
City of Daytona Beach Special Magistrate

City Commission Chambers, 301 S Ridgewood Ave, Daytona Beach, FL 32115

David A. Vukelja, Special Magistrate

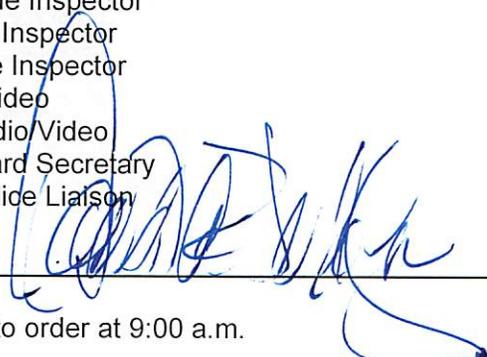
March 11, 2025 Minutes

Attendees:

David A. Vukelja, Special Magistrate

Staff present:

Ms. Melissa Diaz, Assistant City Attorney
Mr. Denzil Sykes, Code Manager
Mr. Mark A Jones, Code Field Supervisor
Mr. Ronald Beeney, Code Inspector
Mr. Mark Bostwick, Code Inspector
Mr. Roosevelt Butler, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mrs. Abrianna Itani, Code Inspector
Ms. Sara Kirk, Code Inspector
Ms. Mariah Quinn, Code Inspector
Mr. Cliff Recanzone, Code Inspector
Mr. John Stenson, Code Inspector
Mr. Curtis Wiggins, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, audio/Video
Mrs. Kimberly Reno, Board Secretary
Sgt. Shawna Conley, Police Liaison

Approval of Minutes by:  Special Magistrate

The meeting was called to order at 9:00 a.m.

Mr. Vukelja approved the January 14, 2025 Minutes.

Mr. Vukelja called case # 33 first and no respondent was available at that time.

Mrs. Reno swore in the staff members testifying.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno made the following announcements

Page 2, Case #2 SMG 03-25-55 appearing via zoom.

Page 3, Case #6 SMG 03-25-50 appearing via zoom.

Page 5, Case #14 **SMG 03-25-58 528 Elm St Compliance March 6, 2025.**

Page 5, Case #16 **SMG 03-25-60 Indigo Dr Parcel. Compliance March 11, 2025.**

Page 6, Case #20 **SMG 02-25-43 120 S Martin Luther King Blvd. appearing via zoom.**

Page 7, Case #22 **SMG 01-25-06 275 N Ridgewood Ave. Compliance March 10, 2025.**

Page 10, Case #33 **SMG 09-24-159 341 Fairview Ave. appearing via zoom.**

Page 12, Case #44 **SMG 01-25-23 S Martin Luther King Blvd. Compliance March 7, 2025.**

Mrs. Reno confirmed Page #10 Case #34 SMG 07-24-109 507 5th Ave would also be appearing via zoom.

Mr. Vukelja called Case #33 the respondent unavailable at this time via zoom.

Mrs. Reno swore in city staff

Called case number #1

CASE # 1 - SMG 03-25-51 - Pinewood Cemetery is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.8.E, at 301 Main St. Violation(s) – Unmaintained retaining wall. First Notified – 10/16/2024.

No Respondent

Inspector Stenson testified to the status of the case advising it is a field generated case. Requested non-compliance and compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 2 - SMG 03-25-55 - Marc Andre Michel is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 602.3), at 606 Shady PL #2. Violation(s) – Interior ceiling in disrepair, no heat. First Notified – 1/18/2025.

Marc Michel appeared via zoom, sworn in, and agreed to the violations. **Mr. Vukelja** asked **Inspector Clig** how long it should take the respondent to come into compliance. **Inspector Clig** responded next cut off. **Mr. Michel** advised he lives in Broward County and takes care of the issues himself and will try to make it to the property this weekend, cannot confirm for certain but can have it completed within two weekends.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 3 - SMG 02-25-39 - Uzair Shuja 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, 304.10), at 116 Emmett St. Violation(s) – Working without permits-rear stairs & deck, rotted wood around exterior openings, rotted and unsecured wood on rear stairs & porch. First Notified – 11/13/2024.

