

# Agenda

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

DATE: TUESDAY, September 11, 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 August 14, 2018 Minutes
3. Announcements
4. Lien Reviews

### LR-1

**SMG 10-15-42 – 713 Marion Street – Owner: Nivrah Consulting & Investment Group, LLC** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3, 302.4, 304.2, 307.1), Violation(s) – Trash and debris throughout the property; overgrown grass/hedges; chipped and faded paint - First Notified – 6/22/2015. **Order Imposing Fine/Lien of \$100 per day imposed on December 8<sup>th</sup>, 2015. No compliance date. 100+ days x \$100 = \$10,000 plus recording costs of \$24.00 = Total amount owed \$10,024.00.**

DISPOSITION \_\_\_\_\_

(D. Sykes)

5. **HEARING OF CASES**

***Continued Cases***

1  
Jerome O.  
McCoy      **CASE NO SMG 05-18-45 – Nicholas M Psathas** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **436 Eastwood Ln**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 2/21/2018.

*ACTION TO BE TAKEN:* Impose Fine (con't from June 2018).

DISPOSITION \_\_\_\_\_

2  
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:* Impose Fine.

DISPOSITION \_\_\_\_\_

3  
Jerome O.  
McCoy      **CASE NO SMG 08-18-89 – Jehad G & Nidal G Murad** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC IPMC 305.3, 309.1, 504.3, 605.1, 605.2); City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **148 1st Ave**  
Violation(s) – **Structural Appearance Standards - infestation, plumbing system hazards, electrical equipment (receptacles), failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL).**  
First Notified – 4/19/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

4  
John C.  
Stenson      **CASE NO SMG 05-18-52 – Margaret Ellen Eberwein** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.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:* Progress Report (con't from July 2018).

DISPOSITION \_\_\_\_\_

5  
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:* Impose Fine.

DISPOSITION \_\_\_\_\_

6  
John C.  
Stenson

**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. 9.2.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:* Impose Fine.

DISPOSITION \_\_\_\_\_

7  
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 \_\_\_\_\_

8  
John C.  
Stenson

**CASE NO SMG 08-18-83 – Katherine M Smaha as Trustee for Oleander Heirs Trust** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.3.4.S, at **148 S Oleander Ave #1**  
Violation(s) – **Work commencing without required permits.**  
First Notified – 5/9/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

9  
John C.  
Stenson

**CASE NO SMG 08-18-81 – Nicholas J & Amy Militello** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, Art. 6 Sec. 6.6.19.A.3.a, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 304.6), at **1148 Champions Dr**  
Violation(s) – **Lack of required permits (expired and unfinaled), outside stoarge of junk and debris, mildew on exterior surfaces.**  
First Notified – 5/11/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

10  
Mark A.  
Jones

**CASE NO SMG 08-18-99 – Fred J. Hoffman, Trustee of "The Hollywood Trust"** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294, at **824 Hollywood St**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 6/25/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

11  
Mark A.  
Jones

**CASE NO SMG 08-18-88 – Craig Conway** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1, at **511 Mark Ave**  
Violation(s) – **Installed windows without permits.**  
First Notified – 5/19/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

12  
Mark A.  
Jones

**CASE NO SMG 08-18-101 – Joyce Dixon, as Trustee of the Joyce Dixon Revocable Trust dated September 15, 2006** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294, at **1134 Berkshire Rd**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 10/5/2017.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

13  
Mark A.  
Jones

**CASE NO SMG 08-18-100 – Joyce Dixon, as Trustee of the Joyce Dixon Revocable Trust dated September 15, 2006** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.14, 304.18.1, 305.3, 402.2, 504.1, 505.4, 604.3, 605.2, 704.2), at **310 Marion St Unit #4**  
Violation(s) – **Roofs and drainage, insect screens, building security doors, interior surfaces, lighting in common halls and stairways, plumbing systems and fixtures, water heating facilities, electrical system hazards, receptacles, smoke alarms.**  
First Notified – 6/7/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

14  
Mark A.  
Jones

**CASE NO SMG 08-18-98 – Cook Rentals LLC** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294, at **200 Arlington Ave**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 6/28/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

15 Tom L. Clig **CASE NO SMG 08-18-93 – Reginald T Copeland** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **802 Derbyshire Rd**  
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**  
First Notified – 6/8/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

16 Tom L. Clig **CASE NO SMG 08-18-94 – Reginald T Copeland** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **802 Derbyshire Rd**  
Violation(s) – **Parking on the grass.**  
First Notified – 6/11/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_

**New Cases**

17 Tom L. Clig **CASE NO SMG 09-18-110 – Jack Morris Jr** is cited for failure to correct violations of the Land Development Code, Art. 6. Sec 6.19.A.3, at **708 Kingston Ave**  
Violation(s) – **Outside storage.**  
First Notified – 8/3/2018.

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

DISPOSITION \_\_\_\_\_

18 Jerome O. McCoy **CASE NO SMG 08-18-95 – John R Barger** is cited for failure to correct violations of the City Code Ch. 26 Sec. 26-294, at **638 Cherry St**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/18/2018.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance. (Con’t from August 2018)

DISPOSITION \_\_\_\_\_

19 Clifford W. Recanzone III **CASE NO SMG 09-18-102 – Anthony Levercia** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp IPMC 302.8, 304.2), at **1649 Cedar Highlands Blvd**  
Violation(s) – **Reroofing without a permit, peeling paint, junk boat.**  
First Notified – 7/2/2018.

