

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.
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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 9, 2021 - 9:00 A.M.

1. **Call to Order**
2. **Approval of the minutes**
3. **Announcements**
4. **Hearing of Cases**

New Cases:

CASE # 1 - SMG 02-21-25 - Brandon Wilson is cited for failure to correct violations of The Land Development Code, Art.6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at **Birch St (Parcel # 5237-25-02-0050)**. Violation(s) – **Overgrown landscaping.**

First Notified – 11/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Roosevelt Butler, Jr.)

CASE # 2 - SMG 02-21-38 - David Taylor is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A City Code Ch. 94 Sec. 94-56, at **410 Jessamine Blvd.** Violation(s) – **Truck and commercial vehicle parking.**

First Notified – 10/22/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Michael P. Fitzgerald)

CASE # 3 - SMG 02-21-33 - Paul A Czajkowski Rev Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.13, 305.3, 305.6, 604.3.2.1), at **912 Lora St.** Violation(s) – **Damaged interior doors, damaged interior surfaces, peeling paint, damaged windows, electrical outlet covers.**

First Notified – 11/2/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(John Stenson)

CASE # 4 - SMG 02-21-34 - Akshun & Akshun INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at **201 Fentress Blvd.** Violation(s) – **Site appearance standards, comercial property maintenance, vacant structure and land.**

First Notified – 10/26/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(John C. Stenson)

CASE # 5 - SMG 02-21-26 - Riverland Gas & Oil 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, 302.4), at **100 S RIDGEWOOD AVE.** Violation(s) – **Failure to maintain exterior sanitation, weeds.**

First Notified – 9/15/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Tom Clig)

CASE # 6 - SMG 02-21-31 - 736 S Beach Street INC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.4, 304.13), at **736 S Beach St.** Violation(s) – **Failure to maintain exterior structure, protective treatment, structure members, windows, skylight, door frames.**

First Notified – 12/31/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Tom Clig)

CASE # 7 - SMG 02-21-32 - Ingrid Beltran 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; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 403.2, 404.2, 503.1, 504.1,602.3), at **311-309 Wisteria Rd.** Violation(s) – **Outside storage, junk vehicles and boats, exterior surfaces damage, no bathroom violation, room size violation, no toilet privacy, no plumbing system, fixtures, no heat.**

First Notified – 12/3/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Tom Clig)

CASE # 8 - SMG 02-21-36 - Colonial Impact Fund II LLC 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.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2), at **340 Kingston Ave.** Violation(s) – **No permit for additions, damaged fence, peeling paint, unpainted surfaces, trash, debris, rubbish, garbage, outside storage, overgrown grass onto sidewalk.**

First Notified – 5/7/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 9 - SMG 02-21-37 - Lebaron Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **333 Congress Ave.** Violation(s) – **Parking on grass, dirty exterior surface.**

First Notified – 1/4/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 10 - SMG 02-21-39 - Carolina D Wagner is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **311 Taylor Ave (Parcel # 5338-38-00-0580)**. Violation(s) – **No permits for adding onto the unit**

First Notified – 12/16/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 11 - SMG 02-21-27 - Reusa Real Estate LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 301.3), at **543 Live Oak Ave**. Violation(s) – **Overgrown vacant lot**.

First Notified – 9/17/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Sara Kirk)

CASE # 12 - SMG 02-21-28 - Cash Flow Links Florida LLC 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.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.2, 304.6, 304.7, 304.13), at **515 Bellevue Ave**. Violation(s) – **Unsecured vacant property, overgrown lawn, dilapidated roof, dirt & grime, peeling paint/rust, loose siding, broken windows, no permit for new window**.

First Notified – 11/12/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Sara Kirk)

CASE # 13 - SMG 02-21-29 - Resource Properties, 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, 304.13, 304.14, 304.15, 305.3, 309.1, 702.3, 704.2), at **230 S Franklin St.** Violation(s) – **Damaged fence, missing insect screens defective door, egress door locked from wrong side, missing smoke detectors, damaged interior surfaces, termite infestation.**

First Notified – 6/19/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Sara Kirk)

CASE # 14 - SMG 02-21-40 - SSMS Holdings LLC 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 **222 Haynes St.** Violation(s) – **Dilapidated fence.**

First Notified – 6/23/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Sara Kirk)

CASE # 15 - SMG 02-21-30 - Marsiglia Nicolavia is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3 (Ref. FBC Supp. IPMC 301.3), at **Cedar St (Parcel#5339-83-02-0010).** Violation(s) – **Overgrown lot.**

First Notified – 9/22/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Sara Kirk)

Continued Cases:

CASE # 16 - SMG 01-21-11 - Dwight Edwards 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 302.8, 304.3, 304.12, 305.3, 604.3, 605.4, 704.2), at **528 Live Oak Ave.** Violation(s) – **No permit for 12 new windows, door frame and plumbing repair, damaged interior surfaces, missing smoke detectors, junk vehicle, inoperable electrical outlets, damaged railing, missing address numbers.**

First Notified – 9/9/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Sara Kirk)

CASE # 17 - SMG 01-21-20 - Julia T Cherry Trust is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 302.7), at **427 S Martin Luther King Blvd.** Violation(s) – **Broken windows, crumbling exterior, damaged accessory structures.**

First Notified – 11/15/2019.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Sara Kirk)

CASE # 18 - SMG 01-21-13 - Benzy Car Wash LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **127 S Nova Rd.** Violation(s) – **Expired permit for tree removal.**

First Notified – 10/17/2019.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Sara Kirk)

CASE # 19 - SMG 01-21-09 - Mark Patton Brown 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 304.2, 304.4, 304.6, 308.2, 604.3), at **350 S Palmetto Ave.** Violation(s) – **Failure to maintain exterior structure, failure to maintain windows, porch, siding. Failure to maintain protective treatment, exterior walls, trash and rubbish, electrical system hazards. Failure to maintain structure appearance standards.**

First Notified – 2/13/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Tom Clig)

CASE # 20 - SMG 11-20-196 - Ingrid Beltran is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 304.7, 304.15, 305.1.1, 604.3), at **311-309 Wisteria Rd.** Violation(s) – **Outside storage and landscaping.**

First Notified – 4/13/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 21 - SMG 10-20-171 - New Life Bible Church TRC 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 304.1.1, 304.2, 304.6, 304.13, 304.13.1, 304.13.2), at **507 5th Ave.** Violation(s) – **Damaged window frames unable to open, broken windows and glass in a water resistant boarded up windows from the interior, damaged cracking exterior surfaces with structural deficiencies, damaged east side gate, faded and peeling paint and cracks.**

First Notified – 4/6/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark A. Jones)

CASE # 22 - SMG 01-21-18 - LHD Grainger LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp. IPMC 301.2, 302.3, 302.7, 304.2, 304.7, 304.14, 308.1), at **612 N Halifax Ave.** Violation(s) – **Peeling and faded paint, rotten wood, dilapidated shed, dirt, grime, dilapidated roof, hole in exterior walls, missing and broken screens, broken windows.**

First Notified – 11/6/2019.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Kevin Yates)

CASE # 23 - SMG 11-20-180 - Segrave Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.7, 308.1), at **240 N Segrave St.** Violation(s) – **Dead landscape, damaged gutters, soffits and fence, peeling paint, debris, dirt and grime. Remove barbwire.**

First Notified – 10/2/2019.

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

DISPOSITION _____
(Daniel Garcia)

CASE # 24 - SMG 01-21-17 - Loch N Kop INC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7), at **613 N Beach St.** Violation(s) – **Overgrown grass & weeds, outside storage, uneven fencing, peeling paint, damaged soffits, boarded up windows.**

First Notified – 12/11/2019.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Daniel Garcia)

CASE # 25 - SMG 01-21-10 - Carlos Santos 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.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 304.6, 304.7, 304.13, 604.3.1.1 604.3.1.1), at **1440 Mississippi St.** Violation(s) – **Work without permits, outside storage, unmaintained landscaping, excessive weeds, damaged fencing, exterior walls, gutter/downspouts, roof/fascia, windows, electrical wiring, electrical fixtures.**

First Notified – 9/2/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(John C. Stenson)

CASE # 26 - SMG 01-21-05 - Tiger DB LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **2655 W Intl Speedway Blvd.** Violation(s) – **Unmaintained Landscaping, exterior property sanitation.**

First Notified – 10/5/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(John C. Stenson)

CASE # 27 - SMG 10-20-161 - Ormond Beach Ventures I, LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.6, 302.7, 304.2, 304.4, 304.5, 304.6, 304.10, 304.12, 304.13, 304.14), at **222 N Oleander Ave.** Violation(s) – **Unsafe stairs and maintenance, protective treatment worn and faded, exterior surfaces with holes and cracks.**

First Notified – 1/9/2020.

ACTION TO BE TAKEN: Con't. from the November meeting Compliance ordered for February.

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 28 - SMG 01-21-22 - DB 101 Corp is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **S Ocean Ave (Parcel ID 5304-01-03-0010)**. Violation(s) – **No demolition permit, excluding the sea walls.**

First Notified – 11/11/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 29 - SMG 01-21-23 - DB 153 Corp is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **141 S Ocean Ave (Parcel ID 5309-02-02-0010)**. Violation(s) – **No demolition permit, excluding the sea walls.**

First Notified – 11/11/2020.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Michael P. Fitzgerald)

CASE # 30 - SMG 04-20-81 - C-29, LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.7, 304.2, 304.6, 304.7, 304.8, 308.1), at **551 Dr Mary M Bethune Blvd**. Violation(s) – **Vacant building, outside storage, trash and debris, faded and peeling paint, rotten wood, damaged fencing, damaged roof, sign depicting a closed business, working without permits.**

First Notified – 7/17/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(Michael P. Fitzgerald)

LR-1

SMG 12-17-93 - 353 Seaview Avenue - Baseline Capital Investments, LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.4, 304.1, 304.3, 304.6, 304.7), Violation(s) – **Trash and debris; high weeds; premises identification; exterior walls; roofs and drainage.** First Notified – 3/25/2017. **Order Imposing fine-Lien effective January 3, 2018 of \$200 per day to a maximum \$15,000.00. Compliance = December 8, 2020. \$15000.00 plus \$24 recording fees = \$15,024.00**

ACTION TO BE TAKEN: Motion for reconsideration

DISPOSITION _____

(Danial Garcia)

LR-2

SMG 01-20-08 - 308 N Keech St - Lena Wright etal, Tina Johnson, Keidra Ponder & Willie A Johnson Estate is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 304.13.1), Violation(s) – Outside storage, trash and debris, faded and peeling paint, exterior wall damage, broken windows, fascia board rotten wood, peeling paint, lawn maintenance, damaged fencing, damaged roof. First Notified – 7/10/2019. **Order Imposing Fine-Lien imposed April 9, 2020 of \$100 per day to a maximum \$10,000.00. Compliance = October 26, 2020. \$10,000.00 plus \$24 recording fees = \$10,024.00.**

ACTION TO BE TAKEN: Request for reconsideration

DISPOSITION _____

(Michael P. Fitzgerald)

MB-1

SMG 11-20-186 - 572 Magnolia (155 S Martin Luther King Blvd).

N & N Consulting Marketing and Development Corp Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at Violation(s) – **No permit for renovation.** First Notified – 2/14/2020. **Order Imposing Fine-Lien imposed January 7, 2021 of \$100 per day to a maximum \$20,000.00.**

ACTION TO BE TAKEN: Request for reconsideration

DISPOSITION _____
(Sara Kirk)

MB-2

SMG 06-20-114 - 123 Jean St FCV Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.2, 304.13); City Code Ch. 90 Sec. 90-297. Violation(s) – **Unlicensed car/storage business, parking on grass, boarded and blocked windows, rust.** First Notified – 8/28/2019. **Order Imposing Fine-Lien effective January 7, 2021 of \$200 per day to a maximum \$20,000.00. Compliance = October 26, 2020. \$10,000.00 = \$10,000.00.**

ACTION TO BE TAKEN: Request for reconsideration.

DISPOSITION _____
(Sara Kirk)

5. Adjournment