No Respondent

Inspector Garcia testified to the status of the case advising this is a field generated case. Requested compliance next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 4 - SMG 02-25-40 - Shafaat & Carol M Ahmed is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.7, 304.13), at 755 Derbyshire Rd. Violation(s) – Broken windows, roof/damaged soffit, boarded windows. First Notified – 8/28/2024.

No Respondent

Inspector Butler advised the respondents are ill and he has been in constant contact with them. Case is a citizens complaint. Requested finding of non-compliance with compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 5 - SMG 03-25-48 - Michael Rich 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 304.13; 304.13.2; 304.14; 305.3; 602.3; 704.6.1.2), at 529 South St. Violation(s) – Unpermitted window, inoperable windows (cannot be opened and/or not easily openable), egress doors are not weather-tight, inoperable lock on window, missing insect screens, collapsed ceiling, cracks in ceiling and walls, peeling paint, loose flooring; no heat and missing smoke detectors. First Notified – 9/5/2024.

No Respondent

Inspector Kirk testified to the status of the case advising, case is complaint generated and listed all above violations. Requested finding of non-compliance with compliance by the next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 6 - SMG 03-25-50 - Egalite Real Estate LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 807 S Ridgewood Ave & 809. Violation(s) – Enclosing garage to living space (no permit). First Notified – 8/12/2024.

Erica Thims (Business Manager) & **Anol Egalite** (Owner) sworn in Ms. Thims advised they are aware of the violation and working with the city. The current hold up is they are looking at about nearly \$44,000 dollars, worth of fees and permits between the city and the county. **Mr. Vukelja** found them in non-compliance and questioned the inspector on how much time should be reasonably required for compliance.

Inspector Beeney replied next cut off. **Ms. Thims** advised the Special Magistrate that no more repairs are needed and at this point they just have to pay and get the inspections completed. **Inspector Beeney** confirmed that is his understanding also. **Ms. Thims** advised there are \$25,000.00 worth of impact fees from Volusia County. \$19,000.00 from the City of Daytona and \$11,000.00 they were told was to add them to the billing systems for sewer and water. **Mr. Vukelja** ordered compliance by April 2, 2025 and advised them to seek what remedies may be available to them and if additional time is needed to advise. **Ms. Thims** advised they are trying to refinance and questioned putting a lien on the property so these monies could be paid out of the refinance. That information could not be confirmed and the respondents were advised to seek the remedies that are available to them and keep everyone updated.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 7 - SMG 03-25-54 - Task Investments Group LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3), at 314 Cottrill Ave Unit 1. Violation(s) – Dirt and grime, cracked and missing plaster (bedroom), decayed wood (garage). First Notified – 9/25/2024.

Mike Bretzel (Broker for Management company) sworn in. **Mr. Vukelja** asked **Inspector Beeney** how long it should take the respondent to come into compliance. **Inspector Beeney** responded next cut off. **Mr. Bretzel** agreed **Mr. Vukelja** reminded Mr. Bretzel to keep in touch with the inspector.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 8 - SMG 03-25-52 - 1995 Big Island Trust dated August 8, 2020 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 304.7, 304.13), at 314 Ora St. Violation(s) – Dirt and grime, peeling paint, boarded up windows, damaged fascia. First Notified – 10/3/2024.

No Respondent

Inspector Itani testified to the status of the case advising it is a complaint generated case and listed above violation and advised no contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 9 - SMG 03-25-56 - 1995 Big Island Trust dated August 8, 2020 is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.7), at **123 S Wild Olive Ave & 125**. Violation(s) – **Peeling paint, dirt and grime, damaged exterior walls, damaged fascia**. First Notified – 10/24/2024.

No Respondent

Inspector Itani testified to the status of the case advising it is a field generated case and listed above violation and advised no contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 10 - SMG 03-25-64 - Florida LLC 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; Art. 3 Sec. 3.4. S.1 (Ref. FBC Supp. IPMC 302.7, 304.6, 304.13, 304.13.1, 304.14, 304.15, 304.19, 304.5, 304.7, 305.3, 305.4, 503.4, 505.4, 602.2, 605.1, 605.2, 704.6.1.2), at 530 Washington St. Violation(s) – Overgrown landscaping, chipped paint, work w/o permit (window enclosure), dilapidated fence, damaged exterior wall, boarded windows, missing window glass, missing screens, door spacing, damaged gate, damaged foundation walls, damaged roof, damaged soffit & fascia, damaged interior surfaces, damaged flooring, damaged hot water heater, no heating source, no receptacle, no electrical outlet (no GFCI bathroom), missing fire alarms. First Notified – 10/16/2024.

No Respondent

Inspector Itani testified to the status of the case advising it is a complaint generated case and listed above violations and advised no contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 11 - SMG 02-25-44 - MGB Real Estate Investment Corp 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 Lockhart St (Parcel # 5239-06-29-0200). Violation(s) – Overgrown vacant lot, weeds, trash and debris. First Notified – 11/23/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a citizens complaint case and listed above violations and advised no contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 12 - SMG 03-25-57 - LAD Trust Holdings LLC & Jason Herman 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, 302.7) City Code Ch. 78 Sec. 78-112, at Madison Ave (Parcel # 5338-01-11-0090). Violation(s) – Overgrown vacant lot with weeds, trash and debris, damaged fence. First Notified – 1/23/2025.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a field generated case and listed above violations and advised had contact with the owner Mr. Herman and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 13 - SMG 03-25-63 - LAD Trust Holdings LLC & Jason Herman 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, 302.7) City Code Ch. 78 Sec. 78-112, at N Segrave St (Parcel # 5338-01-11-0085). Violation(s) – Overgrown vacant lot with weeds, trash and debris, damaged fence. First Notified – 1/23/2025.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a field generated case and listed above violations and advised had contact with the owner Mr. Herman and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 15 - SMG 03-25-59 - Clear Westview LP 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 301 N Seneca St (Parcel # 5238-32-05-0020). Violation(s) – Overgrown vacant lot with weeds, trash and debris. First Notified – 1/27/2025.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a field generated case and listed above violations and advised no contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 17 - SMG 01-25-30 - Arthur J Rockwell & Robin Hardman is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 5 Sec. 5.3.C.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at Daytona Beach 32114 (Parcel # 5339-44-02-0130). Violation(s) – Multiple vehicles stored on commercial vacant lot. First Notified – 10/1/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a field generated case and listed above violations and advised he had contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 18 - SMG 01-25-31 - Arthur J Rockwell & Robin Hardman is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1; Art. 5 Sec. 5.3.C.19.b; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3), at Cedar St (Parcel # 5339-44-02-0150). Violation(s) – Multiple vehicles stored on residential vacant lot. First Notified – 10/1/2024.

No Respondent

Inspector Bostwick testified to the status of the case advising it is a field generated case and listed above violations and advised he had contact with the owner and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 19 - SMG 02-25-42 - Emma J Morris is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2, 304.13, 304.15), at 831 S Martin Luther King Blvd. Violation(s) – Overgrown weeds, damaged window, damaged front doors. First Notified – 8/20/2024.

