



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, May 27, 2015

Time: 9:00 AM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Roll Call
2. Attorney Overview of Special Magistrate Code Enforcement Process
3. Consideration of Minutes - April 22, 2015

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

4. **CEB Case No.:** 15-222

Respondent: RRRAC LLC

Address of Violation: 5080 Ridgewood Avenue, Port Orange, FL 32129

Code Officer: Deborah Faircloth

First Notified: 03/24/2015

Compliance: No

Cited for violation(s) - 2009 International Property Maintenance Code as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II.

Chapter 3, Sections 305.3, 304.7, 304.14

Chapter 5, Sections 502.1, 506.2, 507.1

Chapter 6, Sections 602.3, 604.3

Chapter 7, Sections 702.3, 704.1, 704.2

City of Port Orange Land Development Code, Chapter 12, Section 6(f)(1), Section 2(b)(3)(a), Section 3(c)

City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 (c)(f)

2010 Florida Building Code as adopted by the City of Port Orange Land Development Code, Chapter 8, Section 1

2012 NFPA 101 – Adopted by City of Port Orange Land Development Code, Chapter 8, Section 2

2011 NFPA 10 and 2012 NFPA 101 – Adopted by City of Port Orange Land Development Code, Chapter 8, Section 2

305.3 The ceiling is falling and there is visible water damage in room #5

304.7 The roof is leaking, collapsing and visibly deteriorated allowing water to enter the building. Fascia and soffit is rotted and needs to be replaced. Roof needs repaired/replaced.

304.14 Window screens are required. Replace all damaged or missing screens.

502.1 Toilets and sinks must be in good working order. Repair.

506.2 Repair sewage line break on back side of motel along Orange Avenue.

507.1 Repair trench on back side of property where ground has eroded from run-off along Orange Avenue. Remove PVC piping along fence that appears to be unused.

5. **CEB Case No.:** 15-039

Respondent: Andreas M. Schill

Address of Violation: 5831 Wales Avenue, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 04/09/2015

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 (d)(f)(h).

City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-32 2015.

International Property Maintenance Code, Chapter 3, 302.7 Accessory Structures, as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II, Section 14-26.

6. **CEB Case No.:** 14-2217

Respondent: Dana L. Dech

Address of Violation: 4469 Chalmette Court, Port Orange, FL 32127

Code Officer: Amanda Bonin

First Notified: 02/13/2015

Compliance: No

Cited for violation(s) - Failure to Obtain a Building Permit This is a violation of the 2010 Florida Building Code Section 105.1. (A permit must be obtained before construction.)

7. **CEB Case No.:** 15-103

Respondent: Thomas Barrie

Address of Violation: 1144 Meditation Loop, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 04/10/2015

Compliance: Yes

Cited for violation(s) - Chapter 3, Section 304 Exterior Structure, 304.2 Protective treatment of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

City of Port Orange Code of Ordinances 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.

City of Port Orange Code of Ordinances Chapter 42 Nuisances, Section 42-32 Storage of vehicles, furniture, etc.

8. **CEB Case No.:** 15-276

Respondent: Jeffery E. Rivers ETAL

Address of Violation: 98 Stone Gate Lane, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 04/09/2015

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances 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 and (f) Garbage, waste, trash, etc., prohibited.

City of Port Orange Code of Ordinances Chapter 42 Nuisances, Section 42-32 Storage of vehicles, furniture, etc.

Chapter 3 (General Requirements), Section 309 (Pest Elimination), 309.1 (Infestation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances

9. **CEB Case No.:** 15-513

Respondent: Valerie Potter

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

Code Officer: Amanda Bonin

First Notified: 04/09/2015

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 Structure 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 Structure 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 Structure, 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 (Nuisances), Article II (Garbage, junk, and 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.

Chapter 70 (Traffic), Article II (Stopping, Standing Parking), Section 70-49 (Restrictions on disabled or abandoned vehicles), (c) Restrictions, 1 (a) & (b), and (2).

10. **CEB Case No.:** 15-0199

Respondent: David M. Powell

Address of Violation: 775 Sugar Cane Lane, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 04/16/2015

Compliance: Yes

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.

11. **CEB Case No.:** 15-464

Respondent: Michael Viala

Address of Violation: 49 Elda Lane, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 04/22/2015

Compliance: No

Cited for violation(s) - Chapter 42, Article II, Section 42-26 (d), of the City of Port Orange Code of Ordinances.

12. **CEB Case No.:** 15-476

Respondent: Patricia Manos

Address of Violation: 226 Pinerock Place, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 04/23/2015

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) & §§ (f) (Garbage, waste, trash, etc., prohibited) of the City of Port Orange Code of Ordinances.

Chapter 42, (Storage of vehicles, furniture, etc.), Article II Section 42-32 of the City of Port Orange Code of Ordinances.

Chapter 70, (Traffic), Article II (Stopping, standing, parking), Section 70-49 (Restrictions on disabled or abandoned vehicles), of the City of Port Orange Code of Ordinances.

