



**AGENDA**  
**CODE ENFORCEMENT SPECIAL MAGISTRATE**  
**CITY OF PORT ORANGE**

**Meeting Date:** Wednesday, October 25, 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

**B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)**

**3. CEB Case No.: 17-1388**

**Respondent:** Urgent Care Developers of Port Orange LLC  
c/o Raul Socarras, P.A., Registered Agent

**Address of Violation:** 1208 Dunlawton Ave.  
Port Orange, FL 32127

**Code Officer:** Scott Allman

**First Notified:** 10/11/2017

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42  
Nuisances, Sec. 42-103

**4. CEB Case No.: 17-1153**

**Respondent:** Rainbow Development Group LLC  
c/o Hala Hemaian

**Address of Violation:** 4015 S. Williamson Blvd.  
Port Orange, FL 32129

**Code Officer:** Amanda Bonin

**First Notified:** 09/19/2017

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances Chapter 42 Article 2  
Section 42-26 - Cleanliness of property generally-Duty of owner (c) Maintenance of  
commercial and industrial zoned lots.

Chapter 3, Section 301 General of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances 301.3 Vacant Structures and land.

Chapter 3, Section 304 Exterior Structure of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances 304.6 Exterior Walls.

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

5. **CEB Case No.:** 17-1418

**Respondent:** James R. Miller  
Deutsche Bank National Trust Company,  
as Trustee for Long Beach Mortgage Loan trust 2006-3  
c/o Kahane & Associates, P.A.

**Address of Violation:** 1084 Donnell Drive  
Port Orange, FL 32129

**Code Officer:** Amanda Bonin

**First Notified:** 09/26/2017

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Code of Ordinances Chapter 42 Section 42-26 - Cleanliness of property generally - Duty of owner (d) Maintenance of improved residential lots.

**C. ORDER IMPOSING FINE/LIEN**

6. **CEB Case No.:** 17-626

**Respondent:** Morkos Fouad

**Address of Violation:** 3780 Fiano Drive, Port Orange, FL 32118

**Code Officer:** Amanda Bonin

**First Notified:**

Compliance: No

**Cited for violation(s)** - The 2015 International Property Maintenance Code, Chapter 3 General Requirements, Section 303 Swimming Pools, Spas, and Hot Tubs, 303.1 Swimming Pools

The 2015 International Property Maintenance Code, Chapter 3 General Requirements, Section 303.2 Enclosures

7. **CEB Case No.:** 17-692

**Respondent:** Brent Appy

**Address of Violation:** 6093 Spruce Point Circle, Port Orange, FL 32128

**Code Officer:** Amanda Bonin

**First Notified:**

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Code of Ordinances Chapter 42 Section 42-26. - Cleanliness of property - generally duty of owner. (d)

8. **CEB Case No.:** 17-1167

**Respondent:** Paul and Barbara Moge

**Address of Violation:** 6026 Spruce Creek Point Circle, Port Orange, FL 32128

**Code Officer:** Amanda Bonin

**First Notified:**

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Code of Ordinances Chapter 42 Section 42-26 - Cleanliness of property generally- Duty of owner (c) and (d)

Chapter 3, Section 304 Exterior Structure of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances

304.13 - Window, skylight and door frames - 304.6 Exterior walls

9. **CEB Case No.:** 17-473

**Respondent:** Valerie Potter

**Address of Violation:** 176 Iron Gate Circle, Port Orange, FL 32129

**Code Officer:** Amanda Bonin

**First Notified:**

Compliance: No

**Cited for violation(s)** - Chapter 1, 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 Land Development Code.

Chapter 1, Section 108 Unsafe Structures and Equipment, 108.1.3 Structures unfit for human occupancy of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 1, Section 108 Unsafe Structures and Equipment, 108.1.5 Dangerous Structures or premises 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, Section 301 General, 301.3 Vacant Structures and Land 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, Section 302 Exterior property areas, 302.8 Motor Vehicles 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, Section 304 Exterior Structures, 304.13 Windows Skylight and door frames 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, Section 304 Exterior Structure, 304.15 Doors of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 42, Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally duty of owner), (d) (Maintenance of improved residential lots)

**10. CEB Case No.:** 17-0592

**Respondent:** Herbert Schubert Jr.

**Address of Violation:** 408 Nancy Circle, Port Orange, FL 32129

**Code Officer:** Dena Joseph

**First Notified:**

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances Chapter 42, Article II, Section 42-32 - Storage of vehicles, furniture, etc.

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.

Chapter 42, 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

Chapter 70 (traffic), Article II (Stopping, Standing and Parking), Section 70-49 (Restrictions on Disabled or Abandoned Vehicles, (c) Restrictions, (1) (a), (b) and (2)

of the City of Port Orange Code of Ordinances.

Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage: Outside storage of new and used equipment and materials shall be regulated as follows, (1) Residential Uses (b) of the City of Port Orange Land Development Code

Chapter 70 (traffic), Article II (Stopping, Standing and Parking), Section 70-36 (Stopping , standing or parking prohibited in specified places), (a) (1) (k) (1), (2) & 93) of the City of Port Orange Code of Ordinances.

**11. CEB Case No.: 17-0364**

**Respondent:** Mark E & Cecelia K. Davison

**Address of Violation:** 312 Grant Street, Port Orange, FL 32127

**Code Officer:** Dena Joseph

**First Notified:**

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Section 42-26 - Cleanliness of property, generally duty of owner (d) Maintenance of improved residential lots

**12. CEB Case No.: 17-0895**

**Respondent:** Mark E. Davison and Cecelia Kay Degnan

**Address of Violation:** 310 Grant Street, Port Orange, FL 32127

**Code Officer:** Dena Joseph

**First Notified:**

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Section 42-26 - Cleanliness of property, generally duty of owner (d) Maintenance of improved residential lots

**D. PUBLIC COMMENTS**

**E. 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](mailto:CITYCLERK@PORT-ORANGE.ORG). AS FAR IN ADVANCE AS