Matthew Morris (son) sworn in. **Mr. Vukelja** asked if he agreed to the violations. **Mr. Morris** advised it really was about police saying there's a flyer that he was having an event and threatened him, and had code enforcement show up and write up a bunch of stuff. That if anyone showed up to his property without having a permit, they going to bill him \$10,000.00. Mr. Morris called his friend, and he was advised to cut the grass and work on the doors, describing the violation of boarded window advising there hasn't been a window in there since 93. The plaster fell off about 2019 or 2020 it's been boarded up the whole time. Mr. Morris advised he spoke to the inspector stating he hasn't been open because he has been getting harassed by the police, that's why he closed the business. Then all this came up and he thought after he cut the grass and fixed the doors everything was through. **Mr. Vukelja** discussed the violations on the case and found the respondent in non-compliance. Discussion on the building being unoccupied and the respondent getting with the inspector to see what else he needs to do to secure the building to city standards to bring the property into compliance.

Inspector Recanzone Did not need to testify.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **April 2, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 20 - SMG 02-25-43 - Figjam Holdings, LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.4, 304.2, 304.3), at 120 S Martin Luther King Blvd. Violation(s) – Overgrown weeds, peeling, flaking & chipped paint, missing identification numbers. First Notified – 11/5/2024.

Andrew Joseph Green, sworn in, advised he is the owner, and agreed to the violations. **Inspector Recanzone** advised he is working on the Demo permit so it should be by next cut off. **Mr. Green** advised he will need more time due to the fact that he has to get an asbestos inspection before they will permit the demolition. Mr. Vukelja and the respondent agreed to the May cut off.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **May 7, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 21 - SMG 03-25-47 - Pelican Bay Sports Club LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2, 605.1), at 110 Goshawk Dr. Violation(s) – Dirt and grime on the courts, peeling, flaking and chipped paint, missing lights on the light poles. First Notified – 1/9/2025.

Nick Datt (Managing owner) sworn in and does not agree to all the violations. Mr. Datt advised these are not lighted courts anymore. The lights were removed by the previous owner. Mr. Datt agreed the surface does need resurfacing. **Mr. Vukelja** found the respondent in non-compliance. **Inspector Recanzone** advised they could be in compliance by next cut off. **Mr. Datt** testified about the barrels on the property (pictured) that they hired a contractor two years ago, (after they were paid \$25,000.00) they started the project then the hurricane came and they took off to Ft. Myeres to work on construction there because they could make a lot more money because of the hurricane. They are finally are getting them back and should be starting in the next week or two requested more time as there is about three weeks of work.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **May 7, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 23 - SMG 10-24-163 - Panora Properties 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. 6 Sec. 6.19.A.4; Art. 6 Sec. 6.19.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 304.6, 304.10, 304.14), at 648 Cherry St. Violation(s) – Work without permit, overgrown landscaping and outside storage, dirt and grime, vacant-boarded home, trash & debris, damaged fencing, rotten wood, damaged porch, damaged screens. First Notified – 5/25/2024.

No Respondent

Inspector Itani testified to the status of the case and listed above violations and advised she had contact with the owner, the permit issued and waiting for final inspection and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **April 2, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 24 - SMG 01-25-07 - Shafaat & Carol M Ahmed 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 304.13), at 1121 Mason Ave (Parcel # 5238-08-05-0130). Violation(s) – Outdoor storage and unmaintained landscaping, dirt and grime (sidewalks, driveways and parking spaces) boarded up windows. First Notified – 8/13/2024.

No Respondent

Inspector Butler testified to the status of the case and listed above violations and advised he had contact with the owner, has a painting crew and requested compliance by next cut off.

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **April 2, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 25 - 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.

Steve Yturriaga (owner) sworn in they have been trying to get permits for a while now. He has submitted several items requested by the city he is now waiting for the permit to be approved. Once the building is demolished, they have everyone else lined up for the rebuild. **Inspector Wiggins** confirmed the permit needs to be finalized for compliance.

After the demo a compliance date can be set.

DISPOSITION: Based on the respondent and the inspector's report the Special Magistrate Continued this matter for a progress report at **April 8, 2025**.

