

# 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](mailto: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.

## November 22, 2022 Rental Program

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

## NEW CASES:

**CASE # 1 - RTL 11-22-197 - Manuel Marquez** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1327 Eugene Black St.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 9/22/2022.

*ACTION TO BE TAKEN:* Compliance or Non--Compliance

DISPOSITION \_\_\_\_\_  
(Steven R. Cole)

**CONTINUED CASES:**

**CASE # 2 - 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 # 3 - RTL 07-22-144 - Ana Rosa Randolph Revocable Trust** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **125-127 Silver Beach Ave.**  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 2/3/2022.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 4 - 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:* Impose Fine

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 5 - 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 # 6 - 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 # 7 - 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. Compliance ordered for railings by August 25 or fine of \$200 to a maximum of \$15000 be imposed. Further ordered not to be used, rented or occupied until Compliance.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 8 - 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 # 9 - 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:* Impose Fine

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 10 - 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 # 11 - 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 # 12 - 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 # 13 - 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 # 14 - 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 # 15 - 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 # 16 - 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 # 17 - 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:* Impose Fine

DISPOSITION \_\_\_\_\_  
(Steven R. Cole)

## **IRREPARABLE/IRREVERSIBLE**

**CASE # 18 - 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:* Continued from the October 25, 2022 meeting for consideration of the imposition of a fine.

DISPOSITION \_\_\_\_\_  
(Clifford W. Recanzone)

## **8. Lien Reviews**

### **LR-1**

**RTL 03-22-66 – 1222 Midway Blvd - Susan E Ondris-Cox** 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 – 6/30/2021. **Order Imposing Fine/Lien of \$100 per day to a maximum of \$15,000 imposed on April 26, 2022. Compliance - Affidavit not to rent by new owners on October 21, 2022. Amount due \$15,000 plus \$24 recording fees = \$15,024.00.**

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**LR-2**

**RTL 01-22-20 – 505 Model St - Juan Manuel Tlaxcuapan Ramirez & Diana Ester Rodriguez** 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 – 6/17/2020. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000 imposed on February 22, 2022. Compliance – April 13, 2022. Amount due \$5,000 plus \$24 recording fees = \$5,024.00**

DISPOSITION \_\_\_\_\_  
(Clifford W. Recanzone)

**9. Miscellaneous Business**

**10. Adjournment**