

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

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
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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.

May 24, 2022 Rental Program

1. Call to Order – (Morning Session)
2. Announcements
3. Approval of the April 26, 2022 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 05-22-116 - Evangelin R Wiggins is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **837 School St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/9/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 2 - RTL 05-22-117 - William Glass Morrisson III is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **860 Magnolia Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/23/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 05-22-118 - John A Fortner is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **840 S Ridgewood Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/31/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 4 - RTL 05-22-119 - Uzair Shuja is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **116 & 118 Emmett St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/2/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 5 - RTL 05-22-111 - Luther E Bradley is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **613 Butler Blvd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/22/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 6 - RTL 05-22-112 - The Dogg Pound LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **725 N Peninsula Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/31/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CONTINUED CASES:

CASE # 7 - 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 # 8 - 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 # 9 - RTL 04-22-105 - GEA Seaside Investments Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **507 Phoenix**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 11/23/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 10 - RTL 04-22-101 - John J Maher & Christine M Maher is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **514 Lenox Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 11/2/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 11 - RTL 04-22-102 - Mary V Taylor Life Estate is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **546-544 Bellevue Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 10/14/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 12 - RTL 04-22-98 - Michael A Martin is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **361 Fletcher Ave**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 8/14/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 13 - RTL 04-22-93 - Zixin Yan & Meixiu Tang is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **161 Westwood Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 9/1/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 14 - RTL 01-22-07 - Audrey Batts Watson & Rene M Batts Elmore 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 # 15 - 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 # 16 - RTL 04-22-82 - Bessie Morris is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1223 Sunset Cir.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/22/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 17 - RTL 04-22-90 - Elena Scott is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **325 Brookline Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/24/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 18 - RTL 04-22-74 - Marguerite Gallo is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **628 Mulberry St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/7/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 19 - RTL 04-22-91 - The 1121 Yaupon Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1121 Yaupon St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/5/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 20 - 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 – 12/16/2021.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 21 - 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: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 22 - 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: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 23 - 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)

LR-1

RTL 03-20-59 – 152 Madison Ave - Kinsey & Debbie Whaley are cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 10/12/2019. **Order Imposing Fine/Lien imposed on November 23, 2021 of \$100 per day to a maximum of \$15,000. Compliance = March 9, 2022. Amount due = \$15,000.00 plus \$24 recording fees = \$15,024.00.**

DISPOSITION _____
(LaWanda Tomengo)

LR-2

RTL 09-21-208 – 432 Marion St - Kinsey Whaley 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 – 11/18/2020. **Order Imposing Fine/Lien imposed on July 17, 2020 of \$100 per day to a maximum of \$15,000. Compliance = April 22, 2022. Amount due = \$15,000.00 plus \$24 recording fees = \$15,024.00.**

DISPOSITION _____
(LaWanda Tomengo)

6. Adjournment until 1:30 p.m.

7. Call to Order – afternoon session

IRREPARABLE/IRREVERSIBLE

CASE # 24 - RTL 05-22-113 - Lazaro Loureiro & 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 Accommodations" are not a permitted use in the zoning district.** First Notified – 5/2/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 25 - RTL 05-22-122 - Lindsey M Shafer is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **245 Morningside 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 – 5/11/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 26 - RTL 05-22-114 - Jeneve Jaja-Batton is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1200 Imperial 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 – 5/3/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 27 - RTL 05-22-107 - James & Chelcey Barraza is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2040 Schulte 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 – 4/21/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 28 - RTL 05-22-108 - Dinh Linh is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **321 Auburn 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 – 4/7/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 29 - RTL 05-22-109 - Daniel A Young Jr is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **720 Flora St.**

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 – 4/7/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 30- RTL 05-22-110 - Pagan Realty Corp is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **340 Pierce 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 – 4/14/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 31 - RTL 05-22-115 - Aimee German is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **501 Butler 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 – 5/4/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 32 - RTL 05-22-120 - Lee Roopchand & Racheal Sumintra Lall-Roopchand is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **103 Mason Park 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 – 5/9/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 33 - RTL 05-22-121 - Dreaming of the Beach Daytona LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **605 Butler 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 – 5/11/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

8. Miscellaneous Business

9. Adjournment