

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.

February 28, 2023 **Rental Program**

1. **Call to Order**
2. **Announcements**
3. **Approval of the January 24, 2023 Meeting Minutes**
4. **Lien Reviews**

LR-1

RTL 09-22-176 - 707 N Grandview Ave - 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. 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. **Order of Non-Compliance, Finding of Irreparable and Irreversible violation and Imposition of Fine in the amount of Fifteen Thousand (\$15,000.00) Dollars imposed on October 25th, 2022. Amount due of \$15,000 plus \$24 recording fees plus \$117.09 interest = \$15,141.09.**

DISPOSITION _____

(Clifford W. Recanzone)

LR-2

RTL 01-22-06 - 318 Phoenix Ave - Stephen E Wright 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 – 6/21/2021. **Order Imposing Fine/Lien of Twenty-Five (\$25) dollars per day to a maximum of \$15,000 imposed on May 24th, 2022. Compliance achieved November 30th, 2022. Amount due \$4,750 plus \$24 recording fees = \$4,774.00.**

DISPOSITION _____

(LaWanda Tomengo)

LR-3

RTL 11-21-245 - 824 Derbyshire Rd - Audrey Broxton 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 – 5/21/2020. **Order Imposing Fine/Lien of Fifty (\$50) dollars per day to a maximum of \$15,000 imposed on August 13th, 2022. Compliance achieved December 7th, 2022. Amount due \$15,000 plus \$24 recording fees plus \$1,714.53 interest = \$16,738.53.**

DISPOSITION _____

(John C. Stenson)

LR-4

CEB 02-20-15 - 824 Derbyshire Rd - Audrey Broxton is cited for failure to correct violations of Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.7). Violation(s) – Parking in yard, peeling paint, damaged roof. First Notified – 10/18/2019. **Order Imposing Fine/Lien of One Hundred (\$100) dollars per day to a maximum of \$15,000 imposed on February 22nd, 2022. Compliance achieved May 5th, 2022. Amount due \$7,100 plus \$24 recording fees plus \$178.51 interest = \$7,302.51.**

DISPOSITION _____

(John C. Stenson)

LR-5

RTL 06-22-125 - 550 N Ridgewood Ave - Redesign Enterprise LLC 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 – 5/6/2022. **Order Imposing Fine/Lien of Fifty (\$50) dollars per day to a maximum of \$15,000 imposed on August 1st, 2022. Compliance via Affidavit not to rent achieved August 17th, 2022. Amount due \$1,000 plus \$24 recording fees plus \$8.50 interest = \$1,132.50.**

DISPOSITION _____

(Clifford W. Recanzone)

LR-6

SMG 01-20-11 - 611 North St - Anthony Ray Teel 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 – 8/12/2019. **Order Imposing Fine/Lien of One Hundred (\$100) dollars per day to a maximum of \$15,000 imposed on February 11th, 2020. Compliance achieved January 20th, 2023. Amount due \$15,000.00 plus \$24 recording fees plus \$2,594.67 interest = \$17,618.67.**

DISPOSITION _____

(Clifford W. Recanzone)

LR-7

CEB 08-20-155 - 611 North St - Anthony Ray Teel is cited for failure to correct violations of Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 704.2, 304.2, 304.6, 304.7, 304.13.1, 305.3, 603.1). Violation(s) – Smoke detector missing, paint fading & peeling, rotten wood, exterior siding. First Notified – 8/12/2019. **Order Imposing Fine/Lien of Two Hundred Fifty (\$250) dollars per day to a maximum of \$15,000 imposed on September 10th, 2020. Compliance achieved January 20th, 2023. Amount due \$15,000.00 plus \$24 recording fees plus \$1,988.75 interest = \$17,012.75.**

DISPOSITION _____
(Clifford W. Recanzone)

4. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 02-23-13 - Promo 05 LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1600 Big Tree Rd #F7**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 9/26/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 2 - RTL 02-23-15 - David Jeckovich is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **422-420 Henry Butts Dr**.
Violation(s) – **Failure to obtain Rental License (RTL)**.
First Notified – 8/12/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 02-23-16 - James & Hanna Prudente is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **145 S Hollywood Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/23/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CONTINUED CASES:

CASE # 4 - 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 # 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 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 # 8 - RTL 01-23-02 - Anthony Walker & Nicole Tickle is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **462 Tuscany Chase Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/20/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 9 - RTL 01-23-03 - Anil Maharaj & Ugindr Maharaj is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **331 Taylor Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/7/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 10 - RTL 01-23-04 - GEA Seaside Investments Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **231 N Hollywood Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/16/2022.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 11 - 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 _____
(Clifford W. Recanzone)

CASE # 12 - 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 _____
(Clifford W. Recanzone)

IRREPARABLE/IRREVERSIBLE:

CASE # 13 - RTL 02-23-09 - Zachary & Cierra Rathjen is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **121 S Hollywood Ave.**
Violation(s) – **Zoning violation - the property is zoned RDB-6. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 1/11/2023.

ACTION TO BE TAKEN: impose Fine IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 14 - RTL 02-23-10 - Barbara Staed and Jackson Bush is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **132 Sunrise 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 – 1/24/2023.

ACTION TO BE TAKEN: Impose Fine IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 15 - RTL 02-23-11 - Barbara Staed and Jackson Bush is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **134 Sunrise 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 – 1/24/2023.

ACTION TO BE TAKEN: Impose Fine IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 16 - RTL 02-23-12 - Guynemer & Elsinia Chery is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **544 Westmoreland Rd.**
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 – 2/2/2023.

ACTION TO BE TAKEN: Impose Fine IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

6. **Miscellaneous Business**

7. **Adjournment**