

Agenda

**Commission Chambers, City Hall
301 South Ridgewood Avenue
Daytona Beach, Florida**

SPECIAL MAGISTRATE PROCEEDING

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.

**CITY OF
DAYTONA BEACH**

David A. Vukelja, 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 1-800-955-8771.

September 10, 2024 - 9:00 A.M.

1. **Call to Order**
2. **Approval of August 13, 2024 Minutes**
3. **Announcements**
4. **Hearing of Cases**

New Cases:

CASE # 1 - SMG 09-24-142 - C-29 LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **551 Dr Mary M Bethune Blvd.** Violation(s) – **No permit (concrete work).**
First Notified – 8/2/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Daniel Garcia)

CASE # 2 - SMG 09-24-143 - SP Daytona LLLP is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 603.1), at **437 Jean St.** Violation(s) – **Inoperable dishwasher.**
First Notified – 9/26/2023.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Sara Kirk)

CASE # 3 - SMG 09-24-144 - Lance Stromberg & Eddy Court Residences LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 305.3, 404.7, 504.1), at **716 Orange Ave (Parcel 5239-06-28-0220).** Violation(s) – **Unpermitted interior renovations (door frames, walls), peeling paint, exterior paint not uniform, unsanitary interior walls, missing appliance (stove), inoperable plumbing.**
First Notified – 5/31/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Sara Kirk)

CASE # 4 - SMG 09-24-154 - Forsage Miami Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **411 Bellevue Ave.** Violation(s) – **No permit (fence).**
First Notified – 3/28/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Mariah Quinn)

CASE # 5 - SMG 09-24-156 - Beach Development Group LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **530 N Beach St**. Violation(s) – **Damaged metal roof on north facing side of the commercial building.**

First Notified – 4/11/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mariah Quinn)

CASE # 6 - SMG 09-24-157 - Gregory Karpinski is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.10, 304.12), at **311 Cedar St (Parcel # 5339-16-00-0140)**. Violation(s) – **Rotten wood, peeling paint, damaged gutters and down spouts, damaged porch flooring and ceilings, wood rot and faded paint on shed, damaged stairway and deck, missing or damaged handrail and guards.**

First Notified – 1/18/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mariah Quinn)

CASE # 7 - SMG 09-24-158 - R&J Estates LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **110 Palm PL (Parcel # 5339-71-00-0042)**. Violation(s) – **No permit (full renovation).**

First Notified – 11/8/2023.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mariah Quinn)

CASE # 8 - SMG 09-24-159 - Rimcim Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; City Code Ch. 26 Sec. 26-294, at **341 Fairview Ave (Parcel # 5338-32-00-0470)**. Violation(s) – **No permit (exterior stairs), No rental license.**

First Notified – 5/15/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mariah Quinn)

CASE # 9 - SMG 09-24-160 - D&J Global Holdings LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec. 90-297, at **552 N Beach St (Parcel # 5338-20-02-0062)**. Violation(s) – **No valid Business Tax Receipt.**

First Notified – 6/14/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mariah Quinn)

CASE # 10 - SMG 09-24-148 - Scott Ibsen is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6), at **301 Riverview Blvd.** Violation(s) – **No permit (renovations) and exterior wall staining.**

First Notified – 5/13/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(John C. Stenson)

CASE # 11 - SMG 09-24-149 - GEA Seaside Investments Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10), at **507 Phoenix Ave (Parcel # 5309-31-00-0150).** Violation(s) – **No permits (soffit/siding), damaged railings.**

First Notified – 4/10/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Curtis Wiggins)

CASE # 12 - SMG 09-24-150 - GEA Seaside Investments Inc is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **1928 Marilyn St (Parcel # 5316-10-04-0250).** Violation(s) – **Expired demolition permit.**

First Notified – 2/13/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Curtis Wiggins)

CASE # 13 - SMG 09-24-151 - GEA Seaside Investments Inc is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.5, 302.8, 304.13.2, 304.2, 305.3, 704.6.1.2), at **121 S Grandview Ave (Parcel # 5304-01-09-0120).** Violation(s) – **Outside storage, peeling paint, dilapidated wood fence, exterior siding, dilapidated deck/stairwell, boarded windows, missing screens.**

First Notified – 4/29/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Curtis Wiggins)

CASE # 14 - SMG 09-24-152 - Amani Group LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at **S Caroline St (Parcel # 5239-15-03-0160)**. Violation(s) – **Overgrown vacant lot, trash & debris.**

First Notified – 7/26/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 15 - SMG 09-24-153 - Equity Trust Company FBO Amani Boutros IRA is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at **440 S Caroline St (Parcel # 5239-07-42-0120)**. Violation(s) – **Overgrown vacant lot, trash & debris.**

