

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

	<p>For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023</p>		<p>Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.</p>
---	---	---	---

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.

September 26, 2023 9:00 AM - Rental Program

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

LR-1

539 Mark Ave - RTL 07-22-151 - Craig D Conway 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 – 2/4/2022. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000 imposed October 25, 2022. Compliance = June 28, 2023. Amount due: \$15,000.00 + \$24.00 recording fee + \$134.65 interest = \$15,158.65.**

DISPOSITION _____

(Karl Wexelberg)

LR-2

367 Fordham Rd - RTL 08-20-104 - US Bank Trust NA TR 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 – 1/14/2020. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000.00 imposed September 22, 2020. Compliance via Affidavit Not To Rent = August 28, 2023. Amount due: \$15,000.00 + \$24.00 recording fee + \$2,272.86 interest = \$17,296.86.**

DISPOSITION _____

(Clifford W. Recanzone III)

LR-3

537 Pelican Bay Dr - RTL 04-23-32 - Kirt Irving Taylor and Stacy Taylor 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 – 9/16/2022. **Order Imposing Fine Lien of \$100 per day, to a maximum of \$15,000, imposed May 23, 2023. Compliance = August 25, 2023. Amount due: \$9,400.00 + \$24.00 recording fees = \$9,424.00.**

DISPOSITION _____

(LaWanda Tomengo)

LR-4

115 S Grandview- RTL 11-21-235 - 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. Violation(s) – **Failure to obtain Rental License (RTL)**. First Notified – 2/2/2021. **Order Imposing Fine Lien of \$100 per day, to a maximum of \$15,000, imposed April 26, 2022. Compliance = July 27, 2023 Amount due: \$15,000.00 + \$24.00 recording fees + \$438.25 = \$15,462.25.**

DISPOSITION _____

(LaWanda Tomengo)

5. Hearing of Cases

NEW CASES: IRREPARABLE/IRREVERSIBLE

CASE # 1 - RTL 08-23-36 - Kimberly Siegel is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **122 N Caroline St**. Violation(s) – **Zoning violation - the property is zoned RDM-6. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.** First Notified – 8/2/2023.

ACTION TO BE TAKEN: Continued from August 22, 2023 hearing for consideration of the imposition of a fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Kevin Yates)

CASE # 2 - RTL 09-23-53 - Michael Kalicharan & Radha Singh is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **151 S Peninsula Dr**. 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 – 8/16/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Kevin Yates)

CASE # 3 - RTL 09-23-54 - Sammy Thompson & Brittany Culpepper is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **268 Williams 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 – 8/16/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 4 - RTL 09-23-55 - Eykiena Shrdae Crowley is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **300 Dahoon Holly Dr.**

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 – 9/1/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 5 - RTL 09-23-56 - Raheel Taylor is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **131 Tarragona Way.**

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 – 9/1/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 6 - RTL 09-23-57 - Fabiola E Lozano is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **425 N Oleander Ave.**

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 – 8/31/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 7 - RTL 09-23-58 - Rachel Rae Rands is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1030 Alice 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 – 8/31/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 8 - RTL 09-23-59 - Majestic Mountain Investments LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1401 S Palmetto Ave # 517.**

Violation(s) – **Zoning violation - the property is zoned MFR-20. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 8/25/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 9 - RTL 09-23-60 - George B Lawrence is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **321 Seaview 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 – 9/5/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 10 - RTL 09-23-61 - 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 PD-G. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 8/7/2023.

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

DISPOSITION _____
(Kevin Yates)

6. **Miscellaneous Business**

7. **Adjournment**