

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.

February 23, 2021 - 9:00 A.M. Rental Program

1. Call to Order
2. Announcements
3. Approval of November 24, 2020 and January 26, 2021 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 02-21-50 - JNG Property Group is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1204 Continental Dr.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 4/13/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W Recanzone)

CASE # 2 - RTL 02-21-51 - LA Philip Inc is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1209 Essex Rd.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 2/22/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W Recanzone)

CASE # 3 - RTL 02-21-37 - Joseph P & Kim R. Daily is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **843 Essex Rd.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 4/14/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W Recanzone)

CASE # 4 - RTL 02-21-41 - TRSTE LLC TR is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **869-867 Winchester St.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 4/13/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W Recanzone)

CASE # 5 - RTL 02-21-38 - Shawn Wayne Spencer is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **910 Madison Ave.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL).**
First Notified – 4/13/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W Recanzone)

CASE # 6 - RTL 02-21-39 - JKM Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **116 N Keech St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/24/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 7 - RTL 02-21-42 - TRSTE LLC TR & 228 N Adams St Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **228 N Adams St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/4/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 8 - RTL 02-21-44 - Palms Land Investments LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **330 Hobart Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/21/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 9 - RTL 02-21-49 - Michael Turturro is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **346 Hobart Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/21/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 10 - RTL 02-21-47 - Lazzetta B Webster is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **414 Lockhart Street.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/7/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 11 - RTL 02-21-46 - Robert L S Taggart Jr is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **721 Marion St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/4/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 12 - RTL 02-21-48 - Deco Investments LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **813 Maley Street**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 7/1/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 13 - RTL 02-21-43 - Bulldog Empire IV LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **940 W International Blvd (942 W Intl Blvd)**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 11/18/2019.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CONTINUED CASES:

CASE # 14 - RTL 11-20-118 - Joseph Leonard Risse Jr is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1158 Hampton Rd**.
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL)**.
First Notified – 5/9/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin Yates)

CASE # 15 - RTL 01-21-15 - Lori Michelle Hartley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **508 Fairmount Rd**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 12/31/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin Yates)

CASE # 16 - RTL 01-21-11 - Gary L & Leigh Ann Morrison Tr & Morrison Fam Joint Rev Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **120 S Hollywood**.

Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 1/14/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 17 - RTL 01-21-09 - Gregory Wolfenden is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **144 S Hollywood Ave**.

Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 11/18/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 18 - RTL 11-20-130 - Herbert S B & Lorin Kawesh is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **327 N Caroline**.

Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 12/16/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 19 - RTL 01-21-04 - Cecilia Cannon-Wallace TR & Hillside 425 Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **425 Hillside Ave**.

Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 3/22/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 20 – RTL 01-21-03 – Thomas P Barrie is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **500 Bostwick**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 7/16/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 21 - RTL 06-20-17 - Escudo Capital LLC & Kelly Michelle & Anthony Michael Zingarelli is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **615-613 Seaman Pl**.
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL)**.
First Notified – 9/13/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 22 - 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 # 23 - 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 – January.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mark A. Jones)

CASE # 24 - 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: Impose Fine.

DISPOSITION _____

(Mark A. Jones)

CASE # 25 - RTL 01-21-33 - Christina T Chau is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **155 Michigan 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.**

First Notified – 12/10/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W Recanzone)

CASE # 26 - RTL 01-21-26 - Lazaro & Odalys Loureiro is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2551 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.**

First Notified – 11/11/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W Recanzone)

CASE # 27 - RTL 01-21-28 - Adams Gator Land Co LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **385 Woodland 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.**
First Notified – 12/8/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W Recanzone)

CASE # 28 - RTL 01-21-17 - James & Lisa P McDede is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **523 Vermont Ave.**
Violation(s) – **Zoning violation - the property is zoned MFR-20. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 10/15/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W Recanzone)

CASE # 29 - RTL 01-21-18 - James A & Lisa P McDede is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **527 Vermont Ave.**
Violation(s) – **Zoning violation - the property is zoned MFR-20. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 10/16/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W Recanzone)

CASE # 30- RTL 01-21-25 - Thomas Charles Betts is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **621 Lenox 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.**
First Notified – 10/29/2020.

ACTION TO BE TAKEN: Con't from the January 2021 meeting for consideration of the Imposition of a Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W Recanzone)

5. **Lien Reviews**

LR-1

RTL 11-20-124 – 727 N Peninsula Dr. - Charlene A Solon is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2. 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. First Notified – 10/27/2020. **Order of Non-Compliance, Finding of Irreparable and Irreversible Violation and Imposition of Fine of \$15,000.00 plus \$24.00 recording costs, effective November 24, 2020 for a total of \$15,024.00.**

ACTION TO BE TAKEN: Reconsideration of last month's denial of lien reduction due to Respondent not being present.

DISPOSITION _____
(Clifford W Recanzone)

LR-2

RTL 06-20-47 – 200 N Halifax - Lisa & William B McCarthy 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 – 9/28/2019. **Order Imposing Fine-Lien of \$200 per day, effective January 26, 2021, to a maximum of \$15,000. Compliance – February 4, 2021. \$1,800 plus \$24 recording fees = \$1,824.00.**

DISPOSITION _____

(Mark A. Jones)

6. **Miscellaneous Business**

7. **Adjournment**