
City of Daytona Beach Special Magistrate

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

David A. Vukelja, Special Magistrate

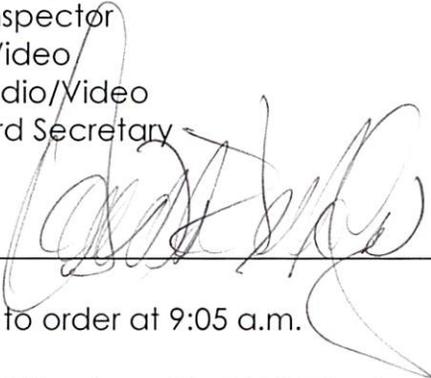
August 12, 2025 Minutes

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. Roosevelt Butler, Code Inspector
Mr. Daniel Garcia, Code Inspector
Mr. Mark Bostwick, Code Inspector
Mr. Tom Clig, Code Inspector
Mr. John Stenson, Code Inspector
Mr. Cliff Recanzone III, Code Inspector
Ms. Lawanda Tomengo, Code Inspector
Mr. Curtis Wiggins, Code Inspector
Ms. Sara Kirk, Code Inspector
Mrs. Abrianna Itani, Code Inspector
Ms. Mariah Quinn, Code Inspector
Mr. Kevin Yates, Code Inspector
Mr. Joe Graves, Audio/Video
Mr. Xavier Campbell, audio/Video
Mrs. Kimberly Reno, Board Secretary
Ofc. Shawna Conley

Approval of Minutes by:  Special Magistrate

The meeting was called to order at 9:05 a.m.

Mr. Vukelja approved of the **June 10, 2025 Minutes** and ask for any staff testifying to be sworn in.

Mrs. Reno sworn in the staff members testifying.

Mr. Vukelja asked if there were any announcements.

Mrs. Reno made the following announcements

Page 2, Case #4 SMG 07-25-120 2700 N Atlantic Ave Administratively withdrawn.

Page 3, Case #5 SMG 08-25-139 825 W Intl. Speedway Blvd Compliance August 11, 2025.

Page 3, Case #6 SMG 07-25-123 W Intl. Speedway Blvd Parcel Compliance August 11, 2025.

Page 3, Case #7 SMG 07-25-124 703 Orange Ave Compliance August 11, 2025.

Page 4, Case #10 SMG 08-25-161 701 Rip Collins Dr Compliance August 7, 2025.

Page 5, Case #14 appearing via zoom
Page 9, Case #29 SMG 08-25-154 Live Oak Ave Parcel Administratively withdrawn.
Page 10, Case #35 SMG 07-25-133 Whitehall St. Parcel Compliance August 12, 2025.
Page 11, Case # 39 appearing via zoom
Page 12, Case # 42 & 43 appearing via zoom
Page 13, Case # 44 appearing via zoom
Page 15, Case # 51 & 52 appearing via zoom
Page 15, Case #LR-1 Pulled to return at another time.

Mr. Vukelja called case # 1 first

CASE # 1 - SMG 08-25-135 - Carole Salvage Revocable Trust at 834 N Halifax Ave. 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 304.6), Violation(s) – Unmaintained landscaping, damaged exterior wall (pillar). First Notified – 7/31/2024.

Carole Salvage sworn in agreed to violation. **The Special Magistrate** asked the inspector how much time should reasonably be required for the respondent to come into compliance

Inspector Stenson advised the next cut off and agreed to the date of first notification being July 31, 2024.

Ms. Salvage advised the violation was already taken care of and called and left messaged for the inspector a week ago. **The Special Magistrate** advised the inspector would get back to her and if it's in compliance he will file a notice of compliance if not he will tell her what else has to be done.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **September 3, 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 08-25-136 - John Mark & Summer Lynette Gill at 1015 Chaffee Pl. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.7.a, Violation(s) – Boat parked in driveway. First Notified – 4/4/2025.

John Mark & Summer Lynette Gill sworn in agreed to the violations and found in non-compliance.

Inspector Quinn testified to the case advising the staff is recommending a finding of non-compliance-compliance. The property comes in and out of compliance.

DISPOSITION: Respondent was found in Non-Compliance and Now in Compliance.

CASE # 3 - SMG 07-25-118 - The 433 Marion St Land Trust dated April 20, 2018 at 433 Marion St (Parcel # 5339-01-26-0072). 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 505.1), Violation(s) – Outside storage, dirt & grime, peeling paint, rotted wood, bare/exposed wood trim, broken windows, insufficient utilities (water/sewer). First Notified – 5/12/2025.

No Respondent, Witness **Mr. Schoondermark** sworn in

City Attorney Diaz advised he can provide testimony, but he can't speak as the owner.

Inspector Kirk testified to the status of the case this is a citizen's complaint. Requested a finding of non-compliance and compliance by next cut off. **Mr. Schoondermark** advised he lives there, and the owner either is in prison for the rest of their lives or out of the country. He actually rented the downstairs apartment fraudulently and can't be evicted at this point. **Mr. Schoondermark** is trying to take over the whole property and pay back taxes and fix everything up. **Mr. Vukelja** asked who does he pay rent to. **Mr. Schoondermark** advised upstairs until he found out it was an abandoned property, and they were not even the owners.

