

# Agenda

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

DATE: TUESDAY, July 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 Vukelja, Special Magistrate

1. Call to Order
2. Approval of June 12, 2018 Minutes
3. Announcements
4. Lien Reviews
5. HEARING OF CASES

### ***Continued Cases***

1  
John C.  
Stenson

**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, at **631 N Grandview Ave**  
Violation(s) – **No permit for construction of Roof/Deck area.**  
First Notified – 2/9/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

2  
John C.  
Stenson

**CASE NO SMG 12-17-96 – Jong Soo Yoon & Lee OK** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7); Art. 6 Sec. 6.19.B, at **309 N. Atlantic Avenue**  
Violation(s) – **Metal roofing sections missing and existing metal rusting.**  
First Notified – 7/25/2017.

*ACTION TO BE TAKEN:* Progress Report (con't from May 2018).

DISPOSITION \_\_\_\_\_

3  
John C.  
Stenson

**CASE NO SMG 06-18-62 – Katherine M Smaha as Trustee for Oleander Heirs Trust** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.1, 304.13, 304.15, 304.2, 305.3, 605.1, 605.2, 504.1, 305.6, 704.2); City Code Ch. 26 Sec. 26-294, at **148 S Oleander Ave #2**  
Violation(s) – **Dilapidated roof, damaged exterior surfaces, broken/boarded windows, damaged exterior doors, peeling paint, damaged interior surfaces, damaged electrical fixtures, inoperable outlets, plumbing fixtures, damaged interior doors, missing smoke detectors; Failure to obtain Business Tax License (BTR); Failure to obtain Rental License (RTL).**  
First Notified – 4/13/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

4  
Michael P.  
Fitzgerald

**CASE NO SMG 06-18-63 – End Poverty Now Inc.** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 304.2, 304.5, 304.13, 304.13.1, 304.13.2, 304.14), at **1001 S Ridgewood Ave**  
Violation(s) – **Abandoned building - vacant, protective treatment, foundation walls, window, skylight, door frames, glazing, inoperable windows and insect screens.**  
First Notified – 1/23/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

5  
Michael P.  
Fitzgerald

**CASE NO SMG 06-18-64 – Calvary Global Ministries Inc** is cited for failure to correct violations of the Land Development Code, Art. 4 Sec. 4.1.A; Art 5. Sec. 5.2.A.2; City Code Ch. 26 Sec. 26-294, at **313 Earl St**  
Violation(s) – **Zoning Violation - This property is zoned RP. Short term rentals, known as "Other Accomodations" are not a permitted use in this zoning district.**  
First Notified – 2/2/2018.

***Compliance 6-25-18***

6  
Michael P.  
Fitzgerald

**CASE NO SMG 06-18-65 – Russell Louis Vitt** is cited for failure to correct violations of the Land Development Code, Art. 4 Sec. 4.1.A; Art 5. Sec. 5.2.A.2; City Code Ch. 26 Sec. 26-294, at **2066 S Halifax Dr**  
Violation(s) – **Zoning Violation - This property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in this zoning district.**  
First Notified – 4/2/2018.

***Compliance 7/9/2018***

7  
Glejuanda  
Davis

**CASE NO SMG 05-18-52 – Margaret Ellen Eberwein** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.9.2.A (Ref. FBC IPMC 302.3, 302.4, 302.8, 304.7); Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.8.G, at **348 Jackson Ave**  
Violation(s) – **Damaged roof, outside storage, boarded windows, inoperable vehicle and scooters, overgrown shrubs and dilapidated fence.**  
First Notified – 2/13/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

8  
Jerome  
McCoy

**CASE NO SMG 06-18-61 – Sheila A Minnick** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 302.4, 304.2, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 604.3, 605.2), at **532 Orange Ave**  
Violation(s) – **Maintenance Code - Smoke Alarms, protective treatment, weeds, structural appearance standards, exterior structure - roofs and drainage, insect screens, pest elimination - infestation, interior surfaces, electrical system hazards, receptacles, inoperable windows, window, skylight and door frames.**  
First Notified – 3/1/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

9  
Mark A.  
Jones

**CASE NO SMG 05-18-47 – David L Trimble** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **606 Tanglewood St**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 2/27/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

10  
Mark A.  
Jones

**CASE NO SMG 06-18-57 – Maria C Ware** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **102 Carnival Dr**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 3/23/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

11  
Mark A.  
Jones

**CASE NO SMG 06-18-60 – Nanette G Singler** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1015 Cedar Highlands Blvd**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 11/13/2017.

