

**IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, IN AND FOR
VOLUSIA COUNTY, FLORIDA**

CASE NO.: 2026 11599 CICI

DIVISION: 32

Lower Tribunal Case No.: RTL 03-26-10

EDWIN REYES, JR. AND LUZ MARIA REYES, Appellants,

v.

THE CITY OF DAYTONA BEACH, Appellee.

AMENDED NOTICE OF APPEAL

NOTICE IS GIVEN that Appellants, EDWIN REYES, JR. and LUZ MARIA REYES, appearing *pro se* (representing themselves), hereby file this Amended Notice of Appeal to review the administrative order of the City of Daytona Beach Code Enforcement Special Magistrate rendered in Case No. RTL 03-26-10.

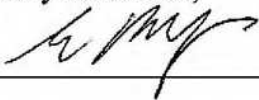
The original Notice of Appeal was timely filed on April 24, 2026. This Amended Notice is being submitted to cure technical omissions regarding manual signatures and the physical attachment of the lower tribunal's final order.

The physical execution and release of the final, signed meeting minutes/order was delayed by the lower tribunal. Appellants have attached hereto the copy/draft of the order provided to them by the City, and Appellants explicitly reserve the right to formally supplement this appellate record with the final, executed version immediately upon its official release by the City Clerk.

Dated this 24 day of June, 2026.

Respectfully submitted,

x



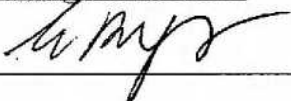
Edwin Reyes, Jr., Appellant Pro Se 148 SE 23 Terrace

Homestead, FL 33033

Tel: 786-389-7231

Email: techs1@hotmail.com

x



Luz Maria Reyes, Appellant Pro Se 148 SE 23 Terrace

Homestead, FL 33033

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Florida Courts E-Filing Portal on this 24th day of June, 2026, to Melissa S. Diaz, Esq., Attorney for Appellee, at DiazMelissa@DaytonaBeach.gov.

Edwin Reyes, Jr., Appellant Pro Se

x  _____

City of Daytona Beach Special Magistrate

City Commission Chambers, 301 S Ridgewood Ave, Daytona Beach, FL 32114

Robert J. Riggio, Special Magistrate

March 24, 2026 Minutes

Attendees:

Robert J Riggio, Special Magistrate

Staff present:

Ms. Melissa Diaz, Assistant City Attorney

Sargent Shawna Conley, Daytona Beach Police

Mr. Denzil Sykes, Code Compliance Manager

Mr. Kevin Yates, Rental Inspector

Mr. Mark Jones, Code Field Supervisor

Ms. June Barnes, Rental Program Coordinator

Ms. Lena Rankin, Board Secretary

Mr. Joe Graves, Audio/Visual

Mr. Xavier Campbell, Audio/Visual

Approval of Minutes by: _____ Special Magistrate

Mr. Riggio called the meeting to order at 9:09 a.m.

Mr. Riggio announced the procedure for the meeting.

Mr. Riggio asked for announcements.

The Board Secretary stated Case #3's zoning was incorrect. It is zoned RP not MFR-20.

Mr. Riggio approved the minutes of the February 24, 2026 meeting.

The Board Secretary swore in members of staff who will be testifying.

Mr. Riggio called LR-1.

RTL 06-19-103 - Grace A. Pedersen, Trustee of the Amazing Grace ARNP Solo 401K Trust

is cited for failure to correct violations of City Code Ch. 26 Sec. 26-294, at **1055 W Intl. Speedway Blvd.** Violation(s) – **Failure to obtain Rental License (RTL)**. First Notified – 11/19/2018.

Ms. Grace A Pedersen came forward and was sworn in.

Inspector Mark Jones stated the City has come to an agreement with Ms. Pedersen to reduce the lien to \$1500.00.

Mr. Riggio asked if Ms. Pedersen agreed.

Ms. Pedersen agreed.

DISPOSITION: Lien was reduced to \$1500 payable within 30 days or the lien will revert back to the original amount.

NEW CASES: IRREPARABLE/IRREVERSIBLE

CASE # 1 - RTL 03-26-09 - Axel Paulhiac and Jorge Paulhiac is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **100 Carmichael Way**.

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 – 2/5/2026.

Mr. Axel Paulhiac and Mr. Jorge Paulhiac, owners, appeared via zoom and were sworn in.

Inspector Kevin Yates stated the case was field generated and the property is zoned PD-G. Short-term rentals, known as "Other Accommodations" are not a permitted use in this zoning district. He stated he first observed the violation on February 5, 2026 and notified them the same day. He stated the advertising stopped on February 5, 2026. He stated the website shows a daily rate of \$276 with 1 review. Check in time states 4 pm to 11 pm and check out time is 10 am. He stated the violation is irreparable and irreversible in nature and is asking for a fine in the amount of \$1,000.

Ms. Melissa Diaz, Esq. gave her argument as to why the City is requesting to find the nature of these violations to be irreparable and irreversible.

Mr. Jorge Paulhiac explained why they posted the property on Airbnb.

DISPOSITION: *After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the amount of \$1,000, payable within 30 days, be imposed and that the property is in Compliance as of February 5, 2026, and that any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence.*

CASE # 2 - RTL 03-26-10 - Edwin Reyes and Luz Maria Reyes is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **111 Claire Ter**. 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 – 2/18/2026.

Mr. Edwin Reyes came forward and was sworn in.