CASE # 26 - SMG 04-24-67 - Denise T. D'Abato is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10, 304.13.2), at 611 Braddock Ave. Violation(s) – Dilapidated deck/stairway, boarded window. First Notified – 2/11/2023.

Denise D'Abato and Mike Manderville sworn in

Inspector Wiggins testified to the status of the case advising since the January hearing no progress was made and requested a fine of \$100.00 a day to a cap of \$10,000.00. **Mr. Manderville** advised that was not true they work on it every weekend and have been correcting what the contractors messed up and stated he is only one person. The work they have done the inspector just cant see. Discussion on the when the case started and why. **Mr. Manderville** advised the neighbor they had a dispute with called saying they did not have a permit. The respondent advised they had a permit and had started the project in 2020. They were told by permitting there was no time frame they just got to make progress. They have had hiccups along the way (five years). They had to shim up the house. The side of the house was sagging. In the meantime they had to get a roof put on the windows put in upstairs, the house painted. **Mr. Vukelja** asked whats left and how much longer is it going to take for the deck. **Mr. Manderville** advised he has no idea how long and shouldn't be there in the first place. **Mr. Vukelja** advised one more time asking how long is it going to take and **Mr. Manderville** advised six months he was going to keep working on it and get it done. Some discussion on the respondents coming back if it is not in compliance, with more information on what they have completed and when they can get the job done.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **May 7, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 27 - SMG 01-25-10 - Ron & Ron group 2 LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 204 S Martin Luther King Blvd. Violation(s) – Renovation work without permit. First Notified – 7/21/2022.

Ron & Renee Richardson sworn in

Inspector Kirk testified to the status advising the property is almost completed and there was some zoning issues and requested to amend sixty days. **Ms. Richardson** testified on the zoning issues changing during the rehabilitation of the property. The partnership has been dissolved and they have a contractor starting.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **June 4, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 28 - SMG 01-25-13 - Bat Development LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at 709 Loomis Ave (Parcel # 5339-82-04-0040). Violation(s) – No permit (fence). First Notified – 4/7/2023.

No Respondent

Inspector Kirk testified to the status of the case advising she has had some contact with the owner, messages via missed phone calls but no progress and requested a fine of \$100 a day to a max of \$15,000.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$100.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 29 - SMG 01-25-14 - Darren Ottman is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3), at 552 Foote Ct & 554 (Parcel # 5339-01-23-0045). Violation(s) – Dirt and grime on interior surfaces in doorway. First Notified – 5/13/2024.

No Respondent

Inspector Kirk testified to the status of the case advising no contact with the owner and no progress on the violations. Requested a fine in the amount of \$100.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$100.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 30 - SMG 01-25-01 - Phiesta LLC is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.10) City Code Ch. 90 Sec. 90-297, at 444 S Beach St. Violation(s) – Rotten wood exterior stairs, No Business Tax Receipt. First Notified – 8/23/2024.

No Respondent

Inspector Quinn testified to the status of the case advising since the last hearing there has been no contact, and no permit applied for. Requested a fine in the amount of \$100.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$100.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 31 - 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.

Rosa Alvarado sworn in

Inspector Quinn testified to the status of the case advising since the last hearing there has been contact remains unoccupied and the property is going through an application process and evaluated for assistance under the Elevate Florida program through the Florida division of Emergency Management staff recommendation is to amend to the May cut off.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **May 7, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Mrs. Alvarado asked if she was allowed to sell the house, they have a friend that can buy it and lift it and bring it to code. Mr. Vukelja advised she should probably speak with an attorney.

CASE # 32 - 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.

No Respondent

Inspector Quinn testified to the status of the house advising she has had contact with the owner and he is working through the process and applied for a permit.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **May 7, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

Called case #33 the respondent was not available at this time via zoom and skipped this case for the time being.

CASE # 34 - 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.

Cedric Donaldson appeared via zoom advised they have contracted with Samsula Demolition, and they are currently getting approval for tree removal preparations for the demo.

Field Supervisor Jones advised no contact requested the May cut off.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **May 7, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 33 - 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, at 341 Fairview Ave (Parcel # 5338-32-00-0470). Violation(s) – No permit (exterior stairs). First Notified – 5/15/2024.

No Respondent

Inspector Quinn testified to the status of the case advising no contact the permit closed requested a fine in the amount of \$100.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$100.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 35 - SMG 09-23-215 - RE Equity Investment Group LLC & JJ Equity 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, 304.1, 304.1.1, 304.5, 304.6, 304.13, 304.18, 305.1.1, 308.1), at 736 S Beach St. Violation(s) – Unmaintained landscaping, failure to repair broken windows, failure to maintain exterior walls, failure to repair damaged walls, failure to repaint, failure to repair exposed electrical wires, failure to repair all damaged exterior, failure to remove trash and debris, failure to repair damaged fence. First Notified – 7/7/2023.

No Respondent

Field Supervisor Jones testified to the status of the case no contact and no progress. This is here for a progress report and he has not seen any activity and they are not maintaining the property. Recommended a fine in the amount of **200.00 a day to a maximum of \$20,000.00**

DISPOSITION: Noting the absence of the respondent based upon the testimony of our inspector and the photographs presented, the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **April 2, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 36 - SMG 01-25-03 - Eym Realty of Florida LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.13, 304.15, 605.1), at 2701 N Atlantic Ave (Parcel # 4225-01-09-0060). Violation(s) – Dilapidated parking lot, peeling paint, failing stucco on exterior walls, broken front window, dilapidated exterior doors, exposed wiring on exterior of structure. First Notified – 9/21/2024.

Moreen Lalani sworn in (District Manager)

Inspector Stenson testified to the status of the case advising he has contact and permits applied for request to amend. Ms. Lalani requested more time due to the work that is needed including resurfacing the parking lot.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current amended order of non-compliance to allow the respondents until **May 7, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

CASE # 37 - SMG 01-25-04 - Martha M Bailey is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 305.3, 309.1, 603.1, 605.2), at 236 N Halifax Ave (Parcel 5305-08-07-0021). Violation(s) – dilapidated walls, ceilings, and flooring, insect infestation, inoperable appliances, inoperable receptacles. First Notified – 8/28/2024.

No Respondent

Inspector Stenson testified to the status of the case and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 38 - SMG 01-25-16 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2), at 232 N Peninsula Dr (Parcel # 5305-08-12-0023). Violation(s) – Dirt and grime. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising no contact, no progress, not occupied and requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 39 - SMG 01-25-17 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6), at 319 N Hollywood Ave (Parcel # 5305-10-11-0010). Violation(s) – Exterior wall cracked, dirt & grime. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising no contact, no progress, not occupied and requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 40 - SMG 01-25-15 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2, 304.6, 304.19, 307.1), at 13 S Peninsula Dr (Parcel # 5305-08-15-0023). Violation(s) – Dirt and grime, missing foundation bricks, front gate damaged. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising no contact, no progress, not occupied and requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 41 - SMG 01-25-18 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.13.2), at 509 Harvey Ave & 511 (Parcel # 5304-01-14-0130). Violation(s) – Boarded up window. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising no contact, no progress, not occupied and requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 42 - SMG 01-25-19 - GEA Seaside Investment Inc is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.2, 304.13, 304.13.2, 304.2, 304.5, 307.1), at 25 S Peninsula Dr & 23 (Parcel # 5305-08-15-0040). Violation(s) – Eroding soil, boarded windows, peeling paint, damaged walls, failure to maintain handrails. First Notified – 11/5/2024.

No Respondent

Inspector Clig testified to the status of the case advising no contact, no progress, not occupied and requested a fine in the amount of \$200.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$200.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 43 - SMG 01-25-24 - David Turick 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, 302.4), at 611 N Beach St (Parcel # 5338-05-00-0030). Violation(s) – Vehicles parked on vacant lot, outside storage, weeds. First Notified – 9/4/2024.