*ACTION TO BE TAKEN:* Progress Report

DISPOSITION \_\_\_\_\_

12  
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: Impose Fine.

DISPOSITION \_\_\_\_\_

**New Cases**

13  
Mark A.  
Jones

**CASE NO SMG 07-18-69 – Gordon L. Hilton** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.a (Ref. FBC Supp IPMC 702.4), at **411 Jessamine Blvd**  
Violation(s) – **Fire Safety - means of egress (emergency escape openings); failure to obtain Rental License (RTL).**  
First Notified – 5/25/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

14  
Mark A.  
Jones

**CASE NO SMG 07-18-73 – Cyrus Investment Group LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **436 Auburn Dr #205**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 4/12/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

15  
Glejuanda  
Davis

**CASE NO SMG 07-18-74 – Ronald Jack Travis Utter** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.10.E.1 - Prohibited Signs - All Districts, at **437 N Clyde Morris Blvd**  
Violation(s) – **Off-site sign advertisement - Repeat Violation.**  
First Notified – 2/22/2018.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION \_\_\_\_\_

16  
Glejuanda  
Davis

**CASE NO SMG 07-18-75 – Glenn A and Janis H Miller** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; City Code Ch. 26 Sec. 26-294, at **915 School St**  
Violation(s) – **Outside storage & failure to obtain Rental License (RTL).**  
First Notified – 4/18/2018.

**Compliance 7/6/2018**

17  
Glejuanda  
Davis  
**CASE NO SMG 07-18-76 – Sana Inc** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.10.G, at **864 Orange Ave**  
Violation(s) – **Window signage more than 25% covered.**  
First Notified – 4/20/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

18  
Glejuanda  
Davis  
**CASE NO SMG 07-18-77 – Clyde D Baumgardner Sr** 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; Art. 9 Sec. 9.92.A (Ref FBC Supp IPMC 304.3), at **1193 Jimmy Ann Dr**  
Violation(s) – **Storage shed without a permit, outside storage, off street parking of a trailer, no building identification.**  
First Notified – 12/21/2017.

*Compliance 7/6/2018*

19  
Glejuanda  
Davis  
**CASE NO SMG 07-18-79 – Essie Jackson Grayson** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.9.2.A (Ref. FBC Supp IPMC 304.3); City Code Ch. 26 Sec. 26-294, at **845 Wildwood St**  
Violation(s) – **Outside storage, missing building identification, failure to obtain Rental License (RTL).**  
First Notified – 2/22/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

20  
Jerome O.  
McCoy  
**CASE NO SMG 07-18-68 – Mary Hawkins Yan** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec 6.2.H.7.a; Art. 6 Sec. 6.8.B; City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **227 Reva St**  
Violation(s) – **Location of off-street parking; Failure to obtain Business Tax License (BTR); failure to obtain Rental License (RTL).**  
First Notified – 11/6/2017.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

21  
Jerome O.  
McCoy  
**CASE NO SMG 07-18-70 – Garr Holdings LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **244 Fulton St**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 4/27/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

22  
Jerome O.  
McCoy

**CASE NO SMG 07-18-80 – Garr Holdings LLC** is cited for failure to correct violations of the Land Development Code, City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **619 Marco St**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 4/27/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

23  
Jerome O.  
McCoy

**CASE NO SMG 07-18-72 – Marc-Olivier Kozlowski** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **1240 Cadillac Dr**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 5/15/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

6. **MISCELLANEOUS BUSINESS**

7. **ADJOURNMENT**