

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.

June 27, 2023 Rental Program

1. Call to Order
2. Announcements
3. Approval of the May 23, 2023 Meeting Minutes
4. Lien Reviews

LR-1

RTL 06-22-133 - 327 Frances Ter - James L Mayrand & Joanne L Mayrand is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 2/2/2022. **Order Imposing Fine Lien of \$200 per day to a maximum of \$15,000, effective July 26, 2022. Compliance via Affidavit Not To Rent on April 10, 2023. Amount due of \$15,000 plus \$24 recording fees plus \$306.76 interest = \$15,330.76.**

DISPOSITION _____

(LaWanda Tomengo)

LR-2

RTL 06-20-18 - 614 Orange Ave - Evelyn Eleanior Hannans Estate (new owner is Leon K McCray) is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/24/2019. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000, effective July 22, 2020. Compliance = June 6, 2023. Amount due of \$15,000 plus \$24 recording fees plus \$2,255.57 interest = \$17,279.57.**

DISPOSITION _____

(Clifford W. Recanzone III)

LR-3

CEB 11-19-250 - 614 Orange Ave - Evelyn Eleanior Hannans (new owner is Leon K McCray) 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 302.7, 302.8, 304.13.1, 304.14, 308.1), at Violation(s) – Off-street parking, accessory structures, motor vehicles, glazing, insect screens, accumulation of rubbish or garbage. First Notified – 5/24/2019. **Order Imposing Fine Lien of \$100 per day to a maximum of \$10,000, effective December 12, 2019. Compliance = June 13, 2023. Amount due of \$10,000 plus \$24 recording fees plus \$2,237.98 interest = \$12,261.98.**

DISPOSITION _____

(Clifford W. Recanzone III)

5. Hearing of Cases

CONTINUED CASES:

CASE # 1 - 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: Continued from the May 23, 2023 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(LaWanda Tomengo)

IRREPARABLE/IRREVERSIBLE

CASE # 2 - RTL 05-23-38 - Debra Vincelli and Michael Saviano is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **484 Golf 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 – 4/26/2023.

ACTION TO BE TAKEN: Continued from May 23, 2023 meeting for consideration of imposition of a fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 3 - RTL 04-23-27 - Karan Kumar and Konaal Kumar is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **611 S Seneca 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 – 3/17/2023.

ACTION TO BE TAKEN: Continued from April 25, 2023 meeting for consideration of imposition of a fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 4 - RTL 06-23-40 - Chico Property Management LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **110 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 – 5/17/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 5 - RTL 06-23-41 - Segundo Leandro Maraboli Jara is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **607-609 Riverview 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 – 5/17/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 6 - RTL 06-23-42 - Stoza Inc is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **932 Pelican Bay 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 – 5/3/2023.

ACTION TO BE TAKEN: Impose Fine. Repeat Violation. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 7 - RTL 06-23-43 - Brandon Garcia is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **2016 N Oleander Ave.**
Violation(s) – **Zoning violation - the property is zoned PD-G. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 5/25/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 8 - RTL 06-23-44 - Sean & Julie Severin is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **605 Vermont 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 – 5/24/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 9 - RTL 06-23-45 - Bruce W & Kimberly M Woodburn is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **1408 Peachtree 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 – 5/18/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

CASE # 10 - RTL 06-23-46 - Amber Lynn Biletto & David Charles Biletto Jr is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **1467 N Peninsula 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 – 4/28/2023.

ACTION TO BE TAKEN: Impose Fine. Irreparable/Irreversible

DISPOSITION _____
(Kevin Yates)

6. **Miscellaneous Business**

7. **Adjournment**