

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

	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 1-800-955-8771.

November 12, 2024 - 9:00 A.M.

1. Call to Order
2. Approval of October 8, 2024 Minutes
3. Announcements
4. Hearing of Cases

Continued Cases:

CASE # 1 - 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 # 2 - 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: Impose Fine

DISPOSITION _____

(Abrianna Itani)

CASE # 3 - SMG 10-24-162 - Reginald E & Gwendolyn W Moore is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 3 Sec. 3.4.S.1; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1), at **437 N Caroline St (Parcel # 5238-18-07-0010)**. Violation(s) – **Inhabiting in RV, work without permit (window), trash & debris.**

First Notified – 6/17/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Abrianna Itani)

CASE # 4 - SMG 10-24-167 - Seminole Boosters Inc 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 302.7, 304.6, 304.13.2, 304.14, 304.2, 504.1) City Code Ch. 26 Sec. 26-294, at **722 N Halifax Ave #2**. Violation(s) – **Outside storage, dilapidated fencing, exterior wall staining, broken window, damaged and or missing screens, missing and peeling paint, plumbing system damage (raw sewage).**

First Notified – 8/8/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(John C. Stenson)

CASE # 5 - 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: Impose Fine

DISPOSITION _____
(John C. Stenson)

CASE # 6 - SMG 04-24-69 - Virgil & Ellen Rosenfeld Family Trust dated June 22, 2005 Ellen Rosenfeld as Trustee 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.**
First Notified – 12/7/2023.

ACTION TO BE TAKEN: Rescind Order Imposing Fine Lien and add New Owner.

DISPOSITION _____
(John C. Stenson)

CASE # 7 - SMG 10-24-176 - Ryan Ashley Mowery & Tony Guerra is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a; Art. 6 Sec. 6.10.E.1; Art. 8 Sec.8.2.A, at **318 Flushing Ave.** Violation(s) – **Parking in front yard (unimproved surface), off site advertising, nonconforming use of property (business location with equipment storage).**
First Notified – 12/20/2023.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____
(John C. Stenson)

CASE # 8 - 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: Impose Fine

DISPOSITION _____
(Mariah Quinn)

CASE # 9 - 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)**
First Notified – 5/15/2024.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Mariah Quinn)

CASE # 10 - 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: Impose Fine

DISPOSITION _____
(Mariah Quinn)

CASE # 11 - 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: Cont'd from September hearing: Ordered to be in compliance by March 5, 2025 and return for progress reports at the November 12, 2024 and January 14, 2024 hearing.

DISPOSITION _____
(Mariah Quinn)

CASE # 12 - SMG 10-24-172 - Daytona Bluetide Group LP is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4), at **E Intl Speedway Blvd (Parcel # 5308-04-00-0010)**. Violation(s) – **Overgrown vacant lot, trash and debris, outside storage of commercial vehicles, supplies, building material.**
First Notified – 7/18/2024.

ACTION TO BE TAKEN: Impose Fine - Further ordered progress report on permit.

DISPOSITION _____
(Mark Bostwick)

CASE # 13- SMG 04-24-79 - Michael D Eady and Julie A Herbart-Eady is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **Wisteria Rd (Parcel # 5316-02-00-0330)**. Violation(s) – **Unpermitted accessory wall.**
First Notified – 2/7/2024.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark Bostwick)

CASE # 14 - 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: Impose Fine: Landscaping: Cont'd to the November 12th hearing for dilapidated structure Demo.

DISPOSITION _____

(Mark Bostwick)

CASE # 15- 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 landscaping, 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 # 16- SMG 02-24-43 - Hajgden International College Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 302.7, 302.9, 304.1, 304.6, 304.2, 304.7, 308.1, 605.1), at **228 N Ridgewood Ave (Parcel # 5339-02-53-0071)**. Violation(s) – **Unmaintained landscaping, damaged exterior walls, graffiti, dirt and grime, damaged soffit and fascia board, trash and debris, failure to repaint, exposed electrical wires.**

First Notified – 8/18/2023.

ACTION TO BE TAKEN: Impose Fine

DISPOSITION _____

(Mark A. Jones)

CASE # 17 - 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: Cont'd from October hearing: Progress Report (Engineer) and set a compliance date for roof.

DISPOSITION _____

(Mark A. Jones)

CASE # 18 - 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: Imposition of a Fine: as to the potholes and lighting violations.

DISPOSITION _____

(Mark A. Jones)

LR-1

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-2

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: