



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, June 28, 2017

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 - June 14, 2017

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 17-0310

Respondent: Ming Zhang

Address of Violation: 5150 Rogers Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 05/25/2017

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: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen tree limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches.

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of Property Generally-Duty of Owner, (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances: The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of vehicles, furniture, etc.) of the City of Port Orange Code of Ordinances: No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances, or other personal property upon the premises, except in an enclosed building.

2015 Florida Building Code, Section 105 (Permits), Section 105.1 (Required) as

adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Failure to Obtain a Building Permit: Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

4. CEB Case No.: 17-416

Respondent: Linda J. Heath

Address of Violation: 411 Leslie Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 05/25/2017

Compliance: No

Cited for violation(s) - Chapter 42 of the City of Port Orange Code of Ordinances Section 42-26 Cleanliness of Property Generally-Duty of Owner, (d) Maintenance of Improved Residential Lots: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten(10) inches.

City of Port Orange Code of Ordinances Chapter 42, Section 42-26. - Cleanliness of property generally-- Duty of owner (f) Garbage, waste, trash, etc., prohibited. The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.

5. CEB Case No.: 17-543

Respondent: Rhonda L. Plumb

Address of Violation: 1415 Breaks Way, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 05/25/2017

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances Chapter 42, Section 42-32 - Storage of vehicles, furniture, etc. No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

City of Port Orange Code of Ordinance, Chapter 70, Sec. 70-36. Stopping, standing or parking prohibited in specified places. (a)(1)(k)

6. **CEB Case No.:** 17-376

Respondent: Jennifer L. Chalkley

Address of Violation: 5836 Riverside Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 06/12/2017

Compliance: No

Cited for violation(s) - The City of Port Orange Land Development Code, Chapter 16, Section 3 Fences & Walls, (4) Design & Maintenance (b) All fences shall be maintained in their original upright condition. (d) Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

Chapter 42 of the City of Port Orange Code of Ordinances, Section 42-26 - Cleanliness of property generally-Duty of Owner. (d) Maintenance of Improved Residential Lots: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten(10) inches.(f) Garbage, waste, trash, etc., prohibited. The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, and debris shall be removed from the entire property.

7. **CEB Case No.:** 16-1837

Respondent: Robert Detko

Address of Violation: 408 Virginia Ave, Port Orange, FL 32127

Code Officer: Deborah Pearson

First Notified: 05/08/2017

Compliance: No

Cited for violation(s) - The City of Port Orange Land Development Code, Chapter 16, Section 3 Fences & Walls, (4) Design & Maintenance (b) All fences shall be maintained in their original upright condition. (d) Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

Chapter 42 of the City of Port Orange Code of Ordinances, Section 42-26 - Cleanliness of Property Generally-Duty of Owner. (d) Maintenance of Improved Residential Lots: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten(10) inches.(f) Garbage, waste, trash, and debris shall be removed from the entire property.

City of Port Orange Code of Ordinances Chapter 42, Section 42-32 - Storage of vehicles, furniture, etc. No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

C. PUBLIC COMMENTS

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 AN 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY 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 7-1-1 or 1-800-8771. UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.