

Agenda

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

SPECIAL MAGISTRATE PROCEEDING

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.

CITY OF
DAYTONA BEACH

David A. Vukelja, Special Magistrate

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|  | 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 1-800-955-8771.

January 09, 2023 - 1:00 P.M.

1. **Call to Order**
2. **Approval of November 8, 2022 Minutes**
3. **Announcements**
4. **Hearing of Cases**

New Cases:

CASE # 1 - SMG 01-23-01 - TC Strategies LLC 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. 78-112, at **Rose Ave (Parcel # 5338-70-00-0140)**. Violation(s) – **Overgrown vacant lot with trash and debris.**

First Notified – 10/17/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 2 - SMG 01-23-02 - Willie Keith Williams & Cornelius John Henry is cited for failure to correct violations of The Land Development Code, Art. 2 Sec. 2.H.4; Art. 6 Sec. 6.19.A.3; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Wildwood St (Parcel # 5212-01-00-0180)**. Violation(s) – **Multiple vehicles parked on a vacant lot, outside storage, landscaping, inoperable vehicles.**

First Notified – 10/10/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 3 - SMG 01-23-04 - Cynthia B LLOYD Per Rep & Willie Mae LLOYD Estate & Dorothy Hann 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. 78-112, at **Gibson St (Parcel # 5238-19-00-0050)**. Violation(s) – **Overgrown vacant lot with trash and debris.**

First Notified – 9/29/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 4 - SMG 01-23-05 - Sofia Azor 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. 78-112, at **Oak St (Parcel # 5238-36-09-0150)**. Violation(s) – **Overgrown vacant lot with trash and debris.**

First Notified – 10/4/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 5 - SMG 01-23-06 – Ornita Haynes 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. 78-112, at **717 Tennessee St (Parcel # 5238-38-00-2580)**. Violation(s) – **Overgrown vacant lot with trash and debris.**

First Notified – 9/19/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 6 - SMG 01-23-07 - Rosa P Gibson 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. 78-112, at **Indiana St (Parcel # 5238-38-00-1340)**. Violation(s) – **Overgrown vacant lot.**

First Notified – 9/24/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 7 - SMG 01-23-08 - Rosa P Gibson is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Kentucky St (Parcel # 5238-38-00-1350)**. Violation(s) – **Vehicles parked on vacant lot, trash and debris, landscaping.**

First Notified – 9/24/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 8 - SMG 01-23-09 - Theresa C Dinkins LE 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. 78-112, at **626 Fremont Ave.** Violation(s) – **Overgrown vacant lot, trash and debris.**

First Notified – 9/20/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 9 - SMG 01-23-10 - S. David Shaw & Lillie Mae Shaw is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.2.H.4.a; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78-112, at **Sunset Cir (Parcel # 5211-13-00-0040)**. Violation(s) – **Parking vehicles on vacant lot unapproved surface, storage shed on vacant lot, trash and debris and landscaping**,
First Notified – 9/6/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 10 - SMG 01-23-11 - Petra North Inc 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. 78-112, at **Mason Ave (Parcel # 5212-00-00-0040)**. Violation(s) – **Overgrown vacant lot, trash and debris**.
First Notified – 9/27/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 11 - SMG 01-23-14 - Suzanne M Jones LLC 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, 305.3, 305.6, 504.1, 309.1, 604.3), at **307 S Grandview Ave & 311 Unit 11**. Violation(s) – **Interior floor damage, plumbing, insects, electrical equipment, cabinet doors, holes in walls, ceiling in hallway, peeling paint**.
First Notified – 6/21/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 12 - SMG 01-23-16 - Joseph E Abichaker & Jouhaina R Attaya 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. 78-112, at **McGee St (Parcel # 5238-21-00-0280)**. Violation(s) – **Overgrown vacant lot, trash and debris**.
First Notified – 8/23/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Mark Bostwick)

CASE # 13 - SMG 01-23-17 - RG Mueller Properties LLC 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 304.14), at **740 N Grandview Ave (Parcel # 5305-01-41-0160)**. Violation(s) – **Commercial property maintenance (dead tree), missing screens.**
First Notified – 10/3/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(John C. Stenson)

CASE # 14 - SMG 01-23-18 - Paul W & Beatrice I Zivitski 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 304.2), at **840 N Halifax Ave**. Violation(s) – **Outside storage, exterior staining/paint.**
First Notified – 9/1/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(John C. Stenson)

CASE # 15 - SMG 01-23-19 - David Parag 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 302.3), at **818 N Halifax Ave**. Violation(s) – **Unmaintained landscaping, damaged driveway.**
First Notified – 8/23/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(John C. Stenson)

