

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.

October 25, 2022 **Rental Program**

1. Call to Order – (Morning Session)
2. Announcements
3. Approval of the September 27, 2022 Meeting Minutes
4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 10-22-194 - BMS Holdings LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **336 Fulton St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/22/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 2 - RTL 10-22-195 - Vincent Filippini is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **527 Loomis.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/19/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 10-22-196 - Noeleen Foster is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **146 S Hollywood Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/6/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 4 - RTL 10-22-192 - Stanlee Smith is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **858 Pinewood St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 9/8/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CASE # 5 - RTL 10-22-193 - Spencer David Spearin is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **401 Manhattan Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 9/8/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Steven R. Cole)

CONTINUED CASES:

CASE # 6 - RTL 04-22-106 - Advanced Minerals Inc TR & 317 Fairview Ave Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **317 Fairview Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/13/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 7 - RTL 09-22-185 - New Leaf Real Estate LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **323 Taylor Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/29/2022.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Steven R. Cole)

CASE # 8 - RTL 08-22-160 - North Street Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **506 North St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/13/2022.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Steven R. Cole)

CASE # 9 - RTL 04-22-83 - Anthony Ray Teel is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **611 North St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/16/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 10 - RTL 01-22-17 - Kinsey Whaley & Southtrust Financial LLC 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 # 11 - RTL 07-22-151 - Craig D Conway is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **539 Mark Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/4/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 12 - RTL 08-22-157 - Richard Britt Jr is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **426 Model St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 6/7/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 13 - RTL 08-22-156 - George K Seoles & Maria G Seoles is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **901 N Peninsula Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/20/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 14 - RTL 08-22-168 - Allen B Williams & Philip Williams is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1441 Mississippi St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/20/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 15 - 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: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 16 - 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 # 17 - RTL 09-22-181 - US Bank Trust NA and LSF9 Master Participation Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **601 Vera St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 7/22/2022.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(Steven R. Cole)

CASE # 18 - RTL 06-22-126 - Autinomics LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **531 Janice Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 3/29/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 19 - RTL 08-22-163 - Daytona 19 LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **549 Mulberry St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/14/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 20 - RTL 08-22-164 - Daytona 19 LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **801 S Ridgewood Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/12/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 21 - 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 # 22 - RTL 08-22-166 - Joseph C & Kimberley M Talavera is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **721 S Grandview Ave.**

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

First Notified – 1/12/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(LaWanda Tomengo)

CASE # 23 - RTL 08-22-165 - Theo Cox is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **857 Magnolia Ave.**

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

First Notified – 1/19/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(LaWanda Tomengo)

CASE # 24 - RTL 08-22-162 - Choice Location Realty LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **305-301 5th Ave.**

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

First Notified – 1/29/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

(LaWanda Tomengo)

CASE # 25 - RTL 05-22-117 - William Glass Morrison 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: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 26 - RTL 09-22-184 - 319 San Juan LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **120 Marion St & 530-532 Foote Ct.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/11/2022.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(LaWanda Tomengo)

6. **Adjournment until 1:30 p.m.**

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

IRREPARABLE/IRREVERSIBLE

CASE # 27 - RTL 09-22-175 - Juan Marino Gomez Estrada is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1424 Margina 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 – 8/18/2022.

ACTION TO BE TAKEN: Continued from the September 27, 2022 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 28 - RTL 09-22-176 - Jozef Krawiec & Lynn Pepe-Krawiec is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **707 N Grandview Ave.**
Violation(s) – **Zoning violation - the property is zoned MFR-12. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 8/18/2022.

ACTION TO BE TAKEN: Continued from the September 27, 2022 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 29 - RTL 10-22-191 - Tony Guerra & Ryan Ashley Mowrey is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **318 Flushing 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 – 9/21/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 30 - RTL 10-22-186 - Betty S Leake Trust is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1125 Waverly 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 – 9/12/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 31- RTL 10-22-187 - Daniel Prieto is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **831 N Kottle Cir.**
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 – 9/14/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 32 - RTL 10-22-189 - Thomas M & Mark J Battista is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1436-1438 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 – 9/8/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 33 - RTL 10-22-190 - Jerome R McDuffie Trust is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **216 Glenview Blvd #103.**
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 – 9/7/2022.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 34 - RTL 10-22-188 - 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 Accommodations" are not a permitted use in the zoning district.**
First Notified – 9/6/2022.

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

DISPOSITION _____
(Clifford W. Recanzone)

8. Miscellaneous Business

9. Adjournment