No Respondent

Inspector Bostwick testified to the status of the case no contact minimal progress and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **March 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 45 - SMG 01-25-28 - Thu Nguyen Ngoc Minh & Hoa Nguyen Ngoc Trung & Nga Nguyen Thi Thu & Trai Nguyen Ngoc & Tarn Nguyen Hoang Minh & Cue Nguyen Thi Thu & Van Nguyen thi Thu & Trinh Nguyen Gqoc & Minh Nguyen Xuan & Manh Nguyen Xuan & Nguyet Nguyen Thi Thu % Jolie Nguyen 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 941 Lockhart St (Parcel # 5339-A1-00-1150). Violation(s) – Overgrown vacant lot, weeds, trash and debris, abutting area overgrown. First Notified – 9/19/2024.

No Respondent

Inspector Bostwick testified to the status of the case no contact minimal progress the neighbor may have cleaned it up but it is not to city standards and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 46 - SMG 01-25-34 - William Kistner Est 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 Marion St (Parcel # 5339-55-01-0060). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 10/14/2024.

No Respondent

Inspector Bostwick testified to the status of the case no contact and no progress and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 47 - SMG 01-25-35 - Darren Ottman 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, 302.1), at 119 S Helme PI (Parcel # 5339-01-23-0043). Violation(s) – Trailer parked on lot, outside storage, pallets, concrete debris. First Notified – 11/21/2024.

No Respondent

Inspector Bostwick testified to the status of the case no contact and no progress and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 48 - SMG 01-25-36 - Daytona Universal Trucking Inc 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), at Foote Ct (Parcel # 5339-23-02-0021). Violation(s) – Vehicles parked on vacant lot. First Notified – 11/21/2024.

No Respondent

Inspector Bostwick testified to the status of the case no contact and no progress and requested a fine in the amount of \$250.00 a day to a maximum of \$15,000.00.

DISPOSITION: Noting the absence of the respondent and based on the testimony of the inspector and photographs presented, the Special Magistrate ruled to fine the respondents in the amount of **\$250.00** dollars per day will go into effect **February 6, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$15,000.00** dollars.

CASE # 49 - SMG 03-25-61 - Sean Harvin 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 Marion St (Parcel # 5339-49-00-0240). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 8/4/2022.

No Respondent

Inspector Bostwick testified to the status of the case being a repeat case, advised he had contact with Deborah Harvin the mother of the respondent and advised her to maintain the property or they would be brought back as a repeat offender. Inspections of the property occurred on February 10, 2025, February 19, 2025, February 26, 2025 and March 5, 2025. Requested a fine in the amount of \$250.00 per occurrence for a total of \$1000.00. The Special Magistrate advised they paid a fine of \$1250.00 before and he would be fining them \$2500.00.

DISPOSITION: The Special Magistrate issued a fine in the amount of **\$2500.00** dollars for the repeat violations verified by four inspections by the City of Daytona Beach in the Months of February and March.

CASE # 50 - SMG 03-25-62 - Deborah Harvin 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 Marion St (Parcel # 5339-49-00-0250). Violation(s) – Overgrown vacant lot, trash and debris. First Notified – 8/4/2022.

No Respondent

Inspector Bostwick testified advised this is a separate lot next to the previous case. Respondent was advised to maintain the property or she would be brought back as a repeat offender. Inspections of the property occurred on February 10, 2025, February 19, 2025, February 26, 2025 and March 5, 2025.

DISPOSITION: The Special Magistrate issued a fine in the amount of **\$2500.00** dollars for the repeated violations the respondent having been previously notified of the violation and refusal to correct or maintain the property.

Adjournment:

Miscellaneous Business

No Miscellaneous Business

Adjournment: 10:30