

CITY OF DAYTONA BEACH

**MINUTES – Biktoberfest
2011 Master Plan Appeal**

**SPECIAL
MAGISTRATE
HEARING**

August 16, 2011 9:00 AM
City Commission Chambers
301 South Ridgewood Avenue,
Daytona Beach, Florida

ATTENDEES:

Mr. David Vukelja, Special Magistrate

STAFF:

Anthony E. Jackson, Assistant City Attorney
Colleen Miles, Zoning Officer

Ms. Aimee Hampton, Secretary

Approval of Minutes by:  _____ Special Magistrate

Mr. Vukelja called the Hearing to order at 9:08 a.m.

Ms. Hampton swore in members of City staff.

CASE 1: CAPTAIN'S TAVERN – 116 Main Street - Requested by Nick Magrone - **Appeal of denial of Biketoberfest Development Committee and City Commission for participation in Master Plan outside activities for Biketoberfest 2011.**

Ms. Colleen Miles testified on behalf of the City and stated the deadline for submittal of the application was May 11, 2011 and the Respondent's application was submitted on June 1, 2011. Ms. Miles advised City staff had reviewed the application after deadline and the application met the standards.

Nick Magrone and Sharon Kosley came forward and were sworn. Mr. Magrone stated they recently acquired the business since the previous business owner walked away from the business. Mr. Magrone advised the denial of participation was due to late submission of the application due to him acquiring the business on June 1, 2011 which was after the deadline for submittal.

Mr. Vukelja reviewed the criteria for considering an appeal as stated in the Master Plan Guidelines.

Ruling

Mr. Vukelja granted the appeal of Captain's Tavern to allow participation in the Biketoberfest Master Plan for outside activities for Biketoberfest 2011.

Mr. Vukelja then began the proceedings for the August 16, 2011 Regular Meeting Agenda.