notified – 1/30/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

5
Glejuanda
Davis
CASE NO SMG 05-17-48 – GEA Seaside Investments, Inc. is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **308 N. Peninsula Dr**
Violation(s) – **Failure to obtain required residential rental license (RTL)**
First Notified – 1/30/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

6
Glejuanda
Davis
CASE NO SMG 12-17-93 – Baseline Capital Investments, LLC is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 304.1, 304.3, 304.6, 304.7), at **353 Seaview Avenue**
Violation(s) – **Trash and debris; high weeds; premises identification; exterior walls; roofs and drainage**
First Notified – 3/25/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

7
Steve
Alderman
CASE NO SMG 11-17-85 – Hope T. & Kenneth H. Lindsey is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8 and 304.3); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a, at **909 Lockhart Street**
Violation(s) – **Outside storage; parking on yard; boat storage; inoperative vehicles parked on sidewalk; no address numbers**
First Notified – 9/1/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

8
Steve
Alderman

CASE NO SMG 11-17-86 – Beverly Shearer is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 303.1, 304.13, 304.7), at **1215 Golfview Drive**
Violation(s) – **Swimming pools, spas and hot tubs; exterior windows, skylight and door frames; roofs and drainage**
First Notified – 6/26/2017.

ACTION TO BE TAKEN: Clean & secure pool within 10 business days or Impose Fine; Compliance by 1/3/2018 or Impose Fine.

DISPOSITION_____

9
Jerome O.
McCoy

CASE NO SMG 12-17-99 – Eva M. Wright and Michael Wright is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2), at **117 S. Martin Luther King Blvd.**
Violation(s) – **Surfacing- potholes; protective treatment - paint and/or siding**
First Notified – 9/23/2017.

ACTION TO BE TAKEN: Determination of a compliance date.

DISPOSITION_____

NEW CASES:

10
Tom Clig

CASE NO SMG 01-18-16 – GEA Seaside Investment, Inc. is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at **358 Nautilus Avenue**
Violation(s) – **No permit for roof**
First Notified – 11/2/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

11
Jerome O.
McCoy

CASE NO SMG 01-18-01 – Chalmer V. & Ann E. Edwards is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3, 605.2, 704.2, 304.7, 304.10, 304.11, 304.14, 309.1,); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297, at **550 Foote Court**
Violation(s) – **Electrical system hazards; electrical equipment - receptacles; no smoke alarms; structural appearance standards; roof and drainage; exterior surfaces; stairways, decks, porches must be installed; chimney; failure to obtain required residential rental lice**
First Notified – 10/10/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

12
Jerome O.
McCoy

CASE NO SMG 01-18-02 – Andrew Phillips is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 302.8, 304.2), at **625 Loomis Avenue**
Violation(s) – **Outside storage; junk vehicle; protective treatment; high weeds**
First Notified – 10/2/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

13 Jerome O. McCoy
CASE NO SMG 01-18-17 – AKLIPSE Asset Management, Inc. is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4 and 304.18); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **613 Willie Drive**
Violation(s) – **High weeds; building unsecured; broken doors and windows; no residential rental license (RTL); no business tax receipt (BTR)**
First Notified – 11/2/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

14 Michael Fitzgerald
CASE NO SMG 01-18-03 – Dexter Hawkins is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 505.3), at **2 Debiasi Lane**
Violation(s) – **No water service**
First Notified – 11/28/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

15 Michael Fitzgerald
CASE NO SMG 01-18-04 – Ejaz Ahmed is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 504.1, 305.3, 309.4) City Code Ch. 90 Sec. 90-297, at **1370 S. Palmetto Avenue**
Violation(s) – **Damaged plumbing; damaged walls; proof of pest elimination; failure to obtain business tax receipt (BTR)**
First Notified – 7/28/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

16 Michael Fitzgerald
CASE NO SMG 01-18-05 – Douglas R. Miles and Patricia R. Miles Trust Agreement dated 6-2-2016 is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8); Art. 6 Sec. 6.2.H.7.a, at **2628 S. Peninsula Drive**
Violation(s) – **Junk vehicle; parking vehicle on the front lawn**
First Notified – 6/14/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

17 Michael Fitzgerald
CASE NO SMG 01-18-06 – Helena W. Montgomery Revocable Trust dated 12/17/09 is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.7, 304.12, 304.14, 305.3, 309.1), at **405 Wisteria Road**
Violation(s) – **Rental Inspection - damaged roof; damaged walls; handrails; damaged windows**
First Notified – 11/17/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

18
Steve
Alderman
CASE NO SMG 01-18-07 – Michael K. Toole is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.8 and 304.9), at **138 W. International Speedway Blvd.**
Violation(s) – **Exterior structure overhang extensions; exterior structure decorative features; damaged awning**
First Notified – 9/5/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

19
Steve
Alderman
CASE NO SMG 01-18-08 – Delbert D. Gayle & Kerriann Gayle is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6. Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.8), at **925 Niles Street**
Violation(s) – **Site appearance standards; structural appearance standards; off-street parking; junk vehicles**
First Notified – 9/1/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

20
Steve
Alderman
CASE NO SMG 01-18-09 – L.J. Freeman & Robin Spencer is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at **1232 Peachtree Road**
Violation(s) – **No permit for post fire demolition/construction**
First Notified – 11/10/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

21
Steve
Alderman
CASE NO SMG 01-18-10 – US Bank Trust NA as Trustee for LSF9 Master Participation Trust is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.3, 302.7, 303.2, 304.1, 304.6, 304.7, 304.9), at **1200 Sunland Road**
Violation(s) – **Vacant structure and land; exterior property areas; swimming pool enclosure; exterior structure general; exterior structure walls; roofs and drainage; overhang extensions**
First Notified – 10/13/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

22
John C.
Stenson
CASE NO SMG 01-18-11 – Budget Builders Wholesale Lumber Company is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **120 Tarracina Way**
Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**
First Notified – 11/22/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

23
John C.
Stenson

CASE NO SMG 01-18-12 – Budget Builders Wholesale Lumber Company is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **124 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

24
John C.
Stenson

CASE NO SMG 01-18-13 – Budget Builders Wholesale Lumber Company is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **132 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

25
John C.
Stenson

CASE NO SMG 01-18-14 – Budget Builders Wholesale Lumber Company is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **144 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

26
John C.
Stenson

CASE NO SMG 01-18-15 – Budget Builders Wholesale Lumber Company is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **196 Tarracina Way**

Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 11/22/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION_____

6. **MISCELLANEOUS BUSINESS**

7. **ADJOURNMENT**