

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.
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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 Special Magistrate 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 proceeding. If you are hearing or voice impaired, contact the relay operator at 7-1-1 or 1-800-955-8771.

October 22, 2024 - 1:00 pm Rental Program

1. Call to Order
2. Announcements
3. Approval of the September 24, 2024 Meeting Minutes
4. Hearing of Cases

LR-1

CEB 02-20-39 - 312 Frances Ter - Neil & Cora Hitchman 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 – 12/10/2019. **Order Imposing Fine/Lien in the amount of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars effective October 8, 2020. Compliance = August 16, 2024. Amount due of \$15,000.00 plus \$24.00 recording fees, plus \$1,801.66 interest = \$16,825.66.**

DISPOSITION _____

(Karl Wexelberg)

LR-2

RTL 08-21-183 - 433 Pelican Bay Dr. - Harpreet Kaur Sodhi & Harbans Kalra 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 – 3/2/2021. **Order Imposing Fine/Lien in the amount of One Hundred (\$100.00) dollars per day to a maximum of Fifteen Thousand (\$15,000.00) dollars effective November 23, 2021. Compliance = June 27, 2022. Lien review in May, 2023 was denied without prejudice. Amount due of \$15,000.00 plus \$24.00 recording fees, plus \$1,438.70 interest = \$16,462.70.**

DISPOSITION _____

(LaWanda Tomengo)

NEW CASES: IRREPARABLE/IRREVERSIBLE

CASE # 1 - RTL 10-24-91 - Pepe L Gaibor is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **265 Columbus 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 – 9/10/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____

(Kevin Yates)

CASE # 2 - RTL 10-24-92 - Jennifer Uribe & Richard Gariety is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **263 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 – 9/12/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 3 - RTL 10-24-93 - Sekula & Ashley Jovanovic is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **117 S Halifax 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 – 9/18/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 4 - RTL 10-24-94 - Sergei & Irina Gritsaev is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **273 Lexington Dr.**
Violation(s) – **Zoning violation - the property is zoned MFR-12. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**
First Notified – 9/20/2024.

ACTION TO BE TAKEN: Impose Fine. IRREPARABLE/IRREVERSIBLE

DISPOSITION _____
(Kevin Yates)

CASE # 5 - RTL 10-24-95 - Natasha Katrine Griego is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **121 Flamingo Ave # ETAL.**
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 – 9/25/2024.

DISPOSITION _____
(Kevin Yates)

CASE # 6 - RTL 10-24-96 - Opulent Home Health Care LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1249 Suwanee Rd.**
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 – 10/3/2024.

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

DISPOSITION _____
(Kevin Yates)

CONTINUED CASES: IRREPARABLE/IRREVERSIBLE

CASE # 7 - RTL 09-24-84 - Chestnut LFTY0329 DAO LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **402 N Wild Olive 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 – 8/22/2024.

ACTION TO BE TAKEN: Con't, from the September meeting for consideration of the imposition of a fine for Irreparable and Irreversible violations.

DISPOSITION _____
(Kevin Yates)

CASE # 8 - RTL 09-24-86 – A Denise Moore is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **100 Kingbird Cir #1.**
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 – 8/21/2024.

ACTION TO BE TAKEN: Con't, from the September meeting for consideration of the imposition of a fine for Irreparable and Irreversible violations.

DISPOSITION _____
(Kevin Yates)

5. Miscellaneous Business

6. Adjournment