

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 22, 2022 Rental Program

1. Call to Order – (to begin immediately following Special Hearing)
2. Announcements
3. Approval of January 25, 2022 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 02-22-37 - REV Investments LLC & Nano LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **220 Reva St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/22/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 2 - RTL 02-22-38 - Stafford Legacy Holdings LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **237 DeSoto St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/16/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 02-22-39 - Deco Investments LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **530 Live Oak Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/29/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 4 - RTL 02-22-40 - HSAHP LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **104 Claire Terr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/13/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 5 - RTL 02-22-41 - Lindo Jolly is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **345 & 347 S Martin Luther King Blvd (Parcel ID# 5339-31-00-0050)**.
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 # 6 - RTL 02-22-42 - Bertha Brown is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **307 Parkway St**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 12/18/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 7 - RTL 02-22-43 - Janice H Fulford is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **422, 424 & 426 Jefferson St (Parcel ID# 5338-98-06-0090)**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 6/21/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 8 - RTL 02-22-47 - Maria C Carroll is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1309 Sunland Rd**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 7/8/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 9 - RTL 02-22-48 - James M Bertini II, Jenna M Bertini & Stephanie A Bertini is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1220 Gamble Place**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 10/30/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 10 - RTL 02-22-50 - IMAS Financial LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1234 Suwanee Rd**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 8/12/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 11 - RTL 02-22-45 - Igor Makashin is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **138 Kingston Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 12/7/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 12 - RTL 02-22-46 - Matthew E Romanik & David N Hague is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **405 N Halifax Ave #209**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 1/11/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 13 - RTL 02-22-49 - New Leaf Real Estate LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **319 Taylor Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/27/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CONTINUED CASES:

CASE # 14 - RTL 01-22-20 - Juan Manuel Tlaxcuapan Ramirez & Diana Ester Rodriguez is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **505 Model St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 6/17/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 15 - RTL 01-22-03 - David W Glasser TR & George V Wrend Revoc Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **146 Kingston Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/26/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 16 - RTL 01-22-17 - Kinsey Whaley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **135 North St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/19/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 17 - RTL 01-22-01 - Sybil Redhead EST is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **113 Azalea Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/8/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 18 - RTL 01-22-04 - Calvary Global Ministries Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **210 N Peninsula (313 Earl).**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/9/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 19 - RTL 01-22-15 - NRRRA Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1051 E Patrick Cir.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 6/10/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 20 - RTL 01-22-24 - Daytona Beach Investment Property Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **709 Mulberry St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/13/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 21 - 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 # 22 - 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: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 23 - RTL 01-22-04 - Calvary Global Ministries Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **210 N Peninsula (313 Earl).**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/9/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 24 - RTL 01-22-05 - Valerie D Hamm & Thomas C Hamm is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **341 Fairview Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/22/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 25 - 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: Continued for consideration of the imposition of a fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 26 - RTL 01-22-06 - Stephen E Wright is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **318 Phoenix Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 6/21/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 27 - RTL 01-22-07 - Gracie Guest Batts Estate is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **931 Vernon St**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 5/17/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 28 - RTL 01-22-18 - GEA Seaside Investments Inc. is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **121 S Grandview Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 10/14/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 29 - RTL 01-22-19 - Sunwest Trust, Inc. Custodian FBO J Fran Lasseter Roth IRA is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **547 Division St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/4/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 30 - 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 # 31 - RTL 11-21-234 - RE Equity Investment Group LLC & Juanny Paulino & Daytona 19 LLC 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 32 - RTL 11-21-235 - RE Equity Investment Group LLC & Juanny Paulino & Daytona 19 LLC 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

5. Lien Reviews

LR-1

RTL 07-21-155 - 443 Jefferson St - Central Florida Realty & Property Management LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 6/3/2020. **Order Imposing fine lien of \$100 per day, effective September 28, 2021 to a maximum of \$15,000. Compliance = December 2, 2021. Amount due: \$6,500 plus \$24 recording fees = \$6,524.00.**

DISPOSITION _____

(Kevin D. Yates)

LR-2

CEB 11-19-260 – 935 School St - Ryan Nunes (new owner is Activation Investment Group LLC) is cited for failure to correct violations of Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8); Art. 6 Sec. 6.2.A; Art. 6 Sec. 6.2.H.7.A; City Code Ch. 26 Sec. 26-294. Violation(s) – Off-street parking, junk vehicles, failure to obtain Rental License (RTL). First Notified – 12/29/2018. **Order Imposing Fine/Lien of \$100 per day effective December 12, 2019 to a maximum of \$15,000. Compliance = June 14, 2021. \$15,000 plus \$24 recording fees = amount due = \$15,024.00.**

ACTION TO BE TAKEN: Previous lien review in July of 2021 was dismissed without prejudice until such time as the Respondent completed the renovations and is ready to rent. The Magistrate will consider the improvements made and review the case at that time.

DISPOSITION _____

(Clifford W. Recanzone)

6. Adjournment until 1:00 p.m.

7. Call to Order – afternoon session

IRREPARABLE/IRREVERSIBLE

CASE # 33 - RTL 02-22-27 - Carlos & Luisa Rincon Espada is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **210 Auditorium Blvd.**

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

First Notified – 1/20/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 34 - RTL 02-22-28 - Alicia Delgado Life Estate is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **529 N Peninsula Dr.**

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

First Notified – 1/20/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 35 - RTL 02-22-29 - Brian Lemar & Cameryn Justice Rivera is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **211 & 213 S Oleander Ave.**

Violation(s) – **Zoning violation - the property is zoned RDB6. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 1/13/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 36 - RTL 02-22-30 - Anthony McDermott Jr is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **415 Auburn Dr.**

Violation(s) – **Zoning violation - the property is zoned MFR-40. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 1/12/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 37 - RTL 02-22-31 - William Raymond Nelson is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **503 Earl St.**

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

First Notified – 1/10/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 38 - RTL 02-22-32 - Alicia A Azhari is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **301 N Wild Olive Ave.**

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

First Notified – 1/3/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 39 - RTL 02-22-33 - Timothy Hoffman is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2040 S Peninsula Dr.**

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 – 1/4/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 40 - RTL 02-22-34 - Denny L Snyder is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1134 Bel Aire Dr.**

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 – 1/21/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 41 - RTL 02-22-35 - Carol Bartels is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **498 Golf Blvd.**

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 – 1/6/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 42 - RTL 02-22-36 - Ashley R Gillette & John Ryan Gillette and Terri G Duran is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **112 Milton Rd.**

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 – 1/6/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

8. Miscellaneous Business

9. Adjournment