Discussion on no one contesting the non-compliance, and that it needs to be brought into compliance.

DISPOSITION: Based upon the testimony of our inspector as well as the witness the property was found in Non-Compliance and ordered to come into Compliance by **September 3, 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 08-25-137 - Tina Banks, Robert Robinson, Diane Dunn, Sandra Daffin, Benjamin Robinson, Schneta Malcom at **211 Garden St.** is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.2.H.7.a; Art. 3 Sec. 3.4.S.1 (Ref. FBC Supp. IPCM 302.1, 304.3), Violation(s) – Outside storage, overgrown landscaping, parking on the lawn, work with out permit (shed), trash & debris, no house numbers. First Notified – 5/21/2025.

Tina Banks, Robert Robinson, Bobbie Jean Robinson(mom), Sandra Daffin, Benjamin Robinson, Schneta Malcom: sworn in **Mr. Robert Robinson** agreed for the family the property was in non-compliance.

Inspector Itani requested the property be in compliance by the next cut off.

Mr. Robert Robinson asked for someone to give him specifics on what needs to be done and he will take care of it. Made reference to cutting the hedges to just under the windows.

Mr. Vukelja suggested the one he needed to speak to was inspector Itani who could give him a business card. The family was also advised to call for the final inspection when they got the work completed.

DISPOSITION: Respondents were found in Non-Compliance and ordered to come into Compliance by **September 3, 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 07-25-116 - Panora Properties LLC at **620 Ruth St.** 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. IPCM 302.1, 302.7, 304.1, 305.3, 305.4, 504.1, 603.1, 605.1, 704.6.1.2), Violation(s) – Overgrown landscaping, peeling paint, dirt & grime, sunken septic tank, damaged accessory structure, damaged exterior ceiling, damaged interior surfaces, flooring, plumbing, inoperable appliances, outlet covers, smoke detectors. First Notified – 1/10/2025.

No Respondent

Inspector Itani testified to the status of the case advising there has been contact and progress 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 **September 3, 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 07-25-117 - Leroy C Bell at **1432 Illinois St (Parcel # 5238-38-00-0260)**. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.A.3; Art. II Sec. 94-56; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 308.1), Violation(s) – Unmaintained landscaping, illegal parking of commercial vehicles, garbage and rubbish. First Notified – 4/28/2025.

No Respondent

Inspector Butler testified to the status of the case advising it was a field generated case there has been no contact and no progress 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 **September 3, 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 08-25-140 - Whitney Sade Atkins at **555 Westmoreland Rd.** 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), Violation(s) – Unmaintained landscaping, damaged fence, dirt & grime. First Notified – 5/27/2025.

Whitney Atkins sworn in and agreed that things need to be fixed. **Mr. Vukelja** found the property in non-compliance and asked the inspector how much time should reasonably be required for Ms. Atkins to come into compliance. **Inspector Recanzone** advised next cut off. **Ms. Atkins** testified she wont be able to do it. She had the money to have this stuff completed; however, her money was taken from her by the city of Daytona Beach when she was unlawfully arrested. So, she does not have that many right now to do anything. **Mr. Vukelja** read the list of violations being unmaintained landscaping, damaged fence, dirt & grime. Has any work been done to date and the inspector acknowledged it had not. Discussion on the respondent being able to take care of some of the violations herself ended with the respondent leaving the chambers speaking explicit remarks.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **September 3, 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 08-25-141 - Thakorjkrupa LLC at **1100 S Ridgewood Ave # 82 (Parcel # 5340-05-03-0050)**. 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 302.1, 302.4, 302.3, 302.7, 302.8, 304.2, 305.4), Violation(s) – Expired permit, trash & debris, overgrown weeds, cracks in the parking lot, damaged fences, junk vehicle, peeling paint, broken up sidewalks. First **Pravin Kumar Patel** sworn in agreed to non-compliance advised it's an old case and he believes it is in compliance. **Mr. Vukelja** asked the inspector how much time should reasonably be required for the respondent to come into compliance.

Inspector Recanzone advised the next cut off.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 14 - SMG 06-25-107 - Paul S Phillos LLC at 101 S Ridgewood Ave. 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 302.4, 302.9), Violation(s) – Damaged sign, unmaintained landscaping & hedges, graffiti. First Notified – 4/1/2025.

Spiro Phillos (Owner) sworn appeared via zoom **Nick Scavio** attorney for the tenant appeared via zoom

Inspector Recanzone Testified the property was put into compliance on the 30th and the city was requesting non-compliance compliance to set for will fine for future of will fine.

DISPOSITION: Respondent was found in Non-Compliance and based on the testimony of the inspector and the stipulation of the respondent that the respondent is Subsequently in Compliance as of **April 30, 2025** and shall not violate The Land Development Code and for any future repeat violation or the respondent could be fined up to five thousand dollars per each occurrence.

