

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.

March 22, 2022 Rental Program

1. Call to Order – (Morning Session)
2. Announcements
3. Approval of the January 25, 2022 and February 22, 2022 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 03-22-64 - Von Gott Holdings LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1600 Big Tree, Unit D5.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 7/12/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 2 - RTL 03-22-65 - Dwight Edwards is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **528 Live Oak Ave.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 8/13/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 03-22-66 - Susan E Ondris-Cox is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1222 Midway Blvd.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 6/30/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 4 - RTL 03-22-67 - Cresilda Z Shahzada is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1250 Suwanee Rd.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 7/21/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 5 - RTL 03-22-68 - Action Mtg of Central FL is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **916 Lockhart St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/7/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 6 - RTL 03-22-69 - Arya International Realty LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **308 Adeline St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/17/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 7 - RTL 03-22-51 - BMS Holdings LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **418 Pleasant St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/12/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 8 - RTL 03-22-58 - BMS Holdings LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **736 Alabama St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/11/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 9 - RTL 03-22-52 - Short Hills LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1259 Waverly 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 # 10 - RTL 03-22-53 - Glenn D & Donna Wetherell is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **624 Mulberry St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/20/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 11 - RTL 03-22-54 - Richard S Smith is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **146 Pierce Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/7/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 12 - RTL 03-22-59 - Marjanita Iglesia Revocable Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1701 N Oleander Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/7/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 13 - RTL 03-22-63 - Theo Cox is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **508 Model St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/10/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CONTINUED CASES:

CASE # 14 - 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 # 15 - 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 # 16 - 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 # 17 - 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 # 18 - 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 #19 - 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 # 20 - 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)

CASE #21 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 22 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 23 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 24 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 25 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 26 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 27 - 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 28 - 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 # 29 - 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 # 30 - RTL 01-22-15 - NRR 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 # 31 - RTL 01-22-26 - B&B 2421 N Oleander Ave LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **2421 N Oleander Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/5/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 32 - RTL 01-22-25 - R Lawrence Vandenberg is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **299 Woodland Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/6/2021.

ACTION TO BE TAKEN: Continued to the February 22, 2022 meeting for a finding of Compliance or Non-Compliance and the determination of a compliance date.

DISPOSITION _____
(Steven R. Cole)

CASE # 33 - 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: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

SMG 08-18-93 – 802 – Derbyshire Rd. - Reginald T Copeland is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; Ch. 90 Sec. 90-297. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 6/8/2018. **Order Imposing Fine-Lien of \$200 per day, effective November 8, 2018, plus a one-time administrative fee of \$250 for failure to obtain Business Tax Receipt, \$24 recording fees and interest in the amount of \$2,603.79 = \$17,877.79.**

DISPOSITION _____

(Tom L. Clig)

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

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

IRREPARABLE/IRREVERSIBLE

CASE # 34 - RTL 03-22-55 - Giuseppe Paternuosto & Luisa I Gomez is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **600 Ribault 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 – 2/16/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 35 - RTL 03-22-61 - Jose Marquez & Angie Rumaldo is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **357 Plaza 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 – 3/1/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 36 - RTL 03-22-62 - Shook Investment Property, LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1516 N Atlantic 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 – 3/1/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 37 - RTL 03-22-70 - Jiri D Konicek, Jana A Konicek & Anna Konicek is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2019 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 – 3/2/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 38 - RTL 03-22-56 - James A Burrows Revocable Living Trust is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **366 Tiki Ter.**

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

First Notified – 2/16/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 39 - RTL 03-22-57 - James P Merthe & Connor James McGivern is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **34 S Noble St.**

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 – 2/17/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 40 - RTL 03-22-60 - Andre Gesquiere & Daeri Tenery is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **313 Plaza 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 – 3/1/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 41 - RTL 03-22-72 - Larkin Street Homes LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **534 Live Oak Ave.**

Violation(s) – **Zoning violation - the property is zoned RDM6. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 3/2/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

8. Miscellaneous Business

MB-1

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. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of fine imposed on February 22, 2022.**
Amount due: **\$15,000.00**

DISPOSITION _____
(Clifford W. Recanzone)

9. Adjournment