



City of Daytona Beach Shores

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AGENDA

CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING

JULY 23, 2026

9:00 AM, Shores Community Center, 3000 Bellemead Drive

Daytona Beach Shores, FL 32118

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 Special Magistrate, 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. PLEASE NOTE: individuals covered by the Americans with Disabilities Act of 1990 in need of accommodations for this public meeting should contact the Office of the City Clerk at City Hall of Daytona Beach Shores or by telephone at 763-5364 at least seven working days prior to the meeting.

1. CALL TO ORDER

- A. Opening Statements by Special Magistrate deLaroche
- B. Swearing in Witnesses

2. OPENING REMARKS

- A. Notification of Items Removed from Agenda by City Staff

3. MINUTES

- A. Code Enforcement Special Magistrate Minutes May 28, 2026

4. ADVANCED HEARINGS (Post-Initial Hearings)

- A. Property Owner: OC 3711, LLC
Violation Address: 3711 S. Atlantic Ave. in Daytona Beach Shores, Florida
Code Enforcement Case #: 25-0009
Volusia County Tax Parcel ID #: 6302 05 05 0070

5. INITIAL HEARINGS

6. CLOSING REMARKS

- A. The next Code Enforcement Special Magistrate Meeting is scheduled for Thursday, August 13, 2026, at 9:00 a.m.
- B. September's C.E.S.M. Meeting is scheduled for Thursday, September 17, 2026, at 9:00 a.m.
- C. October's C.E.S.M. Meeting is scheduled for Thursday, October 15, 2026, at 9:00 a.m.

7. SPECIAL MAGISTRATE COMMENTS

8. ADJOURNMENT

MINUTES
CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING
May 28, 2026
3000 Bellemead Drive Daytona Beach Shores, FL 32118

1. CALL TO ORDER

A. Opening Statements by Special Magistrate deLaroche
SM deLaroche called the meeting to order at 9:00 am.

B. Swearing in Witnesses
All witnesses were sworn in for the day's hearings.

2. OPENING REMARKS

A. Notification of Items Removed from Agenda by City Staff
There were no items removed from the agenda.

3. MINUTES

A. Code Enforcement Special Magistrate Minutes January 15, 2026
The SM approved the minutes of January 15, 2026.

4. ADVANCED HEARINGS (Post-Initial Hearings)

A. Property Owner: OC 3711, LLC
Violation Address: 3711 S. Atlantic Ave. in Daytona Beach Shores, Florida
Code Enforcement Case #: 25-0009
Volusia County Tax Parcel ID #: 6302 05 05 0070

Ms. Herstein stated that the owner had sent an email requesting a continuance until June 18th due to a family matter. She requested an Additional Administrative Fee in the amount of \$97.16. The SM granted the continuance until June 18th and ordered the Additional Administrative Fee paid within 30 days.

B. Property Owner: 3225 Daytona Ocean Investment LLC
Violation Address: 3225 S. Atlantic Ave. in Daytona Beach Shores, Florida
Code Enforcement Case #: CDEF2023-24
Volusia County Tax Parcel ID #: 5335 01 02 0030

Ms. Herstein requested that each of the documents included in the PowerPoint file, whether presented during the hearing or not, by the City for this case be accepted as evidence, most of which have been provided to the Special Magistrate and all of which have been presented to the Respondent or their rep. The Special Magistrate accepted the documents with no objection. This was a Second Compliance Hearing. The case began in June 2023, and the Initial Hearing was held on October 19, 2023. Slides were shown of the property. The property was found in violation and ordered to provide bi-monthly reports signed by an engineer beginning December 1st, as well as correcting the violations by April 30, 2024. The reports were submitted in a timely manner. A First

Compliance Hearing was held on May 16, 2024. The property was found to have remained in violation of 14 of the 17 violations ordered to become compliant, and a fine was imposed. The property changed hands on May 27, 2025, when the current owner purchased it. The property achieved full compliance on October 24, 2025. Staff requested either Order #12 or #13 along with reimbursement of the Additional Administrative Fee of \$128.03. It was noted that the previous Administrative Fee of \$99.33 was still unpaid.

Attorney Joey Posey and property owner Jai Motwani were present. A packet of 68 pages was presented into evidence and accepted by SM Delaroche. The SM ascertained that the current owner was not a part of the initial owner group and it was an arms-length sale, as this was the main point of the request for reduction of the fine. Mr. Motwani stated that he had no financial part of the initial ownership group. Attorney Posey asked that the SM take into consideration that the new owner obtained compliance within a few months of the purchase. He felt that the image of the city wouldn't be good if a new property owner in good faith tackled the issues on a deteriorated building, but still received a large fine. The SM inquired if there was a price reduction due to all the code violations that existed when it was purchased. Mr. Motwani stated there was no reduction in price. Ms. Herstein questioned the amount of 41 days being reduced for turn around time with the permits. Mr. Motwani responded that he was not aware a new site plan was required for the back side of his property. He felt it was a very extensive process that took a long time to be approved. Ms. Herstein noted that the incomplete site plan application was submitted on July 10th, was completed on July 29th, and it was approved August 20th. Attorney Posey remarked that this was not a reflection that the city staff was not working diligently; they are always very responsive. Mr. Motwani added that working on a coastal property and having the county and state departments get involved, also adds to construction time.

SM Delaroche issued Order #13 finding that the property is compliant at this time, but the Respondent did not comply with the code enforcement order of October 19, 2023, by the date specified in that order, but brought the property into full compliance on October 23, 2025. However, based on the new owner taking initiative to correct the violations, he reduced the fine by 262 days, reducing the fine amount to \$70,000. He also ordered reimbursement of the total Administrative Fees due in the amount of \$227.36, payable in thirty days.

5. INITIAL HEARINGS

6. CLOSING REMARKS

- A. The next Code Enforcement Special Magistrate Meeting is scheduled for Thursday, June 18, 2026, at 9:00 a.m.

- B. July's C.E.S.M. Meeting is scheduled for Thursday, July 16, 2026, at 9:00 a.m.

- C. August's C.E.S.M. Meeting is scheduled for Thursday, August 13th OR 27th, 2026, at 9:00 a.m. (To be determined)

It was determined that the meeting would be held on August 13th.

7. SPECIAL MAGISTRATE COMMENTS

8. ADJOURNMENT

The meeting ended at 9:48 am.

Special Magistrate, Steven deLaroche

Recording Secretary, Cheri Schwab



CODE ENFORCEMENT CASE SUMMARY JULY 23, 2026 AGENDA

TO: The Code Enforcement Special Magistrate

FROM: Bryan Rondi, Code Enforcement Officer

PREPARED BY: Gwyn Herstein, City Planner

SUBJECT: Property Owner: OC 3711, LLC

Violation Address: 3711 S. Atlantic Ave. in Daytona Beach Shores, Florida

Code Enforcement Case #: 25-0009

Volusia County Tax Parcel ID #: 6302 05 05 0070

TYPE OF HEARING:

First Compliance Hearing

CODE(S) CITED:

DBS Code of Ordinances, Appendix G - Land Development Code: Chapter 5, Section 5-6 Building Code adopted. which refers, in part, to the Florida Building Code – Eighth Edition (2023), Chapter 1, Section 105.1 Required. and Appendix G - Land Development Code: Chapter 14, Section 14-52.9.(C), Chapter 14, Section 14-52.9.(D)(1), (2), (6), (9).

VIOLATION(S) FOUND:

- d) Concrete deterioration, exposed rebar on multiple balconies
- e) Rust streaks and peeling paint throughout the exterior of the building
- f) Rusting doors on the north and south side of building
- g) Spalling concrete on north, east, and south sides of the building
- h) Balcony railing in disrepair, southeast corner
- i) Railing missing on northeast corner of the building, leaving a drop-off over 30" - **temporary fence in place**
- j) Walls/ramp on east side of the building is cracked in multiple places
- k) Soffit damage and missing on all sides of the building - **permit not final approved**
- l) Downspout missing/broken, north side of building - **replaced but without the required permit**
- m) Broken light fixture, south side of building
- n) Concrete chipping and patching begun without permits on at least three sides of the building

REQUESTED ORDER(S):

#11. First Compliance Hearing, not compliant by Second Ordered compliance date

POSSIBLE ORDERS:

#1. Continuance

#10. First Compliance Hearing, compliant by Ordered date

#11. First Compliance Hearing, not compliant by Ordered date

SUPPLEMENTARY INFORMATION:

Initial Hearing Date: October 16, 2025

First Ordered Compliance Date: November 20, 2025 (35 days from the Initial Hearing) to cause a Florida-licensed engineer to submit a signed and sealed evaluation documenting the safety status of the site and the state of the integrity of the building. - *compliant as of November 19, 2025 (0 fined days)*

Second Compliance Date: February 14, 2026 (121 days from the Initial Hearing) to correct all stated code violations on the subject property, including having obtained approved final inspections on all required permits - stated violations d) through n) are not compliant.

Ordered Fine: \$250.00 per day

Special Magistrate Approved Administrative Fees: \$149.09 (IH) paid on 10-22-25

Additional Administrative Fees Requested: \$85.53 (FCH, 2nd compliance date)

Please see supplementary document packet

ATTACHMENT: None