CASE # 16 - SMG 01-23-21 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1950)**. Violation(s) – **Overgrown landscaping, grass, weeds, shrubbery, trash & debris.**
First Notified – 8/24/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 17 - SMG 01-23-22 - Bryan & Barbara Grant is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.1, 302.4) City Code Ch. 78 Sec. 78-112, at **Wildwood St (Parcel # 5212-01-00-1940)**. Violation(s) – **Overgrown landscaping, grass, weeds, shrubbery, trash & debris.**
First Notified – 8/24/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 18 - SMG 01-23-24 - Lowell E & Kristin I Lingo is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 301.3, 302.4) City Code Ch. 78 Sec. 78-112, at **Valencia Ave (Parcel # 5239-08-00-0100)**. Violation(s) – **Unmaintained vacant lot.**
First Notified – 4/11/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 19 - SMG 01-23-25 - Marion O & Margaret Duggans 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 304.1, 304.2) City Code Ch. 78 Sec. 78-112, at **525 Wallace St**. Violation(s) – **No building permit for shed, damaged exterior surface.**
First Notified – 8/5/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Daniel Garcia)

CASE # 20 - SMG 01-23-30 - St Johns Revoc Living Trust is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 302.1, 304.2, 304.10, 304.15, 305.3, 309.1, 504.1, 605.1), at **425 Auburn Dr Apt. 3**. Violation(s) – **Dirt and grime, peeling paint, dilapidated balcony, loose toilet, fixtures missing globes, infestation, and door seal.**
First Notified – 7/20/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____

(Kevin Yates)

CASE # 21 - SMG 01-23-31 - Nesco Assoc LL C is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D, at **614 Main St.** Violation(s) – **Dirt and grime on exterior awning.**

First Notified – 5/12/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 22 - SMG 01-23-32 - Myara Properties II LLC is cited for failure to correct violations of The Land Development Code, Art. 3 Sec. 3.4.S.1, at **2 S Atlantic Ave.** Violation(s) – **No permit for fence installation.**

First Notified – 5/12/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 23 - SMG 01-23-34 - LPJ LLC is cited for failure to correct violations of The Land Development Code, City Code Ch. 90 Sec 90-297, at **200 Hepburn St.** Violation(s) – **No Business tax receipt.**

First Notified – 8/18/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 24 - SMG 01-23-35 - The Center For Investments LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.12.D; Art. 6 Sec. 6.19.A.3; Art. 6 Sec. 6.14; Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.6, 304.10), at **135 Orange Ave.** Violation(s) – **Peeling paint, dirt and grime, broken windows, graffiti, outside storage, broken exterior cladding, cracks and breaks in building exterior, dilapidated rear steps, overgrown landscaping, rotted wood, dilapidated blinds, and unmaintained interior.**

First Notified – 9/23/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

CASE # 25 - SMG 01-23-36 - 123 W Gardiner LLC is cited for failure to correct violations of The Land Development Code, Art. 6 Sec. 6.10.G, at **605 S Ridgewood Ave.** Violation(s) – **Sign no longer directing to a business.**

First Notified – 8/26/2022.

ACTION TO BE TAKEN: Compliance or Non-Compliance

DISPOSITION _____
(Kevin Yates)

5. Lien Reviews

LR-1

SMG 02-20-21 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) 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 302.7, 308.1) Violation(s) – Fence and debris. First Notified – 10/23/2019. **Order Imposing Fine/Lien effective February 11, 2020. \$200.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00. Compliance = June 1, 2020. = \$15,024.00**

ACTION TO BE TAKEN: Impose Fine.

DISPOSITION _____
(Sara Kirk)

LR-2

SMG 05-22-148 - Crystal I LLC - Wallace St (Parcel # 5339-32-04-0150) is cited for failure to correct violations of The L- and Development Code, Art. 6 Sec. 6.2.H.7.A; City Code Chapter 78 Section 78-112. Violation(s) – Overgrown lot, parking on the vacant lot. First Notified – 6/24/2021. **Order Imposing Fine/Lien effective February 11, 2020. \$200.00 a day to a maximum of \$15,000.00 plus recording cost \$24.00. Compliance = June 1, 2020. = \$15,024.00**

DISPOSITION _____
(Daniel Garcia)

LR-3

SMG 10-21-296 - Isabelle C Rocco - 305 N Paul Revere Dr. is cited for failure to correct violations of The Land Development Code, Art. 9 Sec. 9.2.A (Ref. FBC Supp. IPMC 304.2) Violation(s) – Peeling paint. First Notified – 7/27/2021. **Order Imposing Fine/Lien effective November 11, 2021. \$100.00 a day to a maximum of \$10,000.00, recording cost \$24.00 and interest \$ 136.19. Compliance = June 16, 2022. = \$10,160.19**

DISPOSITION _____

(John C. Stenson)

6. Adjournment