CASE # 15 - SMG 08-25-144 - First Premier Management Holdings LLC & Anjos Thiago at 921 S Ridgewood Ave (Parcel # 5339-64-00-0150). 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, 304.15, 304.18, 304.3, 304.4, 305.1.1, 305.2, 305.3, 305.4, 305.6, 308..1, 309.1, 403.1, 403.3, 502.1, 503.1, 505.4, 602.1, 602.5, 604.3.1.1, 604.3.2, 605.2, 605.4, 701., Violation(s) – Damaged windows, unopenable windows, missing screens, damaged doors, property unsecure, missing address numbers, structural damage, Interior structural damage, damaged interior walls, floorsagging/missing, damaged/missing doors, garbage, trash and demolition debris, termite damage, cooking facilities (none), no working bathroom facilities, no working or properly mounted toilet, damaged water heater(not working), no working heat, thermostat missing, missing, damaged, and unsecure electrical equipment (outlets, wiring) electrical wiring fire damaged, no present or working smoke detectors, doors & windows damaged (no egress). First Notified – 3/20/2025.

No Respondent

Inspector Wexelberg testified to the status of the case and it being a police generated case. The inspector has had no contact or progress on the property. Requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 16 - SMG 07-25-126 - First Premier Management Holdings LLC & Anjos Thiago at **921 S Ridgewood Ave (Parcel # 5339-64-00-0150)**. 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, 302.7), Violation(s) – Unmaintained lot, unsecured shed, trash and debris, dilapidated fence. First Notified – 3/18/2025.

No Respondent

Inspector Beeney testified to the status of the case and this case was citizens complaint generated the inspector has made contact with the owner and 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 **September 3, 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 08-25-142 - John A McCafferty at **312 Loomis Ave.** 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 304.14, 304.3, 304.7), Violation(s) – Unmaintained landscaping, outside storage, peeling paint, decayed garage doors(bottom), dirt & grime, damaged screens, no address numbers, damaged roof (covered with tarp). First Notified – 3/14/2025.

No Respondent

Inspector Beeney testified to the status of the case and this case was complaint generated; the inspector has made no contact with the owner and requested 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 **September 3, 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 08-25-143 - T Ramasami Enterprises 1 LLC at **601 Mulberry St.** is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, Violation(s) – Work without permit (new roof). First Notified – 6/10/2025.

No Respondent

Inspector Beeney testified to the status of the case and this case was complaint generated; contact has been made with the owner and requested compliance by the next cut off. **Mr. Vukelja** asked what the owner had to say. **Inspector Beeney** advised they are trying to get the permit. They had issue with the contractor and that permit went dead-so to speak, so they are trying to do it again.

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 **September 3, 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 07-25-125 - Gabriel Nazario at **314 Hobart Ave (Parcel # 5338-32-00-0700)**. 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, 304.3), Violation(s) – Outside storage, unmaintained landscaping, dilapidated and damaged fence, address numbers hanging. First Notified – 4/21/2025.

No Respondent

Inspector Beeney testified to the status of the case and this case was complaint generated; the inspector has made no contact with the owner and requested 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 **September 3, 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 08-25-145 - Larry & Shirley Johnson at **637 Marco St.** 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, Violation(s) – Unmaintained vacant lot, trash & debris, dilapidated fence. First Notified – 6/25/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made no contact with the owner and requested 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 **September 3, 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 08-25-146 – The Johnson Jr Living Trust dated January 24, 2025 at **Whitehall St (Parcel # 5339-03-71-0052)**. 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/13/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made contact with the owner and requested compliance by the next cut off. They did cut the lot over the weekend but left trash that needs to be picked up.

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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Called case number #22 Dreamers Outreach LLC and case #23 Herbert Green Jr. Inspector Bostwick requested to come back to these cases.

CASE # 24 - SMG 08-25-149 - Atlantic County O3 LLC at N Helme Pl (Parcel # 5339-19-00-0050). 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, Violation(s) – Unmaintained vacant lot, trash & debris, damaged fence. First Notified – 6/7/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 25 - SMG 07-25-134 - Atlantic County O3 LLC at 126 N Helme Pl (Parcel # 5339-19-00-0230). is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1; Art. 5 Sec. 5.3.B.2.a; Art. 5 Sec. 5.3.C.19.b; Art. 6 Sec. 6.2.H.4; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.7), Violation(s) – No permit (driveway), no permit (carport, fence and accessory structures), recreational vehicle, unmaintained vacant lot, trash and debris. First Notified – 6/5/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 26 - SMG 08-25-150 - Three Oaks Inn LLC at 331 S Palmetto Ave (Parcel # 5339-01-04-0031). 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/7/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was a citizen's complaint; the inspector has made no contact with the owner and requested compliance by August 15, 2025.