First Notified – 7/26/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 16 - SMG 09-24-161 - Gayl Lucinda Smith is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7), at **443 Walker Ave (Parcel # 5238-18-09-0070)**. Violation(s) – **Dirt & grime, no permit (stairs & patio), damaged soffit.**

First Notified – 6/10/2024.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Abrianna Itani)

Continued Cases:

CASE # 17 - SMG 11-22-328 - Lorin & Herb Kawesch is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.3, 304.2, 304.6, 304.10, 304.12, 304.13.1), at **517 S Palmetto Ave & 515**. Violation(s) – **Unpermitted structural work, unpermitted water heater install, unpermitted heater install, unpermitted structural bracing, dilapidated steps, peeling paint, rotted wood, damaged stair rails, cracked sidewalk, broken window, dilapidated deck and rails, dirt, grime, areas of rust at AC unit.**

First Notified – 5/23/2022.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Kevin Yates)

CASE # 18 - SMG 07-24-110 - S & O Investment USA LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, at **613 Hillside Ave.** Violation(s) – **Work without permit (Interior renovations).**
First Notified – 2/16/2024.

ACTION TO BE TAKEN: Cont'd from July hearing: Obtain permits by September 4, 2024 or return for Imposition of a Fine - Cont'd for progress report and determination of a compliance date.

DISPOSITION _____
(Curtis Wiggins)

CASE # 19 - SMG 07-24-124 - Berioza LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.11), at **494 Seaview Ave.** Violation(s) – **Unpermitted stairs and decking/2nd floor balcony, outside storage, damaged chimney, peeling paint/exterior staining.**
First Notified – 5/13/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(John C. Stenson)

CASE # 20 - SMG 06-24-92 - Kumaresan Natarajan & Umashankari Santhanavelu is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10, 304.13.2, 304.2, 304.15, 305.3, 305.6, 504.1, 602.3, 603.1, 604.3, 605.2, 605.4, 704.6.1.2), at **725 N Peninsula Dr (Parcel #5305-01-08-0030).** Violation(s) – **Unpermitted plumbing and exterior door, parking in front yard, outside storage, dilapidated stairs to second floor unit, dilapidated stairs on the exterior of property, windows painted shut, dilapidated exterior door (rear unit downstairs), peeling paint in various locations on exterior of structures, damaged walls and ceilings in the interior of the unit, missing interior closet doors, damaged kitchen faucet, lack of required heating system, inoperable refrigerator, electrical system not supporting living units, exposed electrical wiring, lack of required smoke detectors.**
First Notified – 3/25/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(John C. Stenson)

CASE # 21 - SMG 04-24-69 - Virgil & Ellen Rosenfeld Family Trust dated June 22, 2005 is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 304.6) City Code Ch. 90 Sec. 90-297, at **419 N Wild Olive Ave.** Violation(s) – **Damaged driveway, damaged exterior walls, failure to obtain a Business Tax Receipt.**

First Notified – 12/7/2023.

ACTION TO BE TAKEN: Cont'd from August hearing: Progress report and set a compliance date.

DISPOSITION _____

(John C. Stenson)

CASE # 22 - SMG 07-24-125 - Larry & Shirley Johnson is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.B.2.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **637 Marco St (Parcel # 5339-86-02-0130).** Violation(s) – **Unpermitted dilapidated accessory structure, overgrown vacant lot, trash & debris.**

First Notified – 5/2/2024.

ACTION TO BE TAKEN: Cont'd from July hearing: Imposition of a fine (all other violations) and determination of a compliance date for dilapidated structure.

DISPOSITION _____

(Mark Bostwick)

CASE # 23 - SMG 08-24-132 - Ashley Marie Gilbert is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at **909 Gibbons St (Parcel # 4244-02-00-0030).** Violation(s) – **Multiple vehicles parked on a vacant lot, outside storage (fence, table, chairs, garbage containers), overgrown lot.**

First Notified – 6/13/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark Bostwick)

CASE # 24 - SMG 08-24-133 - JPL Investment Corp is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at **713 Marion St.** Violation(s) – **Vehicles parked on a vacant lot, trash & debris, overgrown vacant lot & weeds.**

First Notified – 6/15/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark Bostwick)

CASE # 25 - SMG 08-24-136 - Rosalie Riley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Taylor Ave (Parcel # 5338-38-00-0260)**. Violation(s) – **Overgrown vacant lot, weeds, trash & debris.**
First Notified – 7/1/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark Bostwick)

CASE # 26 - SMG 08-24-137 - Norman H Riley is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **340 Taylor Ave & 342 (Parcel # 5338-38-00-0250)**. Violation(s) – **Overgrown vacant lot, weeds, trash & debris.**
First Notified – 7/1/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark Bostwick)

CASE # 27 - SMG 01-24-27 - Masonova Daytona LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.3, 302.7), at **1021 Mason Ave**. Violation(s) – **Hazardous potholes throughout parking lot, open/unrepaired utility ditch, damaged fence, damaged non-working parking lot illumination, missing ADA striping, parking location striping missing, permits required.**
First Notified – 10/16/2023.