13. **CEB Case No.:** 15-0661

Respondent: Susan Ann Brynes

Address of Violation: 1006 3rd Street, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 04/24/2015

Compliance: Yes

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) as it pertains to the maintenance of improved residential lots.

14. **CEB Case No.:** 15-270

Respondent: Milton Jesus Corchado

Address of Violation: 5278 Plantation Home Way, Port Orange, FL 32128

Code Officer: Amanda Bonin

First Notified: 04/18/2015

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 and (f) Garbage, waste, trash, etc., prohibited of the City of Port Orange Code of Ordinances.

15. **CEB Case No.:** 15-503

Respondent: Elizabeth & Jonathan Harold

Address of Violation: 5280 Plantation Home Way, Port Orange, FL 32128

Code Officer: Amanda Bonin

First Notified: 04/18/2015

Compliance: Yes

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 and (f) Garbage, waste, trash, etc., prohibited of the City of Port Orange Code of Ordinances.

16. CEB Case No.: 15-415

Respondent: James A. & Mildred C. Kitchell

Address of Violation: 1103 Squirrel Nest Lane, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 04/18/2015

Compliance: Yes

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 and (f) Garbage, waste, trash, etc., prohibited of the City of Port Orange Code of Ordinances.

Chapter 42 Nuisances, Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

17. CEB Case No.: 15-418

Respondent: Wayne V. Smith

Address of Violation: 1096 York Way, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 04/18/2015

Compliance: No

Cited for violation(s) - Failure to Obtain a Building Permit of the 2010 Florida Building Code Section 105.1.

18. CEB Case No.: 15-272

Respondent: Renee M. Ransom

Address of Violation: 1243 Eddie Drive, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 04/18/2015

Compliance: Yes

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 and (f) Garbage, waste, trash, etc., prohibited of the City of Port Orange Code of Ordinances.

Chapter 42 Nuisances, Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

19. CEB Case No.: 15-137

Respondent: Banta Scott Trust

Address of Violation: 5249 Sydney Street, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 04/27/2015

Compliance: No

Cited for violation(s) - 2015 International Property Maintenance Code, Chapter 1, Section 108, 108.1.1 Unsafe Structures, 108.1.3 Structure unfit for human occupancy, 108.1.5 Dangerous structure or premises (2)(3)(6)(7)(8)(10), as adopted by the City of Port Orange Code of Ordinances.

Chapter 14, Article II, Section 14-26 of the City of Port Orange Code of Ordinances.

Chapter 42, Article II, Section 42-26(d)(f)(h) of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

20. CEB Case No.: 15-0174

Respondent: Mikel Chase Skinner

Address of Violation: 820 Sugar House Blvd., Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 01/01/1900

Compliance: No

Cited for violation(s) - Chapter 70 (Traffic), Article II (Stopping, Standing Parking), Section 70-49 (Restrictions on disabled or abandoned vehicles), (c) Restrictions, 1 (a) & (b), and (2).

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), (f) Garbage, waste, trash, etc. prohibited.

21. **CEB Case No.:** 15-0018

Respondent: Linda Kennedy, Maureen Kennedy, and John Kennedy

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

Code Officer: Scott Allman

First Notified: 03/06/2015

Compliance: No

Cited for violation(s) - Chapter 3, Section 304.11 (Unsafe Conditions) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304.7 (Roofs and Drainage) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304.9 (Overhanging Extensions) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304.18 (Building Security) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 305.1.1 (Unsafe Conditions) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 305.3 (Interior Surfaces) of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Land Development Code.

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) & §§(f) (Garbage, waste, trash, etc., prohibited) of the City of Port Orange Code of Ordinances.

22. CEB Case No.: 15-183

Respondent: Robert T. Cox

Address of Violation: 4863 Orange Blvd., Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 03/03/2015

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) & §§ (f) (Garbage, waste, trash, etc., prohibited) (h) (Abutting property owner maintenance packages) of the City of Port Orange Code of Ordinances.

Chapter 16 (Miscellaneous Regulations of the Land Development Code), Section 3 (Fences and walls), §§(b) (General provisions), (4) (Design and maintenance), §§(b)(d), of the City of Port Orange Land Development Code.

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.

23. CEB Case No.: 15-049

Respondent: Flavio G. Forzanti

Address of Violation: 402 Needles Drive, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 02/25/2015

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) & §§ (f)(h) (Garbage, waste, trash, etc., prohibited) of the City of Port Orange Code of Ordinances.

Chapter 16 (Miscellaneous Regulations of the Land Development Code), Section 3 (Fences and walls), §§(b) (General provisions), (4) (Design and maintenance), §§(b)(d), of the City of Port Orange Land Development Code.

D. PUBLIC COMMENTS

E. ADJOURNMENT

Code Enforcement Special Magistrate Meeting

Wednesday, May 27, 2015

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