



## **REVISED AGENDA**

### **CODE ENFORCEMENT SPECIAL MAGISTRATE**

#### **CITY OF PORT ORANGE**

**Meeting Date:** Wednesday, May 9, 2018

**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 - April 25, 2018

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

**3. CEB Case No.:** 18-236

**Respondent:** Donavan A. Huseman, Jr.

**Address of Violation:** 72 Brandy Hills Drive, Port Orange, FL 32129

**Code Officer:** Dennis Boehmer

**First Notified:** 03/29/2018

Compliance: Yes

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

**4. CEB Case No.:** 17-1882

**Respondent:** Barbara & Richard L. Divoll

**Address of Violation:** 164 Sweetgum Lane, Port Orange, FL 32129

**Code Officer:** Dennis Boehmer

**First Notified:** 03/23/2018

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Section 42.26(d): Maintenance of improved residential lots

City of Port Orange Land Development Code, Chapter 16, Section 3(b), 4(b)(d): All fences shall be maintained in their original upright condition.

2017 Florida Building Code, 6th Edition, 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.

5. **CEB Case No.:** 18-108

**Respondent:** Teresa Roddy

**Address of Violation:** 1225 Thomasina Drive, Port Orange, FL 32129

**Code Officer:** Amanda Bonin

**First Notified:** 01/25/2018

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Land Development Code Chapter 16 Miscellaneous Regulations Section 3: Fences and walls. Modified (b) General provisions (4) Design and 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. (f) The side of a fence or wall oriented to an adjoining property shall not create an adverse visual impact on such adjoining property.

Florida Building Code Chapter 1, Section 105 Permits 105.1 Required

6. **CEB Case No.:** 18-141

**Respondent:** Jessica Lynn Lincicome

**Address of Violation:** 9 Raintree Drive, Port Orange, FL 32127

**Code Officer:** Scott Allman

**First Notified:** 04/04/2018

Compliance: No

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Article V, Division 2 (Nuisance Trees), Section 42-103, (Declaration of Nuisance), (a)(2); and

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**

7. **CEB Case No.:** 17-1330

**Respondent:** Jacques J. & Susan Lynn Rippe

**Address of Violation:** 120 Barefoot Trail, Port Orange, FL 32129

**Code Officer:** Dennis Boehmer

**First Notified:** 02/08/2018

Compliance: Yes

**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 (d) maintenance of improved residential lots, (f) Garbage, waste, trash, etc. prohibited, and (h) Abutting property owner maintenance of parkages; and Section 42-32 - Storage of vehicles, furniture, etc.

**8. CEB Case No.: 17-1260**

**Respondent:** Joseph F. & Lisa Vallario

**Address of Violation:** 204 Avon Court, Port Orange, FL 32127

**Code Officer:** Scott Allman

**First Notified:** 02/09/2018

Compliance: No

**Cited for violation(s)** - Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth, Section 42-26 (e) Maintenance of Unimproved residential lots and (h) Abutting property owner maintenance of parkages of the City of Port Orange Code of Ordinances.

**9. CEB Case No.: 17-1939**

**Respondent:** Rita Lombardi

**Address of Violation:** 807 Kokomo Circle, Port Orange, FL 32127

**Code Officer:** Amanda Bonin

**First Notified:** 02/20/2018

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Land Development Code Chapter 16 Miscellaneous Regulations Section 3: - Fences and Walls. Modified (b) General Provisions (4) design and maintenance (a) and (b)

## **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](mailto: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 1-800-955-8771. 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.