

# 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](mailto: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.

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## May 23, 2023 Rental Program

1. Call to Order
2. Announcements
3. Approval of the April 25, 2023, Meeting Minutes
4. Lien Reviews

## LR-1

**CEB 03-20-58 – 748 Owasso St.- Nathean Blankenship -** is cited for failure to correct violation of City Code Ch. 26 Sec. 26-294, at Violation(s) - Failure to obtain Rental License (RTL). First Notified – 10/21/2019. **Order Imposing Fine/Lien imposed on April 09, 2020, of \$100 per day to a maximum of \$15,000. Compliance through Affidavit of Not to Rent on April 27, 2023. Amount due = \$15,000 plus \$24 recording fees plus \$2,641.19 interest = \$17,665.19.**

DISPOSITION \_\_\_\_\_

(Clifford Recanzone)

## LR-2

**CEB 08-21-183 - 433 Pelican Bay Dr - Harpreet Kaur Sodhi and Harbans Kalra -** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 433 Pelican Bay Dr. Violation(s) – Failure to obtain Rental License (RTL). First Notified – 03/02/2021. **Order Imposing Fine/Lien imposed on November 23, 2021 of \$100 per day to a maximum of \$15,000. Compliance = June 27, 2022. Amount due = \$15,000 plus \$24 recording fees plus \$439.99 interest = \$15,463.99.**

DISPOSITION \_\_\_\_\_

(LaWanda Tomengo)

## 5. Hearing of Cases

### NEW CASES:

**CASE # 1 - RTL 05-23-39 - Zirvell Mincey** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at 517 George St.  
Violation(s) – **Failure to obtain Rental License (RTL).**  
First Notified – 1/6/2023.

*ACTION TO BE TAKEN:* Compliance or Non-Compliance.

DISPOSITION \_\_\_\_\_

(LaWanda Tomengo)

**CONTINUED CASES:**

**CASE # 2 - RTL 04-22-106 - Advanced Minerals Inc TR & 317 Fairview Ave**

**Land Trust** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **317 Fairview Ave.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 1/13/2022.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 3 - RTL 04-23-32 - Kirt Irving Taylor and Stacy Taylor** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **537 Pelican Bay Dr.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 9/16/2022.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 5 - RTL 04-23-33 - Infinite Home Solutions LLC** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **735 Marion St.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 1/6/2023.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(LaWanda Tomengo)

**CASE # 4 - RTL 04-23-31 - Kathleen Hannah** is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **611 Winchester St.**

Violation(s) – **Failure to obtain Rental License (RTL).**

First Notified – 10/11/2022.

*ACTION TO BE TAKEN:* Impose Fine.

DISPOSITION \_\_\_\_\_  
(Clifford Recanzone)

## **IRREPARABLE/IRREVERSIBLE**

**CASE # 6 - RTL 04-23-26 - Timothy Hoffman** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **2040 S Peninsula Dr.**

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

First Notified – 3/16/2023.

*ACTION TO BE TAKEN:* Continued from April 25, 2023 meeting for consideration of imposition of a fine. IRREPARABLE-IRREVERSIBLE – REPEAT VIOLATION

DISPOSITION \_\_\_\_\_

(Kevin Yates)

**CASE # 7 - RTL 04-23-30 - Alan Lootens and Delores Lootens** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **255 Lexington Dr.**

Violation(s) – **Zoning violation - the property is zoned MFR-12. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 3/29/2023.

*ACTION TO BE TAKEN:* Continued from April 25, 2023 meeting for consideration of imposition of a fine. IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_

(Kevin Yates)

**CASE # 8 - RTL 05-23-34 - Alin Loan Mihaltan and Alcee Mihaltan and Kimberly Ashley Buracheck** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **168 Boynton Blvd.**

Violation(s) – **Zoning violation - the property is zoned MFR-20. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**

First Notified – 4/6/2023.

*ACTION TO BE TAKEN:* Impose Fine IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_

(Kevin Yates)

**CASE # 9 - RTL 05-23-35 - Marissa Giannerini** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.3, at **1501 Manor Dr.**  
Violation(s) – **Zoning violation - the property is zoned MFR-12. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**  
First Notified – 4/12/2023.

*ACTION TO BE TAKEN:* Impose Fine IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_  
(Kevin Yates)

**CASE # 10 - RTL 05-23-36 - Ivey Nell Est and Hinci LLC** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **314 S Franklin St.**  
Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**  
First Notified – 4/14/2023.

*ACTION TO BE TAKEN:* Impose Fine IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_  
(Kevin Yates)

**CASE # 11 - RTL 05-23-37 - Koa Joel Fowlke and Beatriz Pucci de Carvalho** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **1146 Pacific Dunes Ct.**  
Violation(s) – **Zoning violation - the property is zoned PD-G. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**  
First Notified – 4/19/2023.

*ACTION TO BE TAKEN:* Impose Fine IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_  
(Kevin Yates)

**CASE # 12 - RTL 05-23-38 - Debra Vincelli and Michael Saviano** is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **484 Golf Blvd.**  
Violation(s) – **Zoning violation - the property is zoned SFR-5. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district.**  
First Notified – 4/26/2023

*ACTION TO BE TAKEN:* Impose Fine IRREPARABLE-IRREVERSIBLE

DISPOSITION \_\_\_\_\_  
(Kevin Yates)

6. **Miscellaneous Business**

7. **Adjournment**