ACTION TO BE TAKEN: Amended at July hearing: Permit ready site plans by September 4th or Impose Fine and Cont'd for progress report on Sept 10th to establish a compliance date for overall project.

DISPOSITION _____

(Mark A. Jones)

CASE # 28 - SMG 11-23-257 - Barbara & James Chester Jones is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 302.9, 304.2, 304.6, 304.7, 304.13, 304.15, 308.1), at **539 & 541-537 Dr Mary M Bethune Blvd**. Violation(s) – **Damaged or broken sign, damaged wooden accessory structure, damaged exterior walls, damaged windows, dirt & grime, peeling flaking and decayed paint, exposed wood, damaged roof, trash and debris.**
First Notified – 8/2/2023.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark A. Jones)

CASE # 29 - SMG 07-24-126 - Destiny L Bonner is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.2.H.7.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13, 304.14), at **610 Brentwood Dr**. Violation(s) – **Outside storage and unmaintained landscapng, dirt & grime, peeling paint, damaged sills and paint, parking commercial vehicles in back yard, damaged windows, missing window screens.**

First Notified – 3/25/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark A. Jones)

CASE # 30 - SMG 07-24-109 - Covenant Community Development Corporation of Florida LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC (302.1, 302.4, 302.7, 304.6, 304.7, 308.1), at **507 5th Ave**. Violation(s) – **Repair exterior walls and re-paint walls, unmaintained landscaping, damaged exterior walls with holes, damaged walls with an a/c unit, remove exposed and damaged wood, damaged roof, trash and debris.**

First Notified – 4/5/2024.

ACTION TO BE TAKEN: Progress Report: Roof

DISPOSITION _____

(Mark A. Jones)

LR-1

SMG 06-24-104 - 811 Tomoka Road LLC- 610 Brentwood Dr (Parcel # 4244-01-30-0022) is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7), Violation(s) – **Outside storage and storage container, converting an unfinished carport & utility shed into a residential living unit without a building permit, damaged fencing.** First Notified – 3/15/2024. **Order Imposing Fine/Lien effective July 4, 2024. \$250.00 a day until compliance achieved. \$24.00 recording fees = \$8,024.00. Compliance August 5, 2024.**

DISPOSITION _____

(Mark A. Jones)

LR-2

SMG 07-23-180 - Real Land LLC - N Keech St (Parcel # 5238-27-00-0310) is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, Violation(s) – Overgrown vacant lot, outside storage, trash and debris. First Notified – 5/11/2023. **Order Imposing Fine/Lien effective August 4, 2024. \$250.00 a day until compliance achieved. \$24.00 recording fees = \$15,024.00. Compliance July 29, 2024.**

DISPOSITION _____

(Mark Bostwick)

LR-3

SMG 09-23-229 - Florida LLC - 710 Loomis Ave. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC304.7, 304.13, 304.14, 305.3, 305.6, 603.1) City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, Violation(s) – Expired Rental License/Business Tax Receipt, defective and unsanitary interior surfaces, ceiling caving in, weak flooring, missing interior doors, missing insect screens, broken windows, inoperable appliances, unpermitted bathroom. First Notified – 6/30/2023. **Order Imposing Fine/Lien effective January 4, 2024. \$200.00 a day until compliance achieved. \$24.00 recording fees = \$15,024.00. Compliance August 21, 2024.**

DISPOSITION _____

(Sara Kirk)

LR-4

CEB 04-24-55 - Oregon LLC - 935 S Martin Luther King Blvd. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 6 Sec. 6.2.H.7 ; Art. 6 Sec. 6.19.A.3 ; & LDC Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.14, 304.15, 305.3, 305.6, 309.1, 504.1, 602.3, 604.3,704.6.1.2) City Code 26 Sec 26-294., Violation(s) – No rental license, boat in driveway, overgrowth, missing insect screens, missing smoke detectors, loose flooring defective interior surfaces, missing & defective doors, infestation, defective plumbing, no heat, broken & loose electrical outlets, and fixtures, interior door closed off without permit. First Notified – 1/17/2024. **Order Imposing Fine/Lien effective June 13, 2024. \$100.00 a day until compliance achieved. \$24.00 recording fees = \$5,424.00. Compliance August 6, 2024.**

DISPOSITION _____

(Sara Kirk)

5. **Miscellaneous Business**

6. **Adjournment:**