

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.

Robert J. Riggio, 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.
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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.

OCTOBER 27, 2020 - 9:00 A.M. Rental Program

1. Call to Order
2. Announcements
3. Approval of July 28, 2020, August 25, 2020 and September 22, 2020 Meeting Minutes
4. Lien Reviews

LR-1

RTL 06-20-39 – 931 Essex Rd- Charles W Mecklem and Amelia J. Mecklem as Trustees of the Charles W Mecklem Revocable Trust dated September 26, 2003 is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/4/2020. **Order Imposing Fine/Lien of \$100.00 per day effective July 28, 2020. Compliance – September 17, 2020. \$5,100.00 plus \$24.00 recording costs = \$5,124.00**

DISPOSITION _____

(Mark A. Jones)

LR-2

RTL 06-20-65 – 735 Fairmount Rd - Svetlana Shapoval is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 2/17/2020. **Order Imposing Fine/Lien of \$100.00 per day effective July 28, 2020. Compliance – August 27, 2020. \$3,000.00 plus \$24.00 recording costs = \$3,024.00**

DISPOSITION _____

(Mark A. Jones)

5. Hearing of Cases

CONTINUED CASES:

CASE # 1 - RTL SMG 04-20-77 - Christopher Brown is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **300 Hartford**. Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL)**.
First Notified – 8/12/2019.

ACTION TO BE TAKEN: Cont. for consideration of the imposition of a fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 2 - RTL 06-20-32 - Village Resources & Real Estate, LLC TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **341 Maple St.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 4/16/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 3 - RTL 06-20-47 - Lisa & William B McCarthy is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **200 N Halifax.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 09/28/2019.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Mark A. Jones)

CASE # 4 - RTL 08-20-99 - William B & Lisa A McCarthy is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **610 Gibson St.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 10/17/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 5 - RTL 06-20-23 - Jennifer A & Pedro Q Dash is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **616 Cherry St.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**

First Notified – 1/8/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 6 - RTL 08-20-89 - Resource Properties Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1036 Michael Rd.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 9/24/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 7 - RTL 08-20-91 - Mahmoud Y & Theresa Abdelrahman is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2901 N Halifax Ave #221.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 3/4/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 8 - RTL 09-20-108 - Metwaly Gamal & Lisa is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2711 N Halifax #376.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 02/24/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 9 - RTL 08-20-95 - Wilfredo Romero is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **909 Madison Ave.** Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 1/15/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 10 - RTL 08-20-93 - Select International Advisors LLC & AAA Real Estate Investment Services LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1030 Alice Dr.** Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/15/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 11 - RTL 07-20-72 - Anthony W Hammond, Jr. is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1616 Piccadilly.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 3/24/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 12 - RTL 08-20-100 - Thomas Caldwell is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **936 N Oleander Ave.** Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/13/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 13 - RTL 09-20-106 - Gorin Barry TR Barry Gorin Revoc Living Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **557 Berkshire.** Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/26/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 14 RTL 09-20-107 - FC RESI 1 LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **629 Westmoreland**. Violation(s) – **Failure to obtain Rental License (RTL)**.

First Notified – 01/07/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 15 - RTL 09-20-109 - In Land We Trust LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **425 N Oleander**. Violation(s) – **Failure to obtain Rental License (RTL)**.

First Notified – 01/29/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 16 - RTL 09-20-110 - Gibson Easter M is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **845 Hollywood St**. Violation(s) – **Failure to obtain Rental License (RTL)**.

First Notified – 02/27/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 17 - RTL 09-20-116 - Track Three LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **530 Seabreeze Blvd**. Violation(s) – **Failure to obtain Rental License (RTL)**.

First Notified – 02/12/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 18 - RTL 08-20-83 - J Weiss Family LP is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **825 N Oleander Ave.** 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. IRREPARABLE or IRREVERSIBLE.**

First Notified – 5/12/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 19 - RTL 09-20-111 - Tighe Kirsten is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **3000 Princeton.** 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. IRREPARABLE or IRREVERSIBLE.**

First Notified – 08/28/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W Recanzone)

CASE # 20 - RTL 09-20-112 - Heidi K. Cooper is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2568 E Coral Way.** 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. IRREPARABLE or IRREVERSIBLE.**

First Notified – 08/03/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 21 - RTL 09-20-113 - Charley Chang Oh is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **117 S Halifax Ave**. Violation(s) – **Zoning violation - the property is zoned RP. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district. IRREPARABLE or IRREVERSIBLE.**

First Notified – 05/13/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 22 - RTL 09-20-114 - Keith C Conklin is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **540 N Ridgewood Ave (Parcel address 547 High St)**. Violation(s) – **Zoning violation - the property is zoned BP. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district. IRREPARABLE or IRREVERSIBLE.**

First Notified – 05/29/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone III)

CASE # 23 - RTL 09-20-115 - Jeff B & Sandra W Knox is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **381 Brookline Avenue**. 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. IRREPARABLE or IRREVERSIBLE.**

First Notified – 08/11/2020.

ACTION TO BE TAKEN: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone III)

4. **Miscellaneous Business**

MB-1

RTL 06-20-31 - Villa Jardine, LLC is cited for failure to correct violations of CityCode Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **111 Oak Tree Cir.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).** First Notified – 12/10/2019. **Order Imposing Fine/Lien of \$100.00 per day effective September 22, 2020.**

ACTION TO BE TAKEN: Administrative request to vacate the order imposing fine/lien.

DISPOSITION _____
(Mark Jones)

MB-2

RTL 08-20-76 - Villa Jardine LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **145 Oak Tree Cir.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).** First Notified – 4/24/2020. **Order Imposing Fine/Lien of \$100.00 per day effective September 22, 2020.**

ACTION TO BE TAKEN: Administrative request to vacate the order imposing fine/lien.

DISPOSITION _____
(Mark Jones)

MB-3

RTL 07-20-73 - Barry Gorin TR; Barry Gorin Revoc Living Trust is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **120 Maplewood.** Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).** First Notified – 3/20/2020. **Order Imposing Fine/Lien of \$100.00 per day effective September 22, 2020.**

ACTION TO BE TAKEN: Administrative request to vacate the order imposing fine/lien. Property was in compliance as of September 9, 2020

DISPOSITION _____
(Mark A. Jones)

5. Adjournment