



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

**Meeting Date:** Wednesday, June 12, 2019  
**Type of Meeting:** Regular

**Time:** 9:00 AM  
**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.:** 18-452  
**Respondent:** Charlie Molineaux Jr.  
**Address of Violation:** 722 Dove Avenue, Port Orange, FL 32127  
**Code Officer:** Amanda Bonin  
**First Notified:** 4/2/2018

Compliance: No

**Cited for violation(s) - Sixth Edition (2017) Florida Building Code, Section 105 (Permits), 105.1 (Permits Required), as adopted by 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 permits.

4. **CEB Case No.:** 19-599  
**Respondent:** Robert Yarborough  
**Address of Violation:** 212 Gibson Way, Port Orange, FL 32129  
**Code Officer:** Dennis Boehmer  
**First Notified:** 4/24/2019

Compliance: Yes

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

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (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.

5. **CEB Case No.:** 19-464

**Respondent:** MHC Rose Bay, LLC  
c/o CT Corporation System

**Address of Violation:** 5200 Nova Rd, Port Orange, FL 32127

**Code Officer:** Dena Joseph

**First Notified:** 1/14/2019

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Article II, Sec. 42-103 Declaration of nuisance (a). Sec. 42-104 Nuisance abatement requirements.

6. **CEB Case No.:** 19-0700

**Respondent:** Allan R Thompson

**Address of Violation:** 5827 S Ridgewood Ave, Port Orange, FL 32127

**Code Officer:** Dena Joseph

**First Notified:** 5/13/2019

Compliance: No

**Cited for violation(s)** - 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.

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.

Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (1) (a), (b) and (2) of the City of Port Orange Code of Ordinances.

7. **CEB Case No.:** 19-628

**Respondent:** Alexander David W TR

Alexander Family Trust

**Address of Violation:** 5967 Riverside Dr, Port Orange, FL 32127

**Code Officer:** Dena Joseph

**First Notified:** 4/29/2019

Compliance: No

**Cited for violation(s)** - Chapter 56 (Solid Waste), Article II (Collection and Disposal Service), Section 56-34 (Location of Containers) of the City of Port Orange Code of Ordinances.

Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (1) (a), (b) and (2) of the City of Port Orange Code of Ordinances.

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) & (3) of the City of Port Orange Code of Ordinances.

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.

### **C. ORDER IMPOSING FINE/LIEN**

8. **CEB Case No.:** 18-1487

**Respondent:** Lonnie L. Freeman

**Address of Violation:** 5804 Riverside Drive, Port Orange FL 32127

**Code Officer:** Dena Joseph

**First Notified:** 9/11/2018

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

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.

2018 International Property Maintenance Code, Chapter 3 (General Requirements), Section 304 (Exterior Structure), as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.7 Roofs and drainage.

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage, (1) Residential uses, (c)

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.

9. **CEB Case No.:** 18-1722

**Respondent:** DJN Kalimnios Development Inc., Property Owner  
C/O Denise Rosa, Registered Agent

**Address of Violation:** 5563 Ridgewood Avenue, Port Orange, FL 32127

**Code Officer:** Amanda Bonin

**First Notified:** 10/24/2018

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), (e) Maintenance of unimproved residential lots of the City of Port Orange Code of Ordinances.

10. **CEB Case No.:** 18-887 (continued from 8/8/18)

**Respondent:** Beacon Coast Investments HOA

**Address of Violation:** 5467 St. Regis Way, Port Orange, FL 32128

**Code Officer:** Amanda Bonin

**First Notified:** 3/5/2018

Compliance: No

**Cited for violation(s)** - City of Port Orange Land Development Code Chapter 10, Clearing, Grading, and Stormwater Management, Article 2 Stormwater Management, Section 13, Maