

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.

November 23, 2021 Rental Program

1. Call to Order – 9:00 a.m. (morning session)
2. Announcements
3. Approval of September 28, 2021 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 11-21-241 - TRSTE LLC TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1308 Cadillac Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 2 - RTL 11-21-242 - TRSTE LLC TR as Trustee of the Lenora Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **818 Lenora St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 3 - RTL 11-21-243 - TRSTE LLC TR as trustee of the 455 Pleasant Street Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **455 Pleasant St.**
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 # 4 - RTL 11-21-244 - TRSTE LLC TR as trustee of the 942 W Millard Court Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **942 W Millard Ct.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 5 - RTL 11-21-246 - TRSTE LLC as Trustee for the 529 Arthur Ave Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **529 Arthur Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 6 - RTL 11-21-245 - Audrey Broxton is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **824 Derbyshire Rd.**
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 # 7 - RTL 11-21-229 - Gregory Bruce Reinhart & Matthew Ray Reinhart is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1365 Virginia Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 8 - RTL 11-21-230 - GEA Seaside Investments Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **23-25 S Peninsula Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/4/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 9 - RTL 11-21-231 - Paratus Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **221 Short St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/13/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 10 - RTL 11-21-232 - Ramesh Yeluri & Krishna Yeluri TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2326 Crescent Ridge Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/6/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 11 - RTL 11-21-233 - Robert T Luznar & Betty Jane Luznar TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **131 Cottage Ln.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 6/20/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 12 - RTL 11-21-234 - RE Equity Investment Group LLC & Juanny Paulino is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **505 5th Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/19/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 13 - RTL 11-21-235 - RE Equity Investment Group LLC & Juanny Paulino is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **115 S Grandview**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 2/2/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 14 - RTL 11-21-237 - Harold V Lucas Jr TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2324 S Peninsula Dr**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 5/16/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 15 - RTL 11-21-239 - Harold V Lucas Jr TR is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **300 Jefferson St**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 5/16/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 16 - RTL 11-21-240 - Robert J & Rita I Van Winkel is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1600 Big Tree Rd #D8**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 11/7/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 17 - RTL 11-21-249 - Astor FLA LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **130 Flamingo Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/8/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 18 - RTL 11-21-250 - Realtime Fantasy Solutions LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **552 Pelican Bay Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/21/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CONTINUED CASES:

CASE # 19 - RTL 07-21-132 - Suzette E Bertalli is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **920 Berkshire Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/11/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 20 - RTL 07-21-152 - Central Florida Realty & Property Management LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **635 Cannon St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/16/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 21 - RTL 07-21-154 - Central Florida Realty & Property Management LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **739 Washington St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/13/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 22 - RTL 07-21-150 - Caroline Daytona Properties is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **629 Tucker St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/11/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 23 - RTL 07-21-174 - Caroline Daytona Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1304 Idlewild Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/29/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 24 - RTL 07-21-171 - Lash Larue LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1113 Lewis Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/29/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 25 - RTL 07-21-173 - Lash Larue LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **908 E Millard**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 4/29/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 26 - RTL 09-21-214 - JNG Property Group LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **571 Fairmount Rd**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 4/27/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 27 - RTL 09-21-217 - Uzair Shuja is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1129 Hillcrest Dr**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 4/16/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 28 - RTL 08-21-181 - Alexander Contreras is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **518 Cannon St**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 6/10/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 29 - RTL 08-21-182 - Cash Flow Links Florida LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **854 Derbyshire Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/12/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 30 - RTL 09-21-208 - Kinsey Whaley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **432 Marion St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/18/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 31 - RTL 07-21-177 - 1505 Edgewater Road Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1505 Edgewater Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 6/9/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 32 - RTL 09-21-207 - Donald R & Annette M Emery is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **116 Sunrise Blvd & 2049 Blais Ave (Parcel ID 5316-18-00-1320).**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/19/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 33 - RTL 08-21-183 - Harpreet Kaur Sodhi & Harbans Kalra is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **433 Pelican Bay Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/2/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

5. Lien Reviews (Morning session)

LR-1

RTL 05-21-114 – 2212 S Peninsula Dr - 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. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 1/21/2021. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective June 22, 2021. Compliance – September 30, 2021. Amount due - \$10,100 plus \$24 recording fees = \$11,124.00.**

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

LR-2

RTL 06-21-129 – 750 Mercedes Ave - Jermaine & Kiwani Patterson 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 – 5/10/2021. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective August 24, 2021. Compliance – September 10, 2021. Amount due - \$1,700 plus \$24 recording fees = \$1,724.00.**

DISPOSITION _____
(Steven R. Cole)

LR-3

RTL 06-21-130 – 415 N Halifax Ave #100 - Antoun Kassab 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 – 8/29/2020. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective August 24, 2021. Compliance – September 2, 2021. Amount Due = \$900 plus \$24 recording fees = \$924.00.**

DISPOSITION _____

(Steven R. Cole)

6. **Adjournment until 1:00 p.m.**

7. **Call to Order – afternoon session**

IRREPARABLE/IRREVERSIBLE

CASE # 34 - RTL 11-21-227 - David & Laurie B Gigliotti is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **123 Flamingo 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 – 10/4/2021.

ACTION TO BE TAKEN: Impose Fine. Repeat Violation. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 35 - RTL 11-21-247 - BEC Investment TR, Bruce E Courville TR, DTS Investment TR & Denise T Stone TR is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **336 Hartford 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 – 10/27/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 36 - RTL 11-21-224 - 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 – 9/29/2021.

ACTION TO BE TAKEN: Impose Fine. Repeat Violation. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 37 - RTL 11-21-222 - Joseph E Stephenson is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **609 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 – 9/15/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 38 - RTL 11-21-220 - William D & Prudence A Giel is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **353 Auburn Dr.**

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 – 9/13/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 39 - RTL 11-21-221 - Richard M & Rosanne M Lovecchio is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **114 Anita Ave.**

Violation(s) – **Zoning violation - the property is zoned M-1. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 9/14/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 40 - RTL 11-21-223 - Karen Lynn Novak is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **631 Ranney 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 – 9/29/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 41 - RTL 11-21-225 - Catherine Cabanzon is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **300 Revilo Blvd.**

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 – 10/6/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 42 - RTL 11-21-226 - Cindy Lee Niles is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1045 Chaffee Pl.**

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 – 10/5/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

8. Lien Reviews (Afternoon session)

LR-4

RTL 07-21-137 – 580 Rio Vista Ave - Hieu H Tran & Hoanguyen Thi Nguyen is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2. 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 – 6/14/2021. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of a one-time fine of \$15,000 Fine imposed on July 27, 2021. Amount due = \$15,000 plus \$24 recording fees = \$15,024.00.**

DISPOSITION _____

(Clifford W. Recanzone)

9. Miscellaneous Business

10. Adjournment