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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 27 - SMG 08-25-151 - Narcisse Holdings LLC at Whitehall St (Parcel # 5339-03-71-0082). 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/12/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 28 - SMG 08-25-152 - Linda Braxton at Pine St (Parcel # 5338-93-03-0140). 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), Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/12/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was a citizen's complaint; the inspector has made contact with the owner; first contact was yesterday 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 30 - SMG 08-25-156 - ASP Readychem LLC at 611 Weber St (Parcel # 5338-16-00-0080). 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/24/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has made contact with the owner who advised he no longer wants the property and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 31 - SMG 08-25-157 - Deborah Harvin at Marion St (Parcel # 5339-49-00-0250). 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), Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 7/8/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner but did receive a voice mail advising she wouldn't be attending the hearing via zoom and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 32 - SMG 08-25-158 - Sean Harvin at **641 Marion St (Parcel # 5339-49-00-0240)**. 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), Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 7/8/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 33 - SMG 08-25-159 - Sylvester & Garrette B Covington at **Maple St (Parcel # 5339-30-02-0070)**. 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/17/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 34 - SMG 07-25-128 - Viktor Shatailo at **211 Michigan Ave & 213 (Parcel # 5338-20-02-0031)**. 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, Violation(s) – Unmaintained vacant lot, trash and debris.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 36 - SMG 06-25-110 - Space Shuttle Renovations LLC at 750 Orange Ave (Parcel # 5239-06-29-0250). 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 302.1), Violation(s) – Unpermitted accessory structure, connex trailer, trash and debris. First Notified – 4/28/2025.

No Respondent

Inspector Bostwick testified to the status of the case and in this case since the last hearing there's been no contact with the owner or progress staff requested a fine in the amount of \$250 a day to a maximum of \$15,000 thousand.

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 **August 7, 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 # 37 - SMG 06-25-111 - Space Shuttle Renovations LLC at Orange Ave (Parcel # 5239-06-29-0240). 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 302.1), Violation(s) – Unpermitted accessory structure, connex trailer, trash and debris. First Notified – 4/28/2025.

No Respondent

Inspector Bostwick testified to the status of the case and in this case since the last hearing there's been no contact with the owner or progress staff requested a fine in the amount of \$250 a day to a maximum of \$15,000 thousand.

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 **August 7, 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 06-25-109 - Whirlwind Daytona Investment I LLC at 1800 S Atlantic Ave (Parcel # 5316-02-00-1680). 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, 304.13.2, 505.1, 605.1, 605.2, 605.1, 701.2, 702.2, 704.6.1.2), Violation(s) – Interior remodel (no permit), missing plumbing fixtures, missing light fixture covering, receptacle outlets have no faceplate, damage windows, peeling paint, inoperable washer and dryer on the property, no smoke detector, the covered hallway is treated as outside storage. First Notified – 4/24/2025.

Tom Voss Owner & **Di Wang** Manager sworn in

Inspector Recanzone testified all other violations have been brought into compliance and the permit pulled for room 119, staff requested room 119 be in compliance by the next cut off.

Mr. Vukelja confirmed no fine is needing to be considered and we are looking to set a compliance date. **Ms. Wang** requested extra time due to the General contractor and the Architech to finish drawings for the permit to be approved, it is currently approved contingent upon the sealed architech drawing. Found all other work in compliance other than room 119 after approved should be about one month to complete the work, the respondent agreed to keep room 119 secured.

DISPOSITION: The Special Magistrate ruled respondent must bring the property into compliance as to unit 119, have it inspected and approved by the Code Enforcement Inspector and obtain an Affidavit of Compliance by **November 5, 2025**, or return to a subsequent hearing for consideration of the imposition of a fine of up to *One Thousand (\$1,000.00) Dollars per day* until compliance is achieved. All other violations have been found in compliance. It is further ordered unit 119 be secured, not occupied or utilized until compliance is achieved.

CASE # 39 - SMG 05-25-93 - Christopher R & Joy Louden at **567 Cedar St.** 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 304.3), Violation(s) – Rotted wood, peeling paint, broken/boarded windows, structural & electrical work without permit, inadequate address numbers. First Notified – 7/31/2024.

Jen Louden (daughter) appeared via zoom sworn in looking into the legal remedies they may have with the city over permits and zoning disputes. Permits approved then denied and advised waiting for the structural engineer report.

Inspector Kirk testified to the status of the case advising she has had no contact since last hearing and there's no known progress. Requested a fine in the amount of \$100.00 a day to a maximum of \$20,000.00. **Ms. Louden** advised she submitted a letter yesterday from her GC requesting four months, they have to do structural plans as well. Once those are done, they can apply for permits for the handrails and the area by the garage. **Mr. Vukelja** asked why it hasn't been done before today. **Ms. Louden**, they have been requesting and it's just taking a long time. **Attorney Diaz** noted on the record it has been over a year, first notified July 2024. **Ms. Louden** advised they have been working on other permits and having issues with the city. They purchased the building with the understanding this was a mixed use and the city approved permits for electrical for six meters and then turned around and denied them saying it could only have one meter. It was a single family residence. Discussion on the need for structural permit and it was advised it's for the handrails and there's a garage unit and there's some structural support there the inspector is asking for. Discussion on if they are converting to a single family residence. **Ms. Louden** advised they are fighting for that because they bought it with the intent of having four apartments and two commercials, which it had since 1940 when it was built. It was news to them because the roof permit was approved saying it was commercial, they approved the permit for the six electric panels, then the city said no and did not approve. **Mr. Vukelja** asked what are they doing in the way of fighting this. **Ms. Louden** advised they are applying for a mixed use rezoning, and it will cost like \$20K or \$40,000 thousand to hire someone to request it be rezoned back to what it's always been. **Mr. Vukelja** advised if this is a single family then

they are not in compliance, and they're subject to being fined. If on the other hand they're telling him they are trying to exhaust their legal remedies because they are in a dispute with the city regarding the building and zoning use of this property, then that is another matter that requires other considerations. Special magistrate asked if they have initiated any proceedings, he needs to be aware of like before a board of adjustment or a building and zoning commission? **Ms. Louden** said two in-person meetings, and hired Zevin Cohen to get the request in front of them and they have an attorney now and met with the city attorney as well. Emailed all the commissioners, emailed the mayor Ms. Louden confirmed the building is not occupied and will remain unoccupied and they are requesting to keep it what it has always been as the legal remedy they are seeking. Attorney Diaz advised the city has no objection to more time just object to a lot of things are happening and they are not keeping in contact with the inspector and with last minute notifications. **Mr. Vukelja** advised he is continuing the case for 30 days to get concrete proof that they are actually pursuing the legal remedies with the city to try to get a determination that they get the use that they say they thought they had. Whether it be by an application, request whatever it may be if after 30 days were not in any different situation, then as far as he is concerned, they are a single family residence, not in compliance then at that point he'll consider the imposition of the fine.

City Attorney Diaz requested the respondent keep them in the loop by keeping in touch with her inspector.

DISPOSITION: The Special Magistrate ruled to continue the case to the **September 9, 2025** meeting for a progress report on the structural engineer report and the consideration of the imposition of a fine.

CASE # 40 - SMG 06-25-99 - Oregon LLC at **935 S Martin Luther King Blvd.** 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 302.1, 302.4), Violation(s) – Unmaintained vacant lot, trash, debris & weeds. First Notified – 5/14/2025.

No Respondent

Inspector Clig testified to the status of the case and in this case since the last hearing there's been no contact with the owner or progress staff requested a fine of \$100 a day to a maximum of \$15,000 thousand.

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 **July 3, 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 08-21-236 - Vishnu LTD & MAA Shantoshi at **1000 N Atlantic Ave.** 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, 302.7, 304.1, 304.7, 304.13, 308.1, 304.10, 605.1), Violation(s) – Unmaintained landscaping, dilapidated pool shed, general conditions of exterior structure, dilapidated roof, missing and broken windows, trash and debris, dilapidated stairs, balconies and rails, exposed wiring. First Notified – 5/30/2020.

Alona Smith with Cobb Cole law firm appeared on respondent's behalf and agreed to the November compliance date.

Inspector Yates requested the November 5, 2025 compliance date.

DISPOSITION: Based on the inspector's report and the agreement by counsel, the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **November 5, 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 # 50 - SMG 05-25-92 - Arya International Realty LLC at 709 Ora St (Parcel # 5304-04-08-0130). is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.8, 304.6, 304.15, 304.2, 304.7, 305.3, 309.1, 504.1, 505.4, 604.3.2.1, 605.2, 605.4, 704.6.1.2), Violation(s) – Unmaintained commercial property, expired tags, failing stucco, front door (unsealed) rear door (improperly installed), peeling & fading paint, damaged gutters, water damage to interior walls and ceilings, insect infestation, inoperable bath and shower controls, lack of hot water, extension cords running outside through window, inoperable outlets, excessive extension cords, missing /inoperable smoke detectors. First Notified – 2/28/2025.

Alona Smith with Cobb Cole law firm

Inspector Stenson testified to the status of the case advising, complaint generated case listed the violations and requested a fine in the amount of \$300 a day to a maximum of \$20,000 thousand dollars.

Alona Smith appeared for the respondent and requested a 90 day extension in lieu of the fine to allow for the demolition (Central Florida Renovations). The property owner had a contractor look at everything and they advised the owner that if they did repairs that would just lead to more structural issues. The owner's intent is to demolish the initial building. They are giving the tenants until the end of this month to vacate the property and 30 days after that is when they intend to start demolition. They have a fully executed contract with a contractor for a rebuild. **Attorney Diaz** asked if they have documentation for this. **Attorney Smith** advised they just sent this maybe yesterday as they just started representing this respondent. And confirmed the owner's commitment by means of already having an executed contract to rebuild. Confirmed the request of a 90 day extension so the owner can offer accommodation through other properties they own in Daytona for the remaining tenants and advised they should be out by the end of the month; she was unsure how many have already vacated but advised there's only a few left in there at the moment.

DISPOSITION: Based on the representation of the respondent the building is going to be demolished, tenants being removed, and demolition completed within 90 days, the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **November 5, 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 # 42 - SMG 03-25-50 - Egalite Real Estate LLC at 807 S Ridgewood Ave & 809. is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, Violation(s) – Enclosing garage to living space (no permit). First Notified – 8/12/2024.

Erica Thims appeared via zoom sworn in confirmed Business partner.

Inspector Beeney testified to the status of the case advised he has had contact and no progress and requested a fine of \$200 a day to a maximum of \$20,000. However since sitting being here he had contact via text message with Erica who stated shes been in the process of attempting to make payment and has a meeting set up tomorrow with Melissa to make that payment. **Ms. Thims** confirmed same information, case is based on a permit fee payment of \$19,000 dollars and the Daytona system only allows a maximum of \$16,000 and she was in Clearmont and has set up a meeting tomorrow to come make the payment in person.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 3, 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 # 43 - SMG 05-25-95 - Ivan & Cardin LLC at **631 N Grandview Ave.** 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, 304.15, 305.3, 605.1, 701.2, 702.1), Violation(s) – Trash, debris & outside storage, unmaintained landscaping, damaged (fence, front door, interior surfaces), damaged wall outlets, extension cords, damaged emergency exit sign & door hardware. First Notified – 2/18/2025.

No Respondent

Field Supervisor Jones testified to the status of the case, advised he has had contact with the owner, and the permit was issued yesterday August 11th. They're just waiting for the final for the fence, staff recommend amending to the next cut off for the inspection.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 3, 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 # 44 - SMG 07-24-109 - Covenant Community Development Corporation of Florida LLC at **507 5th Ave.** 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), 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.

Attorney Cedric Donaldson

Field Supervisor Jones testified to the status of the case, advising no contact since last hearing, the building has been completely demoed (Church) only waiting for the permit department to final the inspection. Requested to amend to the next cut off for the permit to be finalized. Mr. Donaldson advised that is the only reason they had not contacted inspector Jones is the permit hadn't been closed out and it was really because the space was so tight for the contractor to demo that they had to destroy some of the sidewalk which required them to fix and so they couldn't close the permit out until that gets fixed. Attorney Diaz advised she is a stickler for communication even just to say hi Ive been hired on to the case, please reach out to the inspector or her via email or phone call, whatever is easier for, just so we have your representation on file. Mr. Donaldson advised he has

represented this case since it initiated and he just got contact by the contractor and he had communication with Inspector Jones in the past.

DISPOSITION: Based on the inspector's report the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **September 3, 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 # 45 - SMG 05-25-80 - Atlantic County O3 LLC at **124 Emmett St.** 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. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.7, 302.8, 304.6, 304.14, 304.3, 304.7, 305.3, 308.1, 504.1, 505.4, 602.2, 603.1, 605.1, 704.6.1.2), Violation(s) – Unmaintained landscaping, outside storage, dirt & grime, no permit (stairs), trash & debris, junk vehicles, damaged shed and garage, damaged exterior wall, no screens, no address numbers, damaged roof, damaged interior surfaces, interior trash & debris, plumbing issues, inoperable water heater, inoperable heater, inoperable appliances, inoperable electrical, no smoke detectors. First Notified – 1/3/2025.

No Respondent

Inspector Itani testified to the status of the case advised she has had contact with the owner since the last hearing and the city is in the process of buying this property. requested to amend to the october cut off for Redevelopment to process the purchase of the property.

DISPOSITION: Noting the absence of the respondent and based on the inspector's testimony and report regarding the status of the property and the dealings between the parties the Special Magistrate ruled to amend the current order of non-compliance to allow the respondents until **October 8, 2025** to come into compliance or be returned to the special magistrate for consideration of a fine up to \$1,000 per day thereafter.

DISPOSITION: The Special Magistrate ordered this case be returned to the **October 14, 2025** meeting for the imposition of a fine.

CASE # 22 - SMG 08-25-147 - Dreamers Outreach LLC at **821 George W Engram Blvd (Parcel # 5338-67-00-0030)**. 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/6/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner and requested 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 **September 3, 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 08-25-148 - Herbert Green Jr at 825 George W Engram Blvd (Parcel # 5338-67-00-0020). 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, Violation(s) – Unmaintained vacant lot, trash & debris. First Notified – 6/12/2025.

No Respondent

Inspector Bostwick testified to the status of the case and this case was field generated; the inspector has had no contact with the owner and requested 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 **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

CASE # 46 - SMG 05-25-97 - William Dennison Sr at 500 S Ridgewood Ave. is cited for failure to correct violations of The Land Development Code, Art. 5 Sec. 5.3.C.19.b; Art. 8 Sec. 8.2; Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 302.4, 302.7, 302.8, 304.1, 304.12, 308.1) City Code Ch. 90 Sec. 90-297, Violation(s) – Inoperable/unregistered junk vehicles, zoning violation/non-conforming use, unmaintained overgrown property, weeds, trash and debris, dilapidated fence, outside storage, leaning hand/guard rail, No Business Tax Receipt. First Notified – 12/14/2024.

Lesley Amos and William Dennison Sworn in

Inspector Tomengo testified This was a matter of a denied business license back in 2016. There has since been meetings between City Hall, Code Manager and Mr. Amos. Mr. Amos received correspondence from City Hall. Mr. Vukelja questioned owners and Inspector Tomengo confirmed that Mr. Amos was the owner of the non-profit establishment that's there without the business license. Currently there is an application that was submitted with documents under review so staff is requesting to continue to the October to the cutoff to complete that licensing. **Mr. Vukelja** asked who owns the property and it was confirmed to be Mr. Dennison. **Attorney Diaz** stated the business tax receipt, and the code violations are separate. **Inspector Tomengo** confirmed and stated originally that zoning violation was related to that previous business license application where they denied it because of the use as a social club. They've revisited that in a meeting and were exploring pathways to get it licensed which currently in progress and submitted a new business tax receipt which is under review now. Question on the dispute of Social or Bottle and what the city's contention is. Inspector Tomengo advised there was a fine previous imposed on the property for it being used as a social club, adult, entertainment, theater, and bottle club. That was confirmed for Mr. Vukelja it happened back in 2016. The respondent advised they were never notified. Discussion on the ongoing process and the respondent has submitted everything requested and the Business tax Receipt is under review and there are some inspections that need to take place for that as well and requested to amend to October.

DISPOSITION: Based on the Inspectors testimony and the consensus of effort The Special Magistrate ordered the case continue and returned to the **October 14, 2025** meeting to establish **compliance or non-compliance** for the zoning and no Business Tax Receipt violation.

CASE # 47 - SMG 09-24-158 - R&J Estates LLC at 110 Palm PL (Parcel # 5339-71-00-0042). is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4. S. 1, Violation(s) – No permit (full renovation). First Notified – 11/8/2023.

Rosa Alvarado sworn in agreed to amending

Inspector Quinn requested to amend to the September cut off for the review of new information the city received on the work that was completed inside the property.

DISPOSITION: Based on the request by the city and stipulated to by the respondent The Special Magistrate ruled to continue the case to the **September 9, 2025** meeting for the consideration of the imposition of a fine.

CASE # 48 - SMG 06-25-104 - Jorge Iquierdo at 506 Butler Blvd. 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 302.1, 302.14), Violation(s) – Damaged stucco, peeling paint, outside storage, no screens. First Notified – 2/22/2025.

No Respondent

Inspector Quinn has had contact, and property is occupied with minimal progress, staff requested a fine in the amount of \$250 a day to a maximum 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 **\$250.00** dollars per day will go into effect **July 3, 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 09-24-157 - Gregory Karpinski at 311 Cedar St (Parcel # 5339-16-00-0140). 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), 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 has had no contact, property is owner occupied, since last hearing progress has been made but no building inspection completed, staff requested a fine in the amount of \$100 a day to a maximum of \$10,000.

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** per day will go into effect **July 9, 2025** and continue to accrue each day thereafter until the property is in compliance, or the amount of the fine reaches a maximum of **\$10,000.00** dollars.

CASE # 51 - SMG 04-25-68 - Sunshine Ventures & Management LLC at 999 N Atlantic Ave. is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.19.B; Art. 6 Sec. 6.19.C; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.7, 304.2), Violation(s) – Unmaintained landscaping, boarded windows and doors over 120 days, dilapidated fencing, peeling paint. First Notified – 1/22/2025.

Koby Beizalel sworn in (one of the owners) **Attorney Bayer** appeared via zoom

Inspector Stenson testified to the status of the case advising they have repaired the fence as of June 25, 2025. They still have permits under review and not obtained any permits, there's been no change to the status of the property. **Mr. Betzalel** advised everything was submitted and the one thing missing to get approval is the asbestos report. They are in the process and yesterday **GNS Good Environmental Inc** was taking samples that will be sent to a lab and should have results at the end of this week or beginning of next week and once they submit that they should get the permit approved. **Inspector Stenson** advised that once permits are in hand he has no idea on how long for compliance. Discussion on the building being a complete remodel and permits needing finalized before compliance can be achieved. **Mr. Vukelja** advised they will be back next month, and permit should be on its way, once permit is in hand he will ask both sides to give their best estimate on compliance and for this notice that means everything being done. Ordered we reconvene at the October 14 meeting to discuss this matter again and hope they have the permits and discuss what construction they are starting and give an overview. **Attorney Diaz** requested a five day retroactive fine because they didn't fix the fence until June 25th completion due June 20th. **Mrs. Reno (Secretary)** advised it was an auto fine already in the binder **Mr. Vukelja** asked the owner what the delay was for. **Mr. Betzalel** advised they contacted the inspector, and he was busy, and they met on the 9th day at the property and after that was June 19th met Mr. Stenson on the property and the contractor started on the 20th. **Mr. Vukelja** advised he was forgoing any fine on that matter.

DISPOSITION: The Special Magistrate ordered this case be continued to the **October 14, 2025**, for a progress report and to possibly establish a compliance date.

CASE # 52 - SMG 05-25-77 - Daytona Beach MHP LLC at **622 N Beach St.** 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. IPCM 302.1, 302.5, 302.7, 605.4), Violation(s) – Outside storage, unmaintained commercial property (sanitation), rodent harborage, dilapidated fencing, improper wiring (extension cords from trailer to shed). First Notified – 2/24/2025.

Deonne Kucel Sworn & Att. Sean Cornell

Inspector Stenson

Mr. Vukelja asked Mr. Cornell if they agreed to the non-compliance **Mr. Cornell** asked for clarification on the property in non-compliance. **Mr. Vukelja** replied **622 N Beach St.** **Mr. Cornell** no sir, the property that received the notice of violation is 180 Beach Manor Court, as some point throughout this process, he wanted to bring to the magistrate's attention to the fact that the address, the property address was switched. The 622 N Beach St did not receive statutory violation of a notice. Attorney Diaz advised they have the right to amend citations to correct based on who they think is responsible, they were properly notified when the violation was corrected per statute. Mr. Vukelja referred to **Mr. Stenson** to testify. Discussion of the violations corrected and what needed to be done. **Mr. Cornell** states the Park is not responsible for each individual lot the community has a total of 53 also referenced 54 lots. The initial notice stated 180 Beach Manor Court. Discussion on certified mail being received and provided to the respondent. **Mr. Vukelja** discussed the notice of violation being comprehensive. And do they just want to be told what they are statutorily obligated or required to do, nothing more nothing less. That may be an issue with the respondent and the city attorney but as it stands he suspects that Inspector Stenson has notified the property owner upon which these violations are

occurring and Inspector Stenson has probably not concerned himself, nor does he understand why he should know what the right are between the property owner and its tenants. The issue at hand is parkwide violations. **Mr. Cornell** advised his client provided a list of all 54 mobile home property owners and the lot sizes that are leased and suggested that if they have a problem with a lot to cite the individual. The client acknowledges the common area and the fencing, but the notice was the fencing at lot 180 and it's difficult to get Mr. Stenson to the property to be more specific on what needs to be done as this is over 3 acre lot. **Mr. Vukelja** advised first, they deal with much larger that 3 acres, and second he thinks the respondent is capable of utilizing a little common sense to understand the nature of the violations and they're a lot smarter than that. Thirdly, they have had many property owners before them whose problems have been instigated, caused, or the direct result of tenants, and they are not our concern. They are not only not our concern, but the city, he suspects, historically goes out of its way not to stick its nose between the contractual relationship between the contractual relationship between a property owner and its tenant for fear that the city would get sued for tortious interference with a business relationship. The owner of the property is responsible for administering its tenants. What they brought up is this notion that the City's Special Magistrate is prohibited from ordering the property owner to clear violations that fall within the confines of a tenant's lot. He advised he does not know that to be the case and that has not been explained to him to where he is accepting that to be true. The city attorney is not telling him that is the case. There is nothing particularly exotic or unique about this situation.

Deonne Kucel property manager one and a half years testified as the agent on behalf of the owner testified that the owner leases mobile home lots to individual mobile home pursuant to chapter 723 Florida statute. There are 54 individual lots in this park. Many lots are leased pursuant to the oral lot lease agreements. Oral lot lease agreements are common in the mobile home park industry and explicitly recognized under Florida law. As a courtesy for the convenience of the city of Daytona beach, the attorney provided the city with a rent roll listing each of the tenants' names and addresses of each mobile home park owner Exhibit two. They also provided the city with a courtesy copy of the park layout map which indicates the lease lots within the mobile park community. **Mr. Cornell** requested to enter as Exhibit Two. **Ms. Kucel** advised that because the original notice only cited lot 180 she will only address lot 180. And there is not presently a pest control harborage issue. The city has not provided any proof of that violation, and she has provided invoices from Orcin showing that the park is regularly serviced for pest control. Orcin comes out every month or every other month to our rental homes or apartment homes such as 622 apt 1 and 2. 624 and lots 632 and 634. On the fence, she has made attempts to reach Mr. Stenson to walk the perimeter. And she agreed with Mr. Stenson has met with Frankie the facilities manager, and he walked him around. Discussion on the fence she had repaired was at lot 180. **Mr. Vukelja** discussed with the owner and the inspector the outside storage issue and that if they don't agree they will be back to discuss what it is, and they will figure it out as the go.

DISPOSITION: Respondent was found in Non-Compliance and ordered to come into Compliance by **September 3, 2025** or be returned to a subsequent meeting for consideration of the imposition of a fine up to \$1,000 per day.

Miscellaneous Business

Adjournment: 11:33