

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.
---	--	---	--

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 24, 2023 9:00 AM - Rental Program

1. Call to Order
2. Announcements
3. Approval of the September 26, 2023 Meeting Minutes
4. Lien Reviews

LR-1

521 Division St - RTL 06-20-27 - Samuel L & Rhonda P Ferguson is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294. Violation(s) – **Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL)**. First Notified – 1/27/2020. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000.00 imposed August 25, 2020. Compliance via Affidavit Not To Rent = October 3, 2023. Amount due: \$15,000.00 + \$24.00 recording fee + \$2,658.52 interest = \$17,682.52.**

DISPOSITION _____

(Karl Wexelberg)

LR-2

836 Berkshire Rd - RTL 05-21-99 - Willetta Harmon (current owner is Rose Investments LLC) 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 – 8/27/2020. **Order Imposing Fine Lien of \$100 per day to a maximum of \$15,000.00 imposed June 22, 2021. Compliance via Affidavit Not To Rent = September 22, 2023. Amount due: \$15,000.00 + \$24.00 recording fee + \$1,189.44 lien interest = \$16,213.44.**

DISPOSITION _____

(LaWanda Tomengo)

5. Hearing of Cases

NEW CASES: IRREPARABLE/IRREVERSIBLE

CASE # 1 - RTL 10-23-62 - Nalini & Arun Karamchandani is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **582 Revilo 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 – 9/15/2023.

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

DISPOSITION _____

(Kevin Yates)

CASE # 2 - RTL 10-23-63 - Stoza Inc is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, 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 – 9/28/2023.

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

DISPOSITION _____
(Kevin Yates)

CASE # 3 - RTL 10-23-65 - Keith Christopher Kong & Patrick Vibert Kong is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **400 Oakridge Blvd #0260.**

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 – 9/19/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 4 - RTL 10-23-66 - Jonathan Grieco is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **400 Oakridge Blvd #0080.**

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 – 9/19/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 5 - RTL 10-23-67 - Mario & Molly Lamoureaux is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **120 Bellevue Ave.**

Violation(s) – **Zoning violation - the property is zoned MFR-40. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 9/19/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 6 - RTL 10-23-69 - Robert & Nancy Beverly Hackman is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **715 S Beach #112-D**.
Violation(s) – **Zoning violation - the property is zoned MFR-40. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 9/13/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 7 - RTL 10-23-70 - Orraine & Aisha McFarlane is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **353 Seaview**.
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 – 9/6/2023.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

6. Miscellaneous Business

MB-1

SMG 01-22-70 - Florida Pacific Leasing CO LLC is cited for failure to correct violations of Art. 6 Sec.6.1, at **316 Main St**.
Violation(s) – **Failure to follow seating plan.**
First Notified – 10/13/2021.
Compliance – January 7, 2022

ACTION TO BE TAKEN: Appeal regarding Order of Non-Compliance and Finding of Compliance

DISPOSITION _____
(Denzil Sykes)

7. Adjournment