



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, December 14, 2016 **Time:** 9:00 AM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process
2. Consideration of Minutes – November 9, 2016

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 16-1597
Respondent: Judith A. Anderson
Address of Violation: 101 Aloha Terrace, Port Orange, FL 32129
Code Officer: Dena Joseph
First Notified: 10/28/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of Property General-Duty of Owner), (d) Maintenance of Improved Residential Lots and (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances

4. **CEB Case No.:** 16-1596
Respondent: Florida Community Bank NA
Address of Violation: 190 Sand Pebble Circle, Port Orange, FL 32129
Code Officer: Dena Joseph
First Notified: 10/19/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances and

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, skylight and door frames) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

5. **CEB Case No.:** 16-1695

Respondent: Country Manor Assisted Living

Address of Violation: 1152 Old Hammock Road, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 10/21/2016

Compliance: No

Cited for violation(s) - Chapter 16 Miscellaneous Regulations Section 3, Fences and walls (b) General provisions (4) Design and maintenance, (b) (c) and (f) of the City of Port Orange Land Development Code.

6. **CEB Case No.:** 16-1140

Respondent: Country Manor Assisted Living

Address of Violation: 1152 Old Hammock Road, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 10/20/2016

Compliance: No

Cited for violation(s) - Section 42-26 Cleanliness of property generally-Duty of owner (c) maintenance of commercial and industrial zoned lots and (f) Garbage, waste, trash, etc. prohibited.

7. **CEB Case No.:** 16-1832

Respondent: Scott T. Gilroy

Address of Violation: 104 Tumbler Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 11/11/2016

Compliance: No

Cited for violation(s) - Chapter 42 Nuisances Article 2 Garbage, Junk and Undergrowth, Section 42-26 - Cleanliness of property generally-Duty of owner, (d) Maintenance of improved residential lots.

8. **CEB Case No.:** 16-1833

Respondent: Scott T. Gilroy

Address of Violation: 104 Tumbler Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 11/11/2016

Compliance: No

Cited for violation(s) - Chapter 16 Miscellaneous Regulations Section 3: Fences and walls Modified (b) General Provisions (4) Design and maintenance (a) and (b) of the City of Port

Orange Land Development Code and

Chapter 3, Section 303 Swimming Pools, Spas, and Hot Tubs of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, specially 303.1 Swimming Pools.

9. **CEB Case No.:** 16-1403

Respondent: Linda Kennedy, Maureen Kennedy, and John Kennedy

Address of Violation: 5204 Sydney Street, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 10/25/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage, Junk & undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner) (d) Maintenance of improved residential lots & (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances

10. **CEB Case No.:** 16-889

Respondent: Sara R. Bonner

Address of Violation: 52 Woodfield Drive, Port Orange, FL 32129

Code Officer: Deborah Faircloth

First Notified: 10/25/2016

Compliance: Yes

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 Cleanliness of property generally-Duty of owner (d) Maintenance of improved residential lots, (f) Garbage, waste, trash, etc. prohibited, (h) abutting property owner maintenance of parkages.

11. **CEB Case No.:** 16-1054

Respondent: Bryon Dickerson

Address of Violation: 5434 Hibiscus Ave., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 10/14/2016

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 (d) (f) & (h) and Port Orange Land Development Code, Chapter 16, Section 3 (b)(4)(b)(d) as relates to fencing.

12. **CEB Case No.:** 16-1638

Respondent: George Morgan & Ethel M. Morgan

Address of Violation: 709 Sheldon Circle, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 11/10/2016

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 32, Article II, Section 32-26(d)(f);

Chapter 3, Section 304.1.1 (7 & 8) (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code;

Chapter 3, 304.2 Protective Treatment, Section 304.5 Foundation Walls, 304.6 Exterior walls, 304.7 Roofs and drainage, 304.10 Stairways, decks, porches, and balconies, 304.15 Doors, 304.18 Building Security; and

Chapter 42, Article V, Division 3, Abatement of Unsafe Structures of the City of Port Orange Code of Ordinances.

13. **CEB Case No.:** 16-1247

Respondent: James E. Redmond

Address of Violation: 5400 Turton Lane, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 08/26/2016

Compliance: No

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), 4(a)(b)(c) and (d) (Design and Maintenance) and

Section 303 (Swimming Pools, Spas, and Hot Tubs) 303.1 (Swimming Pools) & 303.2 (Enclosures) of the 2015 International Property Maintenance Code as adopted by the City of Port Orange Code of Ordinances Chapter 14, Article II.

C. ORDER IMPOSING FINE/LIEN

14. **CEB Case No.:** 16-1538

Respondent: Pro Tax Financial, LLC

Address of Violation: 118 Carlton Place, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 09/28/2016

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Article II (Garbage, junk and Undergrowth), Chapter 42 (Nuisances), Section 42-26 (Cleanliness of property generally-Duty of owner (d) and (f))

15. **CEB Case No.:** 16-1612

Respondent: Jaqueline M. & Donald A. Acosta

Address of Violation: 825 Upland Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/29/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances) of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of Property Generally-Duty of Owner), (d) Maintenance of Improved Residential Lots.

16. **CEB Case No.:** 16-1498

Respondent: Jaqueline M. & Donald A. Acosta

Address of Violation: 825 Upland Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/10/2016

Compliance: No

Cited for violation(s) - Chapter 3, Section 303 Swimming Pools, Spas, and Hot Tubs of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, 303.1 Swimming Pools

17. **CEB Case No.:** 16-1324

Respondent: HSBC Bank Natl Assoc Tr c/o Carrington Mtg Services LLC

Address of Violation: 6716 Merryvale Lane, Port Orange, FL 32128

Code Officer: Scott Allman

First Notified: 09/23/2016

Compliance: Yes

Cited for violation(s) - Chapter 3, Section 303 Swimming Pools, Spas and Hot Tubs of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, 303.1 Swimming Pools and

Chapter 42 (Nuisances) of the City of Port Orange Code of Ordinances, Article II, (Garbage, Junk and Undergrowth), Section 42-46, (Cleanliness of Property Generally Duty of Owner), (d) Maintenance of improved residential lots.

18. **CEB Case No.:** 15-1481

Respondent: Judith Anderson

Address of Violation: 156 Sand Pebble Circle, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 04/27/2016

Compliance: No

Cited for violation(s) - Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.5 (Dangerous Structure or Premises, (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.3 of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 3 (Abatement of Unsafe Structures), Section 42-108 (Unsafe Conditions; Nuisance), (a) and (b) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

D. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **CODE ENFORCEMENT SPECIAL MAGISTRATE** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.