

Agenda

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

SPECIAL MAGISTRATE PROCEEDING

CITY OF
DAYTONA BEACH

NOTICE – Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a 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.

David A. Vukelja, Special Magistrate

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
---	--	---	--

In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

DECEMBER 11, 2018 - 9:00 A.M.

1. Call to Order
2. Approval of November 13, 2018 Minutes
3. Announcements
4. Lien Reviews
5. HEARING OF CASES

Continued Cases

CASE # 1 - SMG 09-18-108 - Shandra Carreira is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.13, 304.3); Art. 6 Sec. 6.19.A.3.a, 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: Impose Fine.

DISPOSITION _____

(Steve Alderman)

CASE # 2 - SMG 11-18-144 - David Bright is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 304.7); Art. 6 Sec. 6.19.A.3, at **748 Mercedes Ave**

Violation(s) – **Outside storage and failure to maintain roof.**

First Notified – 8/20/2018

ACTION TO BE TAKEN: Compliance ordered for storage by the Dec. meeting. Compliance date for roof (must apply for required permits) will be determined at the Dec. meeting.

DISPOSITION _____

(Tom L. Clig)

CASE # 3 - SMG 11-18-146 - Todd T Huguenin is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 304.2); City Code Ch. 90 Sec. 90-297 and Ch. 26 Sec. 26-294, at **1009 Berkshire Rd**

Violation(s) – **Failure to maintain fence, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL).**

First Notified – 9/12/2018 - (Tom L. Clig)

Compliance 12/3/2018

CASE # 4 - SMG 11-18-148 - Earl McCrary III is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 308.1), at **Vacant Lot Pinewood St. (Parcel # 5212-01-00-0670)**

Violation(s) – **Trash pickup.**

First Notified – 6/29/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Tom L. Clig)

CASE # 5 - 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 and City Code 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: Con't (Oct. meeting) for progress report and the determination of a compliance date.

DISPOSITION _____

(Daniel Garcia)

CASE # 6 - SMG 11-18-136 - Robert J Matuszczak is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A, at **262 Lexington Dr**
Violation(s) – **Outside storage and parking on the grass.**
First Notified – 9/12/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Daniel Garcia)

CASE # 7 - SMG 11-18-137 - Robert Matuszczak is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.A, at **266 Lexington Dr**
Violation(s) – **Outside storage and parking on the grass.**
First Notified – 9/8/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Daniel Garcia)

CASE # 8 - SMG 06-18-61 - Sheila A Minnick & Dillon Property Management is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 304.2, 304.7, 304.13, 304.13.2, 304.14, 304.15, 305.3, 309.1, 604.3, 605.2); Art. 6 Sec. 6.19.A.4 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 _____
(Jerome O. McCoy)

CASE # 9 - SMG 08-18-90 - Fred J Hoffmann, Trustee under Business Trust dated 9/9/94 known as Braddock Trust 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.4 (Ref. FBC IPMC 304.2, 304.7, 304.14, 305.3, 309.1, 605.2), at **105 Braddock Ave**
Violation(s) – **Maintenance Code - Structural appearance standards, protective treatment, roofs and drainage, insect screens, interior surfaces, pest elimination - infestation, receptacles.**
First Notified – 4/18/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Jerome O. McCoy)

CASE # 10 - SMG 11-18-128 - Cellese Family Trust and Francesca Cellese-Fahmy as Trustee is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **407 University Blvd**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/23/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 11 - SMG 11-18-140 - Mary & William E. Gordon III, joint tenants with rights of survivorship is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **414 Daytona St**
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 8/17/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 12 - SMG 11-18-150 - Ormond Breeze LLC Trustee under Florida Land Trust 712 is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **712 Georgia St**
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 8/15/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 13 - SMG 11-18-151 - Help U Now Consulting Corp & Allen Hyppolite is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **446 N Keech St**
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 9/14/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 14 - 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: Con't (from Oct. meeting) for a progress report and the determination of a compliance date regarding roof repairs. All other violations must be in compliance by December 11, 2018.

DISPOSITION _____
(John C. Stenson)

CASE # 15 - SMG 11-18-126 - 1448-1490 W International Speedway Blvd., LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art 9 Sec. 9.2.A; City Code Ch. 90 Sec. 90-297, at **1490 W Intl. Speedway Blvd.**
Violation(s) – **Lack of required permits for stage, failure to obtain Business Tax Receipt (BTR)**.
First Notified – 9/6/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(John C. Stenson)

CASE # 16 - SMG 11-18-129 - Greg E Allen is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 6 Sec. 6.10.a.1-3; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 302.7, 302.8, and 304.7), at **112 S Martin Luther King Blvd**
Violation(s) – **Outside storage, dilapidated sign, high weeds, junk vehicles, damaged fencing and roof.**
First Notified – 8/22/2018

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(John C. Stenson)

CASE # 17 - 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: Impose Fine.

DISPOSITION _____
(Michael P. Fitzgerald)

CASE # 18 - 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 - **(Michael P. Fitzgerald)** **Compliance 12-3-2018**

CASE # 19 - SMG 11-18-147 - GEA Seaside Investments Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 304.6, 304.8, 305.3, 504.1 and 604.3.1), at **507 Phoenix Ave**
Violation(s) – **Maintenance Code - Non-working hot side of bathroom sink, damaged interior surfaces, exterior damage, electrical hazard or missing parts.**
First Notified – 7/23/2018

ACTION TO BE TAKEN: Con't for progress report and the determination of a compliance date. Not to be rented, occupied or used until compliance is achieved.

DISPOSITION _____
(Michael P. Fitzgerald)

New Cases

CASE # 20 - SMG 12-18-163 - GEA Seaside Investments Inc. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 302.3, 404.12, 304.6, 304.2, 304.14, 304.10, 304.4, 304.15, 304.13, 304.7, 305.3, 603.1, 604.3.2.1, 605.2, 704.2, 602.3 and 304.10), at **21 S Peninsula Dr**
Violation(s) – **Damaged sidewalk. Damaged steps and handrails. Damaged exterior surfaces. Exterior paint. Missing screens, Damaged porch and railings. Structural supports. Damaged exterior doors. Broken/inoperable windows. Damaged roof. Damaged interior surfaces (flooring). Inoperable appliances (stove). Damaged electrical fixtures. Inoperable outlets. Lack of required smoke detectors. Lack of operable heat source. Damaged balcony.**
First Notified – 10/12/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(John C. Stenson)

CASE # 21 - SMG 12-18-152 - Nick Seidell is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A; Art. 4. Sec. 4.1.A; Art. 5 Sec. 5.2.A.2; City Code Ch. 26 Sec. 26-294, at **115 Minerva Rd**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. Failure to obtain Rental License (RTL).**
First Notified – 9/20/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Michael P. Fitzgerald)

CASE # 22 - SMG 12-18-161 - Daytona 54 LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 302.3, 308.1), at **200 N Ridgewood Ave**

Violation(s) – **Pot hole, trash and debris.**
First Notified – 10/25/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Daniel Garcia)

CASE # 23 - SMG 12-18-165 - Stanko K Bogovich is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC IPMC 301, 301.1, 301.2, 301.3 and 505.1), at **820 N Beach St**

Violation(s) – **Residing/occupying a dwelling without running water.**
First Notified – 8/18/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Daniel Garcia)

CASE # 24 - SMG 12-18-153 - Rudean W Davis as Trustee of the Rudean W. Davis Living Trust dated December 9, 1999 is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **720 Indiana St**

Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/12/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 25 - SMG 12-18-164 - Rudean W. Davis, Trustee of the Rudean W. Davis Living Trust dated December 9, 1999 is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **796 Georgia St**

Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/16/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 26 - SMG 12-18-154 - JNG Property Group, LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **571 Fairmount Rd**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 9/19/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 27 - SMG 12-18-155 - Kimberly A Latford is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **358 Hartford Ave**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 9/20/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 28 - SMG 12-18-157 - Joseph T Collier Jr & Thelma & Charles J & Bettye C Thomas is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **1151 Edith Dr**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 8/11/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 29 - SMG 12-18-158 - AYA Realvest LLC, Fadwa Najdi Sole Mbr is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **411 N Halifax Ave #201**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 10/19/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 30 - SMG 12-18-159 - AYA Realvest LLC, Fadwa Najdi Sole Mbr is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **415 N Halifax Ave #111**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 10/19/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 31 - SMG 12-18-160 - AYA Realvest LLC, Fadwa Najdi Sole Mbr is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **415 N Halifax Ave #110**
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 10/19/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 32 - SMG 12-18-162 - Krisztian Guti is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC IPMC 305.1, 304.14, 304.13, 304.6, 304.2; City Code Ch. 26 Sec. 26-294, at **615 Tanglewood St**
Violation(s) – **Work without permit, interior finishes, exterior finishes, screens, windows, exterior walls, paint, failure to obtain Rental License (RTL)**.
First Notified – 8/27/2018

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

6. **MISCELLANEOUS BUSINESS**

7. **ADJOURNMENT**