

Agenda

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

DATE: Tuesday, April 10, 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

David A. Vukelja, Special Magistrate

1. Call to Order
2. Approval of March 13, 2018 Minutes
3. Announcements
4. Lien Reviews

LR-1

CASE NO SMG 02-14-08 – 1325 Ginsberg Dr - Exit Strategy December 12, LLC (New owner is Neighborhood Revitalization Project LLC) is cited for failure to correct violations of the Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.7, 605.1, 305.3, and 704.2); Art. 19 Sec. 1.1 (Ref. FBC 105.1); City Ordinance Ch. 90 Sec. 90-297. Violation(s) – **Dilapidated roof; electrical wiring; interior surfaces; no working smoke detectors; working without permits; Failure to obtain Rental License (RTL) First Notified – 12/5/2013. Order Imposing Fine-Lien of \$100.00 per day effective March 6, 2014. Compliance 2/21/2018 = \$15,000.00 maximized, plus \$24.00 recording costs - \$15,024.00. Tax Deed sale proceeds received \$6,437.84. Remainder of lien is \$8,562.16 plus interest - \$366.49 plus administrative fees - \$24.00 = total amount owed \$8,952.65.**

DISPOSITION _____

(G. Davis)

5. HEARING OF CASES

Continued Cases:

1
John C.
Stenson

CASE NO SMG 10-17-80 – Kinsey & Debbie Whaley is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.2, 304.8, 304.10, 304.13, 304.15, 305.1,305.3, 305.4, 404.4.3, 404.6, 504.1, 601.2, 603.1, 605.1, 704.1); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **152 Madison Avenue**
Violation(s) – **Protective treatment; decorative features; stairways, decks, porches and balconies; windows; exterior doors; general interior; interior surfaces; stairs and walking surfaces; Water closet accessibility; Efficiency unit requirements; general plumbing fixtures; failure to maintain mechanical and electrical requirements; mechanical appliances; electrical installation in disrepair; missing smoke detectors; failure to obtain required residential rental license (RTL); failure to obtain business tax receipt (BTR).**
First Notified – 8/2/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

2
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 _____

3
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: Impose Fine.

DISPOSITION _____

4
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 license (RTL); failure to obtain business tax receipt (BTR)**
First Notified – 10/10/2017.

ACTION TO BE TAKEN: Continued to 4/10/18 meeting to determine a compliance date.

DISPOSITION _____

5
Jerome O.
McCoy

CASE NO SMG 02-18-28 – Anthony Reaves 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); Art. 6 Sec. 6.19.A.4; (Ref. FBC Supp IPMC 302.1; 302.4; 304.2; 304.7; 304.13; 504.3); City Code Ch. 26 Sec. 294; City Code Ch. 90 Sec. 90-297, at **386 Jefferson St**
Violation(s) – **Maintenance Code - Electric facilities - electrical system hazards; Electrical Equipment - receptacles, smoke alarms, protective treatment; Structural appearance standards; plumbing systems and fixtures; plumbing system hazards; roofs and drainage; failure to obtain Business Tax License (BTR); failure to obtain Rental License (RTL).**
First Notified – 9/20/2017.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

6
Glejuanda
Davis

CASE NO SMG 02-18-20 – Carolyn R Frazier is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.2; 604.3; 302.5; 303.1; 304.7; 309.1; 309.2); City Code Ch. 26 Sec. 294, at **1657 Lawrence Cir**
Violation(s) – **Maintenance Code – Electric facilities – electric system hazards; Electrical equipment – receptacles, smoke alarms; infestation of bugs; broken screen enclosure; roof & drainage; failure to obtain Rental License (RTL).**
First Notified – 12/1/2017.

Compliance 3-26-2018

7
Glejuanda
Davis

CASE NO SMG 03-18-32 – Christine Ziglar is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A.; Art. 6 Sec. 2.H.7.a (Ref. FBC Supp IPMC 302.8, 308.0); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **821 Pinewood St**
Violation(s) – **Outside storage, off-street parking of trailers, failure to obtain Business Tax License (BTR) failure to obtain Rental License (RTL).**
First Notified – 1/18/2018.

Compliance 3-26-2018

8
Glejuanda
Davis

CASE NO SMG 03-18-34 – Robert Clark is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8), at **Arthur Ave - Parcel #38-15-32-18-03-0030**
Violation(s) – **Exterior Property Areas - Motor vehicles, Inoperable/Unlicensed vehicle**
First Notified – 12/27/2018.

ACTION TO BE TAKEN: Continued for Compliance or Non-Compliance.

DISPOSITION _____

9
Glejuanda
Davis

CASE NO SMG 03-18-37 – Michael S & Lori M Lawhorn 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; Art. 6 Sec. 6.8.G; City Code Ch. 90 Sec. 90-297, at **837 Pinewood St**
Violation(s) – **Dilapidated fence, outside storage, off street parking, failure to obtain Business Tax Receipt (BTR)**
First Notified – 1/17/2018.

ACTION TO BE TAKEN: Continued for Compliance or Non-Compliance.

DISPOSITION _____

10
Clifford A.
Recanzone
III

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.

Compliance 4/4/18

NEW CASES:

11
Steve
Alderman

CASE NO SMG 04-18-39 – Lynn Stepp is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 301.3, 302.7, 303.1, 303.2, 304.13, 304.13.1, 304.14), at **44 N Halifax Ave**
Violation(s) – **Vacant land, exterior property - Swimming pool stagnant, pool not secured, windows broken, screens missing.**
First Notified – 2/12/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

12
Steve
Alderman

CASE NO SMG 04-18-40 – Darvesh Plaza Inc is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1 - General, at **631 N Grandview Ave**
Violation(s) – **No permit for construction of Roof/Deck area**
First Notified – 2/9/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

13
Mark A.
Jones

CASE NO SMG 04-18-41 – Jos F & Deloris Pouncey is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a, at **1606 S Patrick Circle**
Violation(s) – **No permits, outside storage and location of parking**
First Notified – 12/14/2017.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

14
Mark A.
Jones

CASE NO SMG 04-18-42 – Willie J & Tabbatha Kinchen is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at **943 Berkshire Rd**
Violation(s) – **Failure to obtain permits for installation of french doors, single porch door, dishwasher added with new electric & plumbing, tub with faucet and drain, shower with pan and faucets, air conditioner.**
First Notified – 1/17/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

5. MISCELLANEOUS BUSINESS

6. ADJOURNMENT