

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.

July 28, 2022 - 9:00 A.M.

1. Call to Order
2. Announcements
3. Hearing of Cases

New Cases:

CASE # 1 - SMG 07-22-208 - Draco Property Management LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), at **800 Main St.** Violation(s) – **Unpermitted wall construction, failure to remove exterior storage, trash and debris.**

First Notified – 3/31/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clearvens Jean-Baptiste)

CASE # 2 - SMG 07-22-209 - Henley Corp Inc is cited for failure to correct violations of The Land Development Code, Art. 10 Sec. 10.1.B; Art.10 Sec. 10.2; City Code Ch. 90 Sec. 90-297, at **408 Seabreeze Blvd (Parcel # 5305-01-28-0180).** Violation(s) – **Operating without a Business Tax License, unpermitted window signs, unpermitted use.**

First Notified – 5/14/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clearvens Jean-Baptiste)

CASE # 3 - SMG 07-22-205 - 801-905 S. Atlantic LP % Fenix Group of Companies is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.9, 304.2), at **727 Lenox Ave.** Violation(s) – **Peeling paint, graffiti on seawall, dirt and grime.**

First Notified – 3/15/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Mark Bostwick)

CASE # 4 - SMG 07-22-206 - 1405-1431 S. Atlantic LP is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at **S Atlantic Ave (Parcel # 5309-39-00-0013).** Violation(s) – **Peeling, loose paint on Seawall.**

First Notified – 3/14/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Mark Bostwick)

CASE # 5 - SMG 07-22-220 - 801-905 S. Atlantic LP % Fenix Group of Companies is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.7, 304.10, 304.13), at **634 Lenox Ave.** Violation(s) – **Roof damage, peeling paint, dirt and grime, broken window, damaged stairway, overgrown landscaping.**

First Notified – 2/17/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 6 - SMG 07-22-221 - 1751 S Atlantic LP is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2), at **S Atlantic Ave (Parcel # 5316-03-00-0041).** Violation(s) – **Peeling paint, graffiti, dirt and grime on Seawall.**

First Notified – 3/15/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 7 - SMG 07-22-210 - Ocean Winds Condo Assoc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2101 N Atlantic Ave.** Violation(s) – **Unpermitted concrete work to building.**

First Notified – 12/29/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Kevin Yates)

CASE # 8 - SMG 07-22-211 - Natalie Mills is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 304.6, 304.7, 304.10), at **135 University Blvd.** Violation(s) – **Peeling paint, dilapidated roof, trash, debis, no permit for deck stair repair, dilapidated fencing, cracks and breaks (exterior walls), outside storage.**

First Notified – 9/17/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Kevin Yates)

CASE # 9 - SMG 07-22-212 - Sea & Sun Properties LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.6, 309.4, 504.1, 603.1), at **1065 N Atlantic Ave Unit 13**. Violation(s) – **Pest control, dilapidated door, plumbing leak, nonfunctional HVAC unit.**

First Notified – 11/23/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 10 - SMG 07-22-213 - Lena Wallace is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 504.1, 603.1), at **716 N Halifax Ave Unit 11**. Violation(s) – **Interior surfaces, bathtub leak, facet leak, refrigerator missing handle.**

First Notified – 1/14/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 11 - SMG 07-22-214 - Florence Henner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.2, 304.13), at **108 Flower Dr**. Violation(s) – **Dilapidated wall, outside storage, broken window, peeling paint, dirt and grime.**

First Notified – 1/28/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

Miscellaneous Business:

MB-1

SMG 05-22-147 - Daniel G Langton is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.2), at **428 Pelican Ave.** Violation(s) – **Unpermitted shed, unpermitted driveway, unpermitted paver install and unpermitted grading.** First Notified – 6/23/2021. **Order Imposing Fine/Lien effective July 12, 2022. \$50.00 a day to a maximum of \$10,000.00 plus recording cost \$24.00 (not in compliance)**

DISPOSITION _____
(Kevin Yates)

MB-2

SMG 06-18-63 - End Poverty Now Inc. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4 (Ref. FBC Supp IPMC 304.2, 304.5, 304.13, 304.13.1, 304.13.2, 304.14), at **1001 S Ridgewood Ave.** Violation(s) – **Abandoned building - vacant, protective treatment, foundation walls, window, skylight, door frames, glazing, inoperable windows and insect screens.** First Notified – 1/23/2018. **Order Imposing Fine/Lien effective July 06, 2018. \$250.00 a day to a maximum of \$20,000.00 plus recording cost \$24.00 and Business Tax Receipt \$250.00 Compliance = March 23, 2022. = \$20,274.00**

DISPOSITION _____
(Mark A Jones)

4. **Adjournment**