

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

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

JANUARY 8, 2019 - 9:00 A.M.

1. Call to Order
2. Approval of December 11, 2018 Minutes
3. Announcements
4. Lien Reviews

LR-1

SMG 08-12-57 - 341 Fulton Street - Raymond A. Brewster (new owner is Albert L. Brewster) is cited for failure to correct violations of The Land Development Code, Art. 19 Sec.1.1 (Ref. FBC Supp IPMC 304.2, 304.3, 304.6, 105.1). Violation(s) – Exterior wall damage; protective treatment; premises identification; no building permits. First Notified – 6/19/2012. **Order Imposing Fine-Lien of \$100 per day effective September 11, 2012. Compliance - October 14, 2018. \$15,000.00 plus \$24.00 recording costs minus \$11,752.81 proceeds from tax deed sale = \$3,271.19 total amount due.**

DISPOSITION _____

(Denzil Sykes)

LR-2

CEB 10-13-117 - Raymond A. Brewster (new owner is Albert L. Brewster) is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1.1 (Ref. FBC Supp IPMC 304.13.1), at **341 Fulton Street**. Violation(s) – Glazing - All glazing materials shall be maintained free from cracks and holes. First Notified – 7/31/2013. **Order Imposing Fine-Lien of \$100 per day effective November 20, 2013. Compliance October 14, 2018. \$15,000.00 plus \$24.00 recording costs = \$15,024.00 total amount due.**

DISPOSITION _____

(Denzil Sykes)

5. Hearing of Cases

Continued Cases

CASE # 1 - SMG 09-18-102 - Levercia Anthony 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: Impose Fine.

DISPOSITION _____

(Clifford W. Recanzone III)

CASE # 2 - 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 # 3 - 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 Supp. 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. (Con't. from the Dec. 2018 meeting.)

DISPOSITION _____

(Jerome O. McCoy)

CASE # 4 - SMG 11-18-125 - LA Philip, Inc. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3.a; Art 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.7, and 304.7); City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at **845 Valencia Ave.**

Violation(s) – **Lack of required permits, outside storage, dilapidated accessory structure (fencing), damaged roof, failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 8/6/2018.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(John C. Stenson)

CASE # 5 - 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 Supp. 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 (Must pull permits for roof work by January 2 and compliance by February 6, 2019).

DISPOSITION _____

(John C. Stenson)

CASE # 6 - 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 Supp. 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: Con't. from Dec. 2018 meeting for the determination of a compliance date.

DISPOSITION _____

(John C. Stenson)

CASE # 7 - SMG 11-18-142 - 314 Ora Investors Of Florida LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **314 Ora St.**

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

First Notified – 5/18/2018.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 8 - SMG 11-18-143 - 314 Ora Investors Of Florida LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **314 Ora St.**

Violation(s) – **No Permit - installed parking pavers.** First Notified – 8/14/2018.

Compliance 12/28/2018

CASE # 9 - 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 # 10 - SMG 11-18-150 - Ormond Breeze LLC Trustee under Florida Land Trust 712 is cited for failure to correct violations of 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 # 11 - 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.

Compliance 12/31/2018

CASE # 12 - SMG 12-18-164 - 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 **796 Georgia St.** Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/16/2018.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 13 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 14 - 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. (Mark A. Jones)

Compliance 12/31/2018

CASE # 15 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 16 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 17 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 18 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 19 - 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 Supp. 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: Con't from the Dec. 2018 meeting for the determination of a compliance date.

DISPOSITION _____

(Mark A. Jones)

CASE # 20 - SMG 09-18-106 - Tambra 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 Supp. 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: Impose Fine.

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 21 - 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. (Cont. from Dec. 2018 for a progress report.)

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 22 - 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 Supp. 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.

Compliance 12/10/2018

CASE # 23 - 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 Supp. 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 _____

(Steve Alderman)

CASE # 24 - 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: Impose Fine.

DISPOSITION _____

(Daniel Garcia)

CASE # 25 - 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 Supp. 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: Impose Fine.

DISPOSITION _____

(Daniel Garcia)

New Cases

CASE # 26 - SMG 01-19-18 - Daytona 54 LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp. IPMC 304.2), at **200 N Ridgewood Ave.**

Violation(s) – **Dirt & grime, peeling paint on exterior wall.**

First Notified – 10/20/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Daniel Garcia)

CASE # 27 - SMG 01-19-15 - Jae Louise Gates & Jeffrey Michael Gates is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2 and 605.1), at **222 N Hollywood Ave.**

Violation(s) – **Faded & discolored exterior surface and damaged lamp.**

First Notified – 10/1/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Daniel Garcia)

CASE # 28 - SMG 01-19-16 - Harbourside Sunsets COA Inc. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.1, 304.2, 304.3, 304.4, 304.6, 304.7, 304.8, 304.9, 304.10, 304.12, 304.13.1, 304.13.2, 604.3.1 and 605.3), at **900 S. Peninsula Dr.**

Violation(s) – **Maintenance Code - Missing and peeling paint, mold and mildew, exterior walls, concrete spalding, cracking, rotting wood, missing paint, damaged roofing, damaged fascia and soffit, electrical boxes (open wire), exterior electrical fixtures, broken, exterior address numbers dilapidated, damaged exterior walls, fence missing paint, dilapidated auxiliary structure, rotten wood, missing paint, missing guardrails and handrails many locations throughout building.**

First Notified – 9/26/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 29 - SMG 01-19-19 - April Ann Leary is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.1, 304.1.1, 304.2, 304.3, 304.4, 304.5, 304.6, 304.13, 304.13.1, 304.13.2, 304.14, 304.15, 305.1, and 308.1), at **1057 North St.**

Violation(s) – **Abandoned building - Outside storage, trash and debris, noxious weeds, damaged accessory structure (fence), public health threat, unsafe conditions (broken and dilapidated walls and roof), faded and peeling paint, missing address numbers, damaged foundation walls, exterior walls, roof and drainage, broken windows, broken glass, inoperable windows, missing window screens, broken doors and damage to the interior structure, and accumulation of rubbish and garbage.**

First Notified – 12/19/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 30 - SMG 01-19-11 - GEA Seaside Investments, Inc. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **507 Phoenix Ave.**
Violation(s) – **Construction without permits.**
First Notified – 9/11/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Steve Alderman)

CASE # 31 - SMG 01-19-13 - Sandra Coffman 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 **926 N Wild Olive Ave.**
Violation(s) – **Zoning violation - this property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 2/5/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Steve Alderman)

CASE # 32 - SMG 01-19-01 - Marie A. Glock is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **317 N. Grandview Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 9/5/2018.

Compliance 12/31/2018

CASE # 33 - SMG 01-19-02 - New Leaf Real Estate, LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **319 Taylor Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/8/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 34 - SMG 01-19-03 - 2018-3 IH Borrower LP is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **112 Logenberry Ct.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/5/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 35 - SMG 01-19-04 - 2018-2 IH Borrower LP is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **133 Hagge Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/5/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 36 - SMG 01-19-05 - 2018-2 IH Borrower LP is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **257 Perfect Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/5/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 37 - SMG 01-19-06 - 2018-2 IH Borrower LP is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **128 Opal Hill Cir.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/5/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 38 - SMG 01-19-07 - Sunfire 3 LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **1320 Phillips St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/29/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____

(Mark A. Jones)

CASE # 39 - SMG 01-19-08 - Mary F. Yan is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **629 Roma St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/29/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 40 - SMG 01-19-09 - Sal & Nellie Annino is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **309 N. Oleander Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/2/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

CASE # 41 - SMG 01-19-14 - Inose LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **536 Washington St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/17/2018.

ACTION TO BE TAKEN: Compliance or Non-Compliance.

DISPOSITION _____
(Mark A. Jones)

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT