

# 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](mailto: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.

## May 25, 2021 - 9:00 A.M. Rental Program

1. Call to Order
2. Announcements
3. Approval of April 27, 2021 Meeting Minutes
4. Hearing of Cases

## NEW CASES:

**CASE # 1 - RTL 05-21-112 - Carol A Smith** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **828 Maley St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 12/30/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 2 - RTL 05-21-116 - Jaman & Priscilla Brundage** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **925 Benecia Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 2/13/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 3 - RTL 05-21-111 - Lawrence Starks Jr & Margaret Allen** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **553-551 South St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 1/11/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 4 - RTL 05-21-113 - Linnea G Barry & David T Barry** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1316 Suwanee Rd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 12/30/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 5 - RTL 05-21-118 - Marie Carolle Catul** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **815 Vernon St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 3/22/2021.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 6 - RTL 05-21-114 - Michael J & Catherina A Garrity and George R & Tina M Wilcox** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2212 S Peninsula Dr.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 1/21/2021.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 7 - RTL 05-21-110 - Paratus Properties LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **223 Short St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/4/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 8 - RTL 05-21-117 - Point Capital LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **128 Boynton Blvd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 2/19/2021.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 9 - RTL 05-21-100 - Jose Percy** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **315 Taylor Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 3/13/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 10 - RTL 05-21-98 - TRSTE LLC as Trustee of the 1162 Bryn Mawr Trust** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1162 Bryn Mawr Dr.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/7/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 11 - RTL 05-21-99 - Willetta Harmon** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **836 Berkshire Rd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 8/27/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 12 - RTL 05-21-102 - Cossi Investment LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **612 George W Engram Blvd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 6/8/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 13 - RTL 05-21-103 - Darryl Dwayne Waltrip** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **273 Seaview Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 3/17/2021.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 14 - RTL 05-21-105 - Iris Liu TR** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **751 Heineman St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/21/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 15 - RTL 05-21-106 - Iris Liu TR** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **537 Heineman St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/21/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 16 - RTL 05-21-108 - Iris Liu TR & Congress Trust #127** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **127 Congress Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/15/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 17 - RTL 05-21-104 - Iris Liu TR & Fairmount Trust #579** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **579 Fairmount Rd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/27/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(Steven R. Cole)

**CASE # 18 - RTL 05-21-107 - Iris Liu TR & Heineman TR #509** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **509 Heineman St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 5/21/2020.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(Steven R. Cole)

**CASE # 19 - RTL 05-21-115 - GEA Seaside Investments, Inc.** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **312 N Peninsula Dr.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 3/16/2021.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance

DISPOSITION \_\_\_\_\_  
(Steven R. Cole)

## **CONTINUED CASES:**

**CASE # 20 - RTL 04-21-93 - GEA Seaside Investments, Inc.** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **216 Morningside Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 1/21/2021.

*ACTION TO BE TAKEN:* Con't from the April 27, 2021 Meeting for a finding of Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_  
(Kevin D. Yates)

**CASE # 21 - RTL 03-21-64 - Central Florida Community Development Corp Inc** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **601 Van Ness St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 4/20/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(Kevin D. Yates)**

**CASE # 22 - RTL 03-21-66 - John L Dunbar** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **732 Edwards St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 4/15/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 23 - RTL 03-21-52 - Stemmler Properties LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **902 Lewis Dr.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 1/28/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(Steven R. Cole)**

**CASE # 24 - RTL 11-20-142 - Frandon USA LLC & Rivera Family Properties LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **900 S Peninsula Dr #102.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 10/6/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 25 - RTL 11-20-141 - Agostina LLC & Ibera Re Investments LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **900 S Peninsula Dr #104**.  
Violation(s) – **Failure to obtain Rental License (RTL)**.  
First Notified – 9/25/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 26 - RTL 11-20-136 - Rivera Family Properties LLC & Sterling Capital Enterprises LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **900 S Peninsula Dr #302**.  
Violation(s) – **Failure to obtain Rental License (RTL)**.  
First Notified – 10/25/2018.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 27 - RTL 03-21-69 - Thara L Hudson** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **215 Haynes St**.  
Violation(s) – **Failure to obtain Rental License (RTL)**.  
First Notified – 12/21/2019.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 28 - RTL 03-21-70 - Juan Manuel Tlaxcuapan & Diana Esther Rodriguez** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **313 Fulton St**.  
Violation(s) – **Failure to obtain Rental License (RTL)**.  
First Notified – 10/31/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 29 - 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:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 30 - 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:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(LaWanda Tomengo)**

**CASE # 31 - RTL 02-21-51 - LA Philip Inc & SJTK Enterprise LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1209 Essex Rd.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 2/22/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
**(Clifford W. Recanzone)**

**CASE # 32 - RTL 03-21-73 - Legacy's for Life Inc** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **165 North St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 12/21/2020.

*ACTION TO BE TAKEN:* Progress Report. Compliance ordered for July 21, 2021

DISPOSITION \_\_\_\_\_  
**(Clifford W. Recanzone)**

**CASE # 33 - RTL 03-21-76 - Liza Renee Stonecipher** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **216 Mullally St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 12/29/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(Clifford W. Recanzone)

**CASE # 34 - RTL 04-21-97 - Richard Henrichon** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **217 Arlington Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 4/29/2020.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(Clifford W. Recanzone)

**LR-1**

**RTL 06-20-44 – 532 Tomoka Road - Herbert & Lorin L Kawesch** is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294. Violation(s) – **Failure to obtain Rental License (RTL).** First Notified – 4/7/2020. Order Imposing Fine Lien effective August 25, 2020. Compliance = September 18, 2020.

DISPOSITION \_\_\_\_\_  
(Mark A. Jones)

**IRREPARABLE/IRREVERSIBLE**

**CASE # 35 - RTL 05-21-101 - Fahima Mouhoub & Neila Djihane Bennamane** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **38 S Grandview Ave.**  
Violation(s) – **Zoning violation - the property is zoned RDB-6. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**  
First Notified – 4/15/2021.

*ACTION TO BE TAKEN:* Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION \_\_\_\_\_  
(Clifford W. Recanzone)

**CASE # 36 - RTL 03-21-60 - Jan Voda** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1901 N Halifax Ave.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other accommodations" are not a permitted use in the zoning district.**

First Notified – 2/18/2021.

*ACTION TO BE TAKEN:* Continued from the April 27, 2021 meeting for consideration of the imposition of a fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION \_\_\_\_\_

(Clifford W. Recanzone)

## 6. Miscellaneous Business

### MB-1

**RTL 11-20-127 - 1901 N Halifax Av - Jan Voda** is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at. 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 – 07/27/2020. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of Fine ordered on November 24, 2020 in the amount of \$15,000. Amount due \$15,000 plus \$24 recording costs = \$15,024.00.**

*ACTION TO BE TAKEN:* Request to re-open previous case. Continued from the April 27, 2021 Meeting.

DISPOSITION \_\_\_\_\_

(Clifford W. Recanzone)

## 7. Adjournment