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

DISPOSITION \_\_\_\_\_

20  
Clifford W.  
Recanzone  
III

**CASE NO SMG 09-18-104 – Cassandra Lee** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 702.3, 704.2); Art. 3 Sec. 3.4.S.1; Art. 5 Sec. 5.2.B.3 - F; Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 302.5, 602.1, 604.3); City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **913 Lewis Dr**  
Violation(s) – **Single family home turned into a duplex, infestation, no heat, no means of egress, smoke alarms, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL).**  
First Notified – 7/2/2018.

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

DISPOSITION \_\_\_\_\_

21  
Clifford W.  
Recanzone  
III

**CASE NO SMG 09-18-118 – Arben Properties Co. LLC** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.9), at **N Atlantic Ave ( Parcel #5305-01-46-0190)**  
Violation(s) – **Graffiti.**  
First Notified – 7/24/2018.

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

DISPOSITION \_\_\_\_\_

22  
Daniel  
Garcia

**CASE NO SMG 09-18-105 – Harpreet Suri** 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 **334 Georgetown 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 – 6/25/2018.

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

DISPOSITION \_\_\_\_\_

23  
Daniel  
Garcia

**CASE NO SMG 09-18-109 – Jose F Percy** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp IPMC 304.7. 305.3), at **639 N Ridgewood Ave**  
Violation(s) – **Repairing roof without a permit.**  
First Notified – 2/22/2018.

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

DISPOSITION \_\_\_\_\_

24  
Daniel  
Garcia

**CASE NO SMG 09-18-111 – Elvina Miller** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.1, 304.2, 304.6, 304.7, 304.13, 304.8), at **550 N Ridgewood Ave**  
Violation(s) – **Damaged exterior surfaces - peeling paint, roof, flashing and drainage, broken windows, rubbish, garbage, trash and debris.**  
First Notified – 5/14/2018.

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

DISPOSITION \_\_\_\_\_

25  
Daniel  
Garcia

**CASE NO SMG 09-18-112 – Bulldog LLC** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.1, 304.2, 304.6, 304.7, 304.13, 304.8); City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297, at **208 Fairview Ave**  
Violation(s) – **No Address numbers, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL).**  
First Notified – 3/1/2018.

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

DISPOSITION \_\_\_\_\_

26  
Daniel  
Garcia

**CASE NO SMG 09-18-116 – Beach Development Group, LLC** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2), at **530 N Beach St**  
Violation(s) – **Dilapidated exterior surfaces.**  
First Notified – 4/13/2018.

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

DISPOSITION \_\_\_\_\_

27  
Michael P.  
Fitzgerald

**CASE NO SMG 09-18-103 – Jones of Volusia, Inc.** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7), at **621 Ruth St**  
Violation(s) – **Damaged wooden fencing, paint around front door.**  
First Notified – 2/13/2018.

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

DISPOSITION \_\_\_\_\_

28  
Michael P.  
Fitzgerald

**CASE NO SMG 09-18-106 – Tandra N. Davis, Trustee or her successors in trust of the TAMBRA N. DAVIS Management Trust dated June 1, 2005** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 304.2, 304.6, 304.7, 304.9, 304.13, 304.13.1, 304.13.2), at **2301 S Peninsula Dr**  
Violation(s) – **Abandoned, unsecured building, fading and peeling paint, severely damaged roofs and drainage, broken windows.**  
First Notified – 1/26/2018.

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

DISPOSITION \_\_\_\_\_

29  
Michael P.  
Fitzgerald

**CASE NO SMG 09-18-113 – Promo 05 LLC** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3; City Code Ch. 90 Sec. 90-297, at **& 227-225 N Oleander Ave**  
Violation(s) – **Adding a third apartment in the basement of the front building- no permit for electrical, plumbing, new porch, new stairs and demo, failure to obtain Business Tax License (BTR).**  
First Notified – 3/7/2018.

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

DISPOSITION \_\_\_\_\_

30  
Michael P.  
Fitzgerald

**CASE NO SMG 09-18-114 – Calvary Global Ministries Inc** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 3 Sec. 3.4.S.2; Art. 3 Sec. 3.4.S.3, at **301 Earl St & 313**  
Violation(s) – **No permit to enclose porches.**  
First Notified – 6/14/2018.

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

DISPOSITION \_\_\_\_\_

31  
Michael P.  
Fitzgerald

**CASE NO SMG 09-18-117 – Michael D Molnar** 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, at **2607 S Peninsula Dr**  
Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**  
First Notified – 7/25/2018.

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

DISPOSITION \_\_\_\_\_

32  
Steve  
Alderman

**CASE NO SMG 09-18-107 – Helena Sanders** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7, 304.6), at **2804 N Halifax Ave**  
Violation(s) – **Damaged fence and loose siding on NW corner.**  
First Notified – 2/19/2018.

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

DISPOSITION \_\_\_\_\_

33  
Steve  
Alderman

**CASE NO SMG 09-18-108 – Shandra Carreira** is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.6.A.3 (Ref. FBC Supp IPMC 304.13, 304.3), at **802 N Halifax Ave**  
Violation(s) – **Exterior structure - window frames, visible address, landscaping maintenance and outside storage.**  
First Notified – 4/3/2018.

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

DISPOSITION \_\_\_\_\_

**6. MISCELLANEOUS BUSINESS**

**7. ADJOURNMENT**