

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>
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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.

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February 27, 2024 - 9:00 am **Rental Program**

1. **Call to Order**
2. **Announcements**
3. **Approval of the January 23, 2024 Meeting Minutes**
4. **Lien Reviews**

LR-1

RTL 08-23-33 - 709 E International Speedway Blvd (Parcel ID# 5309-09-03-0010 - SIG Global FLP is cited for failure to correct violations of Land Development Code Art. 6 Sec. 6.1; Art. 6 Sec 6.2.H.4.a; Art. 10 Sec 10.1.B; Art 10 Sec 10.2.B.2.1; City Code Ch 90 Sec 90-197. Violation(s) – Failure to obtain Business Tax Receipt, unpermitted outside activities including sales and service, failure to acquire all necessary permits for land usage or parking, vehicles parked on unimproved surfaces. First Notified – 7/27/2023. **Order of Non-Compliance and Finding of Irreparable & Irreversible violation and Imposition of Fine in the amount of Fifteen Thousand (\$15,000.00) Dollars plus a one-time Two Hundred Fifty (\$250) dollar fine imposed on August 24, 2023. Amount due of \$15,000 plus \$250 BT fee plus \$24 recording fee = \$15,290.00.**

DISPOSITION _____
(Mark Bostwick)

LR-2

CEB 02-20-19 - 140 Fountain Lake Blvd - Demond O. & Nakeithra Dean is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 9/18/2019. **Order Imposing Fine/Lien of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars, for Failure to Obtain Rental License, imposed on March 19, 2020. Compliance = December 15, 2023. Amount due of \$15,000.00 plus \$24 recording fees = \$15,024.00.**

DISPOSITION _____
(LaWanda Tomengo)

LR-3

RTL 01-24-08 - 126 W Gardiner Ct - TR Property Group LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at. Violation(s) – Zoning violation - the property is zoned RDD-6. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 11/9/2023. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of Fine in the amount of Fifteen Thousand (\$15,000.00) imposed January 23, 2023. Amount due of \$15,000.00 (lien has not been recorded) = \$15,000.00.**

DISPOSITION _____
(Kevin Yates)

5. Hearing of Cases

NEW CASES:

CASE # 1 - RTL 02-24-20 - Thomas P Barrie & Ralph K Barrie is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **428 Wisteria Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/21/2023.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Karl Wexelberg)

CASE # 2 - RTL 02-24-25 - TRSTE, LLC TR & 433 Marion St Land Trust is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **433 Marion St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 11/13/2023.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CASE # 3 - RTL 02-24-27 - Ida Mae Pendleton is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **811 Kingston.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/9/2023.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W. Recanzone)

CONTINUED CASES:

CASE # 4 - RTL 01-24-12 - Bradford J Bowls is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **924 Vine St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/24/2023.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Karl Wexelberg)

IRREPARABLE/IRREVERSIBLE

CASE # 5 - RTL 02-24-21 - David Roberto Ruizcalderon and Stephanie Mary Ruizcalderon is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **476 Zelda 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 – 1/25/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE & IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 6 - RTL 02-24-23 - Sornilia Reyes is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **750 Marion 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 – 2/1/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE & IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 7 - RTL 02-24-24 - Kenneth Metzler Jr is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **213 Jessamine 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 – 1/26/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE & IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 8 - RTL 02-24-26 - Halifax Apartments LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **901 N Halifax Ave.**
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 – 2/6/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE & IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CONTINUED IRREPARABLE/IRREVERSIBLE CASES:

CASE # 9 - RTL 01-24-05 - CBPR Inc is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **534 N Peninsula Dr.**
Violation(s) – **Zoning violation - the property is zoned BR-1. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 10/20/2023.

ACTION TO BE TAKEN: Continued from the January 23, 2024 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(Kevin Yates)

CASE # 10 - RTL 01-24-04 - Cindy Lee Niles is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1045 Chaffee Pl.**
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 – 10/20/2023.

ACTION TO BE TAKEN: Continued from the January 23, 2024 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(Kevin Yates)

CASE # 11 - RTL 01-24-14 - John Andrew Singelsether & Ha Thu Singelsether Life Estate is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **328 Manhattan 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 – 12/6/2023.

ACTION TO BE TAKEN: Continued from the January 23, 2024 meeting for consideration of the imposition of a fine.

DISPOSITION _____
(Kevin Yates)

6. Miscellaneous Business

7. Adjournment