

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.

FEBRUARY 12, 2019 - 9:00 A.M.

1. Call to Order
2. Approval of January 8, 2019 Minutes
3. Announcements
4. Lien Reviews

LR-1

SMG 06-18-57 - 102 Carnival Dr. - Maria C Ware is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 3/23/2018. **Order Imposing Fine-Lien of \$100.00 per day plus a one-time administrative fee of \$250.00 for no Business Tax License (BTR) effective July 6, 2018. Compliance - January 9, 2019. \$15,000.00 plus \$250.00 administrative fee plus \$24.00 recording costs = \$15,274.00 due.**

DISPOSITION _____

(Mark A. Jones)

LR-2

SMG 05-08-80 – 1069 Peter Road - Stanley A. Roberson and Juanedda F. Roberson is cited for failure to correct violations of The Land Development Code, Art. 19 Sec. 1 (ref. 302.8 IPMC). Violation(s) – Junk vehicle storage. First Notified – 2/11/2008. **Order Imposing Fine-Lien of \$50.00 per day effective June 4, 2008. Compliance – January 24, 2019. \$10,000.00 plus \$24.00 recording costs = \$10,024.00 due.**

DISPOSITION _____

(Clifford Recanzone III)

LR-3

SMG 08-18-101 - 1134 Berkshire Rd. - 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. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/5/2017. **Order Imposing Fine-Lien of \$100.00 per day effective November 8, 2018. Compliance – December 7, 2018. \$2,900.00 plus \$24.00 recording costs = \$2,924.00 due.**

DISPOSITION _____

(Mark A. Jones)

LR-4

SMG 08-18-100 - 310 Marion St Unit #4 - 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). 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. **Order Imposing Fine-Lien of \$150.00 per day effective December 6, 2018. Compliance – January 30, 2019. \$8,250.00 plus \$24.00 recording costs = \$8,274.00 due.**

DISPOSITION _____

(Mark A. Jones)

5. Hearing of Cases

Continued Cases

CASE # 1 - 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: Con't. for a progress report and the determination of a compliance date. Permits must be applied for by 2/6/2019.

DISPOSITION _____

(Steve Alderman)

CASE # 2 - 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 Supp. 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 a progress report and the determination of a compliance date for garage roof and deck. Compliance on all other items by 2/6/2019.

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 3 - 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 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.

Compliance 2-4-2019

CASE # 4 - 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: Con't. for a progress report.

DISPOSITION _____

(Michael P. Fitzgerald)

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: Impose Fine.

DISPOSITION _____

(John C. Stenson)

CASE # 6 - 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: Impose Fine.

DISPOSITION _____

(Daniel Garcia)

CASE # 7 - 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: Impose Fine.

DISPOSITION _____

(Daniel Garcia)

CASE # 8 - 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. for progress report.

DISPOSITION _____

(Mark A. Jones)

CASE # 9 - 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: Con't. for a progress report and the determination of a compliance date.

DISPOSITION _____

(Mark A. Jones)

CASE # 10 - 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.

Compliance 2-6-2019

CASE # 11 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 12 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 13 - 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: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 14 - 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.

Compliance 1-18-2019

New Cases

CASE # 15 - SMG 02-19-35 - Worker Investments LLC is cited for failure to correct violations of The City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **749 S Ridgewood Ave.**
Violation(s) – **Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL).**
First Notified – 11/15/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____
(Jerome O. McCoy)

CASE # 16 - SMG 02-19-27 - William B. Parnell 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, 204.3), at **218 Kingston Ave.**
Violation(s) – **Maintenance Code - broken fencing, outside storage, missing address.**
First Notified – 11/14/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____
(Michael P. Fitzgerald)

CASE # 17 - SMG 02-19-28 - James O. Jr. & Jacqueline P. Jackson 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, 302.8, 304.2, 304.7), at **811 Harrington St.**

Violation(s) – **Maintenance Code - Faded and peeling paint, rotten wood, junk vehicles, damaged roof and damaged fence.**

First Notified – 11/7/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 18 - SMG 02-19-29 - Thomas L Towner, Sr. 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.2.3; Art 3. Sec. 3.4.S.3; Art. Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **819 Harrington St.**

Violation(s) – **Outside storage, trash and debris, faded and peeling paint, ongoing roof work and building construction with no permits.**

First Notified – 12/3/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 19 - SMG 02-19-30 - Morning Star Missionary Baptist Church of Daytona Beach by Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 505.3), at **643 Madison Ave.**

Violation(s) – **Maintenance Code - Paint fading and peeling, no water.**

First Notified – 10/25/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 20 - SMG 02-19-31 - Andy & Hady Diaz 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 **134 Knight Pl.**

Violation(s) – **Maintenance Code - Missing and peeling paint (including fascia), window covered by plywood.**

First Notified – 11/14/2018.

Compliance 2-4-19

CASE # 21 - SMG 02-19-32 - Charles McDowell is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A, at **134 Harney St.**
Violation(s) – **Parking on unapproved surface.**
First Notified – 11/6/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 22 - SMG 02-19-33 - Jo-Ann M. Teel 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 302.5, 304.13, 304.15, 305.1.1, 305.3, 305.6, 309.1, 504.3, 602.3, 603.1, 605.2, 605.4); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **633 Florence St.**
Violation(s) – **Maintenance Code - Rodents, damaged windows and doors, damaged and unsafe interior surfaces, bug infestation, plumbing hazards, no heating supply, broken mechanical appliances, broken receptacles, damaged electrical wiring, failure to obtain Business Tax License (BTR), failure to obtain Rental License (RTL).**
First Notified – 9/17/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 23 - SMG 02-19-34 - Maria T. Smith 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 302.1, 304.2, 304.13.1, 304.13.2), at **211 N Halifax Ave.**
Violation(s) – **Maintenance Code - fading & peeling paint, damaged windows, outside storage, trash and debris.**
First Notified – 7/27/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 24 - SMG 02-19-36 - George A Walton Estate is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 702.4, 302.8, 304.15), at **841 Kingston Ave.**

Violation(s) – **Maintenance Code - Boarded up windows, failure to have emergency escape openings, several junk vehicles, broken screen door.**

First Notified – 11/13/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 25 - SMG 02-19-22 - B & B Property Enterprises Inc. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 704.2, 302.4, 302.8, 304.14, 305.3, 308.1, 504.1, 603.1, 604.3), at **1830 S. Clyde Morris Blvd.**

Violation(s) – **Smoke alarms, exterior weeds, junk vehicle, insect screens, interior surfaces, accumulation of rubbish or garbage, plumbing systems and fixtures, mechanical appliances and electrical system hazards.**

First Notified – 7/13/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Clifford W. Recanzone III)

CASE # 26 - SMG 02-19-23 - Dimitrios C Bozios Realty Corp 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 **1174 Beville Rd.**

Violation(s) – **Damaged fence.**

First Notified – 10/9/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Clifford W. Recanzone III)

CASE # 27 - SMG 02-19-24 - MHC Carriage Cove LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **3 Wagon Wheel Ct.**

Violation(s) – **No building permit for carport.**

First Notified – 9/18/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Clifford W. Recanzone III)

CASE # 28 - SMG 02-19-20 - LeBaron Properties LLC is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **1101 6th Street**.

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

First Notified – 11/7/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Mark A. Jones)

CASE # 29 - SMG 02-19-21 - Hunter Harold Williamson Jr. & Lisa H. Davis is cited for failure to correct violations of The City Code Ch. 26 Sec. 26-294, at **622 Ruth St**.

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

First Notified – 9/4/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Mark A. Jones)

CASE # 30 - SMG 02-19-25 - 504 Main St LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 108.1.5, 301.1, 304.1.1, 304.6, 304.7, 304.9, 304.10, 304.12, 304.13.1, 306.1.1, 308.1, 604.3), at **504 Main St**.

Violation(s) – **Structural appearance standards, dangerous stairs, roof leaks, unsafe masonry, exterior walls, roof and drainage, dangerous fire escape, broken windows, unsafe stairs, brick walls cracking, rubbish accumulation and electrical hazard.**

First Notified – 10/10/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Steve Alderman)

CASE # 31 - SMG 02-19-26 - G&I VII Bellair Plaza LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at **2499 N Atlantic Ave**.

Violation(s) – **Sign malfunction.**

First Notified – 11/12/2018.

Compliance 2-4-2019

CASE # 32 - SMG 02-19-37 - S T & Irene Koutouzis et al is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.B; Art 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.2.H.4 (Ref. FBC Supp. IPMC 301.2, 302.3, 302.9, 304.2, 304.6, 304.7, 308.1, 308.2, 308.2.1), at **515 N Atlantic Ave.**

Violation(s) – **Graffiti, roof perimeter, protective treatment, outside storage, roof repair, roof tarp, pipe cap-vent, crumbling-cracked wall blocks, repair driveway-parking lot, hole in exterior wall, vines growing on exterior wall, rubbish & garbage and trash-debris.**

First Notified – 11/28/2018.

ACTION TO BE TAKEN: Compliance or Non-compliance

DISPOSITION _____

(Steve Alderman)

6. MISCELLANEOUS BUSINESS

7. ADJOURNMENT