

**AGENDA**  
**CODE ENFORCEMENT BOARD**  
**Tuesday, June 18, 2013**  
**1:00 p.m.**  
**3048 S. Atlantic Avenue**  
**Daytona Beach Shores, FL**

Notice is hereby given to all interested parties that if a person should decide to appeal any decision made at the aforementioned meeting of the Code Enforcement Board, such person will need a recording of the proceedings conducted at such meeting, and for such purpose or she may need to ensure that a verbatim record of the proceedings was made; such record to include testimony and evidence upon which any appeal shall be based. NOTE: individuals covered by the American with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at the City Hall of Daytona Beach Shores or by telephone at 763-5353 at least seven working days prior to the meeting.

**CALL TO ORDER**

**MINUTES OF PREVIOUS MEETING**

1. Approval of Minutes from the Code Enforcement Board Meeting on May 21, 2013

**PRELIMINARY STAFF COMMENTS**

2. Indication of any Cases removed from the Agenda

**OLD BUSINESS**

3. Second Compliance Hearing

Case #: CDEF2011-126  
Address: 135 Armstrong Street, Daytona Beach Shores, FL  
Owner: Short Hills, LLC  
Parcel #: 5316-21-00-0020

In violation of: Ordinances of the City of Daytona Beach Shores, Appendix G – Land Development Code, Chapter 14, Section 14-31.1.3.2. and Chapter 14, Section 14-52.9. (C & D).

- **Outdoor storage of a roll-off dumpster with no associated building permit** (*compliant once permits obtained – July 17, 2012*)
- **Electrical meter boxes damaged in fire, had not been repaired, no permit obtained** (*Electrical permit obtained July 18, 2012; work final-approved on December 6, 2012*)
- **Interior fire damage sustained, no permit obtained for repairs** (*Building and mechanical permits obtained July 17, 2012; building permit final-approved November 28, 2012; mechanical permits final-approved December 7, 2012*)
- **Tree dead in southwestern area of lawn** (*compliant December 10, 2012*)

Initial Hearing Date: June 19, 2012

Board Ordered Compliance Dates: July 19 (permits obtained) & October 23, 2012 (complete)

Actual Compliance Dates: July 18 (permits were obtained) & December 7, 2012 (complete)

Fined Days of Non-Compliance: 44

Board Ordered Fine: \$250.00/day

Total Accrued Fine: \$11,000.00

Board Approved Administrative Fees: \$222.76

Additional Administrative Fees Requested: \$76.31 (Total: \$299.07)

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#### 4. First Compliance Hearing

Case #: CDEF2012-106  
Address: 2043 S. Atlantic Avenue, Daytona Beach Shores, FL  
Owner: Castaways Beach Resort Condominium Association, Inc.  
Parcel #: 5316-30-00-0001

In violation of: Ordinances of the City of Daytona Beach Shores, Appendix G – Land Development Code, Chapter 5, Section 5-5. and Chapter 14, Section 14-21 & 14-18.

- The building, which was designed for short-term transient occupancy, being operated as a multi-family residential occupancy without meeting the requirements for such

Initial Hearing Date: April 16, 2013

Board Ordered Compliance Date: May 16, 2013

Board Ordered Fine: \$250.00/day

Board Approved Administrative Fees: \$146.45

Additional Administrative Fees Requested: \$76.31 (Total: \$222.76)

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### NEW BUSINESS

#### 5. Initial Hearing

Case #: CDEF2013-50  
Address: 3306 (and 3308) S. Atlantic Avenue, Daytona Beach Shores, FL  
Owners: Laurie Gigliotti & Beachpoint Holdings, LLC  
Parcel #: 5335-04-00-0021

In Violation of: Ordinances of the City of Daytona Beach Shores, Appendix G – Land Development Code, Chapter 14, Section 14-22.1. *Purpose and Intent.*, Section 14-22.2. *Permitted Principle Use.*, and Section 14-61.1.(a).

- **The 3306 S. Atlantic Ave. section of building appears to be occupied as a residence in a district zoned GC-1 (Tourist-Oriented Commercial District) as evidenced by a dark SUV parked behind the building during the day and at night with curtains and artwork placed in the east-facing window** (*artwork removed by June 5, 2013*)
  - **The 3306 S. Atlantic Ave. section of building appears to be occupied. Residential use, or any other use not listed as permitted in the GC-1 District, is prohibited on this property**
  - **If a business is being operated from the 3306 S. Atlantic Ave. section of the building, no Business Tax Receipt or Certificate of Use has been applied for or obtained for a business there**
  - **“Sophie’s Circle” is being operated from 3308 S. Atlantic Ave. section of the building – signage indicating such is displayed in window. No business Tax Receipt or Certificate of Use has been applied for or obtained for a business there** (*Signage was removed by May 30, 2013*)
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## 6. Initial Hearing

Case #: CDEF2013-43  
Address: 2006 S. Atlantic Avenue, Daytona Beach Shores, FL  
Owner: Dusty Investments, LLC  
Parcel #s: 5316-22-00-0010

In Violation of: Ordinances of the City of Daytona Beach Shores, Appendix G – Land Development Code, Chapter 14, Section 14-52.9.(B & D).

- **Exterior walls have loose and/or rotting boards which might admit dampness to the interior walls**
- **Area at eave on north side of building is open, exposing inner surfaces to dampness** (*rectified by June 10, 2013*)
- **Paint on west half of building is deteriorated/faded** (*first coat of paint applied by May 21, 2013*)
- **Paint does not cover entire surface on east building face or has peeled/deteriorated in places** (*rectified by May 21, 2013*)
- **Boards along south and west building faces are rotten/weakened**
- **Light is broken, cover is missing and electric is exposed to the elements** (*rectified by April 23, 2013*)

## REMARKS OF STAFF

7. The next regularly-scheduled hearing is Tuesday, July 16th

## REMARKS OF BOARD MEMBERS

## ADJOURNMENT

MEETING FORMAT Pursuant to Chapter 2, Section 2-36, VIII, Municipal Code