

Agenda



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

SPECIAL MAGISTRATE PROCEEDING

CITY OF
DAYTONA BEACH

NOTICE – Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record. Any discussion or contact outside the Special Magistrate hearing with the Special Magistrate concerning any quasi-judicial matter which is, or will come, before the Special Magistrate for a decision are to be disclosed and made part of the record prior to or at the hearing on the matter.

Robert J. Riggio, Special Magistrate

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-9771.

April 27, 2021 - 9:00 A.M. **Rental Program**

1. **Call to Order**
2. **Announcements**
3. **Approval of March 23, 2021 Meeting Minutes**
4. **Hearing of Cases**

NEW CASES:

CASE # 1 - RTL 04-21-93 - GEA Seaside Investments, Inc. is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **216 Morningside Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/21/2021.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin D. Yates)

CASE # 2 - RTL 04-21-92 - Thomas Boivin & Michael A Biovin is cited for failure to correct violations of City Code Ch. 26 Sec. 26-29, at **1242 Essex Road.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/16/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin D. Yates)

CASE # 3 - RTL 04-21-97 - Richard Henrichon is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **217 Arlington Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/29/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 4 - RTL 04-21-95 - Muhammed Moeed Chaudhry is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **841 Valencia Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/7/2020.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(LaWanda Tomengo)

CONTINUED CASES:

CASE # 5 - RTL 03-21-64 - Central Florida Community Development Corp Inc is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **601 Van Ness St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/20/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 6 - RTL 11-20-118 - Joseph Leonard Risse Jr is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1158 Hampton Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/9/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Kevin D. Yates)

CASE # 7 - RTL 03-21-70 - Juan Manuel Tlaxcuapan & Diana Esther Rodriguez is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **313 Fulton St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/31/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 8 - RTL 03-21-80 - Kelechi Linardon is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1600 Big Tree Rd #B3.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/10/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 9 - RTL 03-21-69 - Thara L Hudson is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **215 Haynes St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 12/21/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 10 - RTL 03-21-71 - Viraphanh Ratanavong & Anthony Ratanavong is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **634 Eldorado St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 5/15/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 11 - RTL 01-21-08 - Morgan & Parker LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **26 S Oleander Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 8/7/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 12 - RTL 02-21-44 - Palms Land Investments LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **330 Hobart Ave.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 10/21/2019.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 13 - RTL 02-21-46 - Robert L S Taggart Jr is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **721 Marion St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/4/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(LaWanda Tomengo)

CASE # 14 - RTL 03-21-58 - Rosita Karlsson is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **439 Auburn Dr 203.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/1/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 15 - RTL 03-21-52 - Stemmler Properties LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **902 Lewis Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/28/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 16 - RTL 03-21-65 - Charles H Jr & Susanna D Swisher is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **504 Heineman St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/5/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 17 - RTL 03-21-66 - John L Dunbar is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **732 Edwards St.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 4/15/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 18 - RTL 03-21-59 - Suzanne Heisley Murphy is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **739 Colfax Dr.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 1/31/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Steven R. Cole)

CASE # 19 - RTL 03-21-75 – Allen Community Development Inc. is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, City Code Ch. 26 Sec. 26-294, at **310 Kingston Ave**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), Failure to obtain Rental License (RTL).**
First Notified – 12/21/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 20 - RTL 03-21-76 - Liza Renee Stonecipher is cited for failure to correct violations of City Code Ch. 90 Sec. 90-297, City Code Ch. 26 Sec. 26-294, at **216 Mullally St.**
Violation(s) – **Failure to obtain Business Tax Receipt (BTR), Failure to obtain Rental License (RTL).**
First Notified – 12/29/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

CASE # 21 - RTL 02-21-51 - LA Philip Inc & SJTK Enterprise LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1209 Essex Rd.**
Violation(s) – **Failure to obtain Rental License (RTL).**
First Notified – 2/22/2020.

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Clifford W. Recanzone)

5. Lien Reviews

LR-1

RTL 08-20-93 - 1030 Alice Dr. - Select International Advisors LLC is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 1/15/2020. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective November 24, 2020. Compliance = March 26, 2021. \$12,200.00 plus \$24.00 recording fees = \$12,224.00**

DISPOSITION _____
(Kevin Yates)

LR-2

RTL 06-20-48 – 1019 Alice Dr. - LLA Real Estate Investment LP is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294; City Code Ch. 90 Sec. 90-297. Violation(s) – Failure to obtain Business Tax Receipt (BTR), failure to obtain Rental License (RTL). First Notified – 10/21/2019. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective July 28, 2020. Compliance = April 2, 2021. \$15,000 plus \$24 recording fees = \$15,024.00**

DISPOSITION _____
(Kevin Yates)

LR-3

RTL 08-20-92 - 628 Colfax Drive - Liu Iris Tr is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 12/20/2019. **Order Imposing Fine-Lien of \$100 per day to a maximum of \$15,000 effective September 22, 2020. Compliance = April 8, 2021. \$15,000 plus \$24 recording fees = \$15,024.00**

DISPOSITION _____

(Mark A. Jones)

LR-4

RTL 01-21-33 – 155 Michigan Ave. - Christina T Chau is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2. Violation(s) – Zoning violation - the property is zoned RP. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district. First Notified – 12/10/2020. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of Fine of \$12,000.00, effective February 23, 2021. Amount due: \$12,000.00.**

ACTION TO BE TAKEN: Requesting reconsideration of fine imposed February 23, 2021.

DISPOSITION _____

(Clifford W. Recanzone)

IRREPARABLE/IRREVERSIBLE

CASE # 22 - RTL 04-21-91 - HA Financial Inc is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **514 Braddock Ave.** Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.** First Notified – 3/6/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 23 - RTL 04-21-88 - Marjorie Helen Eli is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **514 White St.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 3/12/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 24 - RTL 04-21-82 - Geoffrey & LaRonda Smith is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **505 S Grandview Ave.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 3/5/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 25 - RTL 04-21-83 - Catherine Meier Good is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **19 Goodall Ave.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 3/5/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 26 - RTL 04-21-84 - Sharon R Nouchi Life Estate is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **335 Perfect Dr.**

Violation(s) – **Zoning violation - the property is zoned PD-G. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 3/5/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 27 - RTL 04-21-85 - Martha M Rosenbaum Revocable Trust is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1616 N Grandview Ave.** Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 3/5/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 28 - RTL 04-21-86 - William D Brown is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **514-512 University Blvd.** Violation(s) – **Zoning violation - the property is zoned MFR-12. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 3/8/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 29 - RTL 04-21-87 - Bieu Minh Le is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **603 Ora St.** Violation(s) – **Zoning violation - the property is zoned RP. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 3/9/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 30 - RTL 04-21-89 - Laura A Cone is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **711 S Palmetto Ave.** Violation(s) – **Zoning violation - the property is zoned MFR-40. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**
First Notified – 3/12/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 31 - RTL 04-21-90 - Michael R Jennings is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **413-411 Hillside Ave.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 3/12/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

CASE # 32 - RTL 03-21-60 - Jan Voda is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1901 N Halifax Ave.**

Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.**

First Notified – 2/18/2021.

ACTION TO BE TAKEN: Impose Fine. IRREPERABLE/IRREVERSIBLE

DISPOSITION _____

(Clifford W. Recanzone)

6. **Miscellaneous Business**

MB-1

RTL 11-20-127 - 1901 N Halifax Av - Jan Voda is cited for failure to correct violations of Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at. Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accomodations" are not a permitted use in the zoning district.** First Notified – 07/27/2020. **Order of Non-Compliance and Finding of Irreparable and Irreversible Violation and Imposition of Fine ordered on November 24, 2020 in the amount of \$15,000. Amount due \$15,000 plus \$24 recording costs = \$15,024.00.**

ACTION TO BE TAKEN: Request to re-open previous case.

DISPOSITION _____

(Clifford W. Recanzone)

7. **Adjournment**