Inspector Yates stated the case was a citizen's complaint and the property is zoned MFR-20. Short-term rentals, known as "Other Accommodations" are not a permitted use in this zoning district. He stated he first observed the violation on February 18, 2026 and notified them the same day. He stated the advertising stopped on February 20, 2026. But there is evidence of renters from Airbnb staying until March 19, 2026. He stated the website shows a daily rate of \$145 and displayed 8 reviews and 1 non-emergency police call. The check-in time states 4 pm and check out time is 11 am. He stated the violation is irreparable and irreversible in nature and is asking for a fine in the amount of \$15,000.

Mr. Reyes waved repetition of Ms. Diaz's argument as to why the City is requesting a finding that the nature of these violations are irreparable and irreversible.

Mr. Riggio stated that Ms. Diaz argument, as stated in Case #1, RTL 03-26-09, will be incorporated into the record of this proceeding.

Mr. Reyes explained he had family staying at the property that posted it on Airbnb.

DISPOSITION: *After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the amount of \$15,000.00, payable within 30 days, be imposed and that the property is in Compliance as of March 19, 2026, and that any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence.*

CASE # 3 - RTL 03-26-11 - Floridian Residential Holdings LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **219 Oakridge Blvd.**

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

First Notified – 2/26/2026.

Mr. Craig Feigin, owner, came forward and were sworn in.

Inspector Kevin Yates stated the case was field generated and the property is zoned PD-G. Short-term rentals, known as "Other Accommodations" are not a permitted use in this zoning district. He stated he first observed the violation on January 30, 2026 and notified them the same day. He stated the advertising stopped on January 30, 2026. He stated the website shows a daily rate of \$139 and displayed 1 review. Check in time states 3 pm and check out time is 11 am. He stated the violation is irreparable and irreversible in nature and is asking for a fine in the amount of \$1,000.

Mr. Feigin waved repetition of Ms. Diaz's argument as to why the City is requesting a finding that the nature of these violations are irreparable and irreversible.

Mr. Riggio stated that Ms. Diaz argument, as stated in Case #1, RTL 03-26-09, will be incorporated into the record of this proceeding.

DISPOSITION: *After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the*

amount of \$1,000, payable within 30 days, be imposed and that the property is in Compliance as of January 30, 2026, and that any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence.

Mr. Riggio Called Case #4. No one was present via zoom as they stated they would be. Mr. Riggio decided to move to hear case # 5 to give them more time.

CASE # 5 - RTL 03-26-13 - Magaly O'Reilly Tr and O'Reilly Family Rev Living Trust is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **416 N Oleander Ave.** Violation(s) – Zoning violation - the property is zoned RP. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 1/28/2026.

Mr. Magaly O'Reilly, owner, and Mr. Robert Crane, tenant, came forward and were sworn in.

Inspector Kevin Yates stated the case was field generated and the property is zoned RP. Short-term rentals, known as "Other Accommodations" are not a permitted use in this zoning district. He stated he first observed the violation on January 28, 2026 and notified them the same day. He stated the advertising stopped on February 6, 2026. He stated the website shows a daily rate of \$74 and displayed no reviews. Check in time states 3 pm and check out time is 11 am. He stated the violation is irreparable and irreversible in nature and is asking for a fine in the amount of \$1,000.

Mr. O'Reilly and Mr. Crane waved repetition of Ms. Diaz's argument as to why the City is requesting a finding that the nature of these violations are irreparable and irreversible.

Mr. Riggio stated that Ms. Diaz argument, as stated in Case #1, RTL 03-26-09, will be incorporated into the record of this proceeding.

Mr. O'Reilly explain he wasn't aware of the posting and found out it was his tenant who posted it.

Mr. Crane explained his hardships and why he posted the property on Airbnb.

DISPOSITION: *After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the amount of \$500, payable within 30 days, be imposed and that the property is in Compliance as of February 6, 2026, and that any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence*

CASE # 4 - RTL 03-26-12 - Arge Invest LLC is cited for failure to correct violations of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2, at **437 Warner Pl.** Violation(s) – Zoning violation - the property is zoned M1. Short term rentals, known as "Other Accommodations" are not a permitted use in the zoning district. First Notified – 3/3/2026.

Mr. Willaims E Lugo Perez appeared via Zoom and was sworn in.

Inspector Kevin Yates stated the case was field generated and the property is zoned M1. Short-term rentals, known as “Other Accommodations” are not a permitted use in this zoning district. He stated he first observed the violation on March 3, 2026 and notified them the same day. He stated the advertising stopped on March 5, 2026. He stated the website shows a daily rate of \$205. Check in time states 3 pm and check out at 12 pm. He stated the violation is irreparable and irreversible in nature and is asking for a fine in the amount of \$1,000.

Ms. Diaz gave her argument as to why the City is requesting to find the nature of these violations to be irreparable and irreversible.

Mr. Lugo explained his hardships and why he posted the property on Airbnb.

DISPOSITION: *After hearing the arguments, the Special Magistrate found that the property was previously in Non-Compliance for violation of LDC Art. 4 Sec. 4.1.A; Art. 5 Sec. 5.2.A.2 and that the violation was irreparable and irreversible in nature. He ordered that a one-time fine in the amount of \$1,000, payable within 30 days, be imposed and that the property is in Compliance as of March 5, 2026, and that any future repeat violations may be returned to the Magistrate for consideration of a fine up to \$15,000 per occurrence.*

Mr. Riggio asked if there was any further business and there was none.

The meeting was adjourned at 10:25 am.



LAURA E. ROTH
CLERK OF THE CIRCUIT COURT

SEVENTH JUDICIAL CIRCUIT - VOLUSIA COUNTY
P.O. BOX 6043 DELAND, FLORIDA 32721-6043 - WWW.CLERK.ORG

Filing #: [REDACTED]

Filer: Edwin Reyes

Payment: \$0.00

1 Filing Fee: \$0.00

2 Appeals Notice of Appeal: \$100.00

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