

Agenda

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

DATE: TUESDAY, JANUARY 10, 2017

9:00 A.M.

NOTICE: Any person who decides to appeal any decision made by the Special Magistrate will need a record of the proceedings and for such purpose he may need to insure, at his own expense, for the taking and preparation of a verbatim record of all testimony and evidence of the proceeding upon which the appeal is to be based. The City does not prepare or provide such record. Any discussion or contact outside the Special Magistrate hearing with the Special Magistrate concerning any quasi-judicial matter which is, or will come, before the Special Magistrate for a decision are to be disclosed and made part of the record prior to or at the hearing on the matter.

SPECIAL MAGISTRATE PROCEEDING

CITY OF
DAYTONA BEACH

David Vukelja , Special Magistrate

1. Call to Order
2. Approval of November 8, 2016 Meeting Minutes.
3. Announcements
4. Lien Review

LR-1

CASE NO SMG 12-10-159 – Trust No.219 c/o Dennis C. Riggins, Trustee – New Owner: Susan Hounsom Family Partnership, LTD is cited for failure to correct violations of the Land Development Code, Art. 19 Sec. 1.1 (ref. FBC Supp IPMC 504.3) & Ch. 90-297 Code of Ordinances, at **219 North Street - Violation(s) – Plumbing system hazard & no occupational license.** Order Imposing Fine-Lien of \$75.00 dollars per day effective December 24, 2010 plus a one-time administrative fine of \$250.00. Compliance date: 11/3/2016 = **\$15,000.00 plus one-time \$250.00 and \$89.60 interest and recording costs of \$22.00. Total owed: \$15,361.60.**

DISPOSITION _____

(M. Fitzgerald)

5. Hearing of Cases

Continued Cases:

1
Michael P. Fitzgerald

CASE NO SMG 07-16-38 – Binny Enterprises, 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, 304.2, 304.3, 304.6, 304.7, 304.8, 304.10, 304.12, 304.13, 304.13.1, 304.13.2); Art. 6 Sec. 6.10.D; Art. 6 Sec. 6.10.E.1, 6.10.E.2, Art. 6 Sec. 6.10.G; Art. 6 Sec. 6.12.C.4; Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3.; Art. 6 Sec. 6.19.A.4; Art. Sec. 6.19.B.; Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.4.; Art. 7 Sec. 7.2.N.9, at **509 E. International Speedway Blvd.**
Violation(s) – **No permit; outside storage of trash and debris; high grass and weeds; accessory structure dilapidated; peeling and fading paint; missing address numbers; exterior walls have holes and breaks; deteriorated roof; stairways decks and porches have deficiencies; handrails have parts that are missing; Windows and doors are broken or deteriorated; exterior sign – business is not open; Parking lot striping has cracks or missing asphalt; expired permit**
First Notified – 3/29/2016.

ACTION TO BE TAKEN: Progress Report and Impose Fine (Con't from 11/8/2016).

DISPOSITION _____

2
John C.
Stenson

CASE NO SMG 08-16-46 – Crystal G. Scott is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 602.3, 704.2, 504.1, 304.15, 304.2, 304.13, 305.3, 605.1, 604.3, 504.3, 304.7) City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **544 Berkshire Road**
Violation(s) – **No working heat; no smoke detectors; dilapidated plumbing fixtures; dilapidated garage door; damaged exterior door; peeling paint; inoperable windows; damaged interior surfaces; damaged/missing electrical fixtures; electrical system hazards (interior breaker panel); plumbing system hazard (low water pressure); dilapidated roof (fascia); Failure to obtain business tax receipt (BTR); failure to obtain residential rental license (RTL)**
First Notified – 5/19/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

3
Clifford W.
Recanzone
III

CASE NO SMG 09-16-56 – Love Tabernacle Cogic, Inc. c/o Richard Butts, Trustee is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.1; City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **347 S. Martin Luther King Blvd.**
Violation(s) – **No permit for plumbing system; No business tax receipt (BTR); No residential rental license (RTL)**
First Notified – 7/16/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

4
Clifford W.
Recanzone
III

CASE NO SMG 10-16-57 – Jasmine & Stephen Lindermann is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPJMC 302.8, 304.2, 304.5, 304.6, and 307.1); Art. 6 Sec. 6.2.H.4; Art. 6 Sec. 6.2.H.7.a.; City Code Ch. 26 Sec. 26-294 and City Code Ch. 90 Sec. 90-297, at **575 South Street**
Violation(s) – **Inoperable or unlicensed vehicles; protective treatment; exterior foundation walls; exterior walls; accumulation of rubbish or garbage; parking surfaces; off-street parking; Failure to obtain residential rental license (RTL); Failure to obtain business tax receipt (BTR)**
First Notified – 6/3/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

5
John C.
Stenson

CASE NO SMG 07-16-40 – Josif Janceski is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S.; Art. 6 Sec. 6.19.A.3.a; Art. 3 Sec. 3.4.S; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 604.3, 504.3, 304.14, 304.5, 302.7); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1058 Thunderbird Drive**
Violation(s) – **Working without permit (roof); outside storage; lack of power; lack of utilities (water); dilapidated screens; dilapidated garage door; dilapidated fencing; Failure to obtain business tax receipt (BTR); failure to obtain residential rental license (RTL)**
First Notified – 5/5/2016.

ACTION TO BE TAKEN: Progress Report -Bring Plans (Compliance Date 2/8/2017).

DISPOSITION _____

6
John C.
Stenson

CASE NO SMG 07-16-41 – Daisy Smalls Johnson and George Smalls, Jr. and Vincent E. Smalls, as JTRS is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.2, 304.15, 605.1, 305.3, 603.1, 504.1, 304.13, 304.14, 704.2, 605.2); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **1211 Imperial Dr.**

Violation(s) – **Peeling paint; exterior doors; electrical fixtures; electrical wiring; interior surfaces; inoperable appliances; damaged plumbing fixtures; inoperable Windows; missing or damaged screens; missing or inoperable smoke detectors; and operable receptacles; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL)**

First Notified – 5/3/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

7
John C.
Stenson

CASE NO SMG 08-16-47 – Susan Hounsom Family, LTD Partnership is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 304.14, 304.2, 605.2, 308.1, 302.5, 704.2, 304.15, 305.6, 504.1, 304.10, 304.6) City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **617 Kingston Avenue**

Violation(s) – **Damaged or missing screens; dilapidated handrails; inoperable receptacles; infestation; rodent harborage; missing smoke detectors; damaged exterior doors; damaged interior doors; damaged plumbing fixtures; dilapidated stairs; exterior surfaces; Failure to obtain business tax receipt (BTR); Failure to obtain residential rental license (RTL)**

First Notified – 6/1/2016.

ACTION TO BE TAKEN: Impose Fine (con't from 11/8/2016).

DISPOSITION _____

8
John C.
Stenson

CASE NO SMG 11-16-60 – Kimberly E. Telfare is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 605.1, 304.15, 305.3, 504.1, 305.2, 605.2, 504.3, 302.8, 605.1, and 302.7); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **515 Gibson Street**

Violation(s) – **Outside storage; non-conforming use as a rooming house; damaged electrical fixtures; damaged exterior doors; dilapidated interior surfaces; damaged plumbing fixtures; damaged interior doors; inoperable receptacles; plumbing system hazard; junk vehicle; inoperable electrical wiring; dilapidated fence and gate; Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 9/16/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

9
John C.
Stenson

CASE NO SMG 11-16-61 – Hannah S. West Estate is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.13, 304.14, 602.3, 605.1, 305.6, 704.2, 305.3, 504.1, 605.2, and 304.15); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **874 North Street**

Violation(s) – **Broken windows; missing/damaged screens; no heat facilities; damaged and inoperable electrical fixtures; damaged interior doors; missing smoke detectors; damaged interior surfaces; damaged plumbing fixtures and piping; inoperable receptacles; damaged exterior doors; Failure to obtain business tax receipt (BTR); Failure to obtain required residential rental license (RTL)**

First Notified – 6/20/2016.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____

NEW CASES:

10
Michael P.
Fitzgerald

CASE NO SMG 12-16-62 – John Clark is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 304.7, 304.10, 304.12, 304.14, 305.3, 306.1, 504.1, 506.2); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **559 N. Beach Street**

Violation(s) – **Roof leaking; exterior damaged stairs; missing railings; bathroom sink standing water; missing screens; interior surfaces damaged; Failure to obtain required residential rental license (RTL); Failure to obtain business tax receipt (BTR)**

First Notified – 7/20/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

11
Michael P.
Fitzgerald

CASE NO SMG 12-16-63 – Ingersoll Financial, 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, 302.7, 304.2, and 304.6), at **231 Lexington Drive**

Violation(s) – **Outside storage of junk, trash or debris, fencing wall paint fading and peeling paint issues; exterior paint fading, peeling, missing; exterior walls, holes, breaks, and loose or rotting materials**

First Notified – 7/25/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

12
John C.
Stenson

CASE NO SMG 12-16-64 – Vescovi Trust is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 8 Sec. 8.2.A; and City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **164 Edwards Street**

Violation(s) – **Outside storage; non-conforming use as a rooming house; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license and inspection (RTL)**

First Notified – 9/30/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

13
John C.
Stenson

CASE NO SMG 12-16-65 – Charles L. & Bertha J. Hogan is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.2.H.7.a.i.; Art. 6 Sec. 6.19.A.3.a; Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 302.8, and 302.7); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **806 Forest Lane**
Violation(s) – **Off-street parking; outside storage; junk vehicle; damaged fencing; failure to obtain business tax receipt (BTR); Failure to obtain required residential license and inspection (RTL)**
First Notified – 9/28/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

14
Clifford W.
Recanzone
III

CASE NO SMG 12-16-66 – Libby Investment Group, 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 and 304.7); City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297, at **404 Revilo Blvd.**
Violation(s) – **Exterior weeds; roofs and drainage; Failure to obtain required residential rental license (RTL); Failure to obtain business tax receipt (BTR)**
First Notified – 10/4/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

15
Tom Clig

CASE NO SMG 12-16-67 – William Dennison, Sr. and Mingler’s, Inc. is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A. (Ref. FBC Supp IPMC 604.3); Art. 3 Sec. 3.4.S.1, at **500 S. Ridgewood Avenue**
Violation(s) – **Outside storage; electrical systems hazard; no permit for interior walls and hot tubs**
First Notified – 9/30/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

16
Denzil
Sykes

CASE NO SMG 01-17-01 – Mohammad M. Khabazeh is cited for failure to correct violations of the Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 301.3 and 307.1), at **812 Magnolia Avenue**
Violation(s) – **Unmaintained Vacant lot with Trash/debris, tires, inoperable vehicles/trailers; Groups of individuals congregating and sleeping on vacant lot causing nuisance conditions**
First Notified – 11/28/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

17 Jerome O. McCoy **CASE NO SMG 01-17-02 – Lisa Phillips** is cited for failure to correct violations of the Land Development Code, Ch. 26 Sec. 26-294 and Ch. 90 Sec. 90-297, at **350 N. Charles Street**
Violation(s) – **Failure to obtain required residential rental license (RTL); Failure to obtain required business tax receipt (BTR)**
First Notified – 10/28/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

18 John C. Stenson **CASE NO SMG 01-17-03 – Amanda L. Simms Ramirez** is cited for failure to correct violations of the Land Development Code, Art. 6 Sec. 6.19.A.3.a; Art. 6 Sec. 6.2.H.7.a.i; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 302.8), at **124 Baywood Drive**
Violation(s) – **Outside storage; off-street parking; junk vehicle; lack of address numbers**
First Notified – 10/18/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

19 John C. Stenson **CASE NO SMG 01-17-04 – Nicholas M. Ulsch** is cited for failure to correct violations of the Land Development Code, Art. 3 Sec. 3.4.S; Art. 6 Sec. 6.19.A.3.a; Art. 8 Sec. 8.2.A; Art. 9 Sec. 9.2.A (Ref. FBC Supp IPMC 308.1, 605.1, 304.7, 305.3, and 504.1); City Code Ch. 90 Sec. 90-297; City Code Ch. 26 Sec. 26-294, at **341 Maple Street**
Violation(s) – **Unpermitted addition; outside storage; non-conforming use (renting rooms); infestation; damaged electrical fixtures; damaged roof; damaged interior surfaces; damaged plumbing fixtures; failure to obtain business tax receipt (BTR); failure to obtain required residential rental license (RTL)**
First Notified – 10/27/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

20 John C. Stenson **CASE NO SMG 01-17-05 – Nicholas C. Denissen & Katharina Denissen** is cited for failure to correct violations of the Land Development Code, City Code Ch. 90 Sec. 90-297 and City Code Ch. 26 Sec. 26-294, at **106 Meadowbrook Circle**
Violation(s) – **Failure to obtain required business tax receipt (BTR); Failure to obtain required residential rental license (RTL);**
First Notified – 10/28/2016.

ACTION TO BE TAKEN: Compliance or Non-compliance.

DISPOSITION _____

6. **MISCELLANEOUS BUSINESS**

7. **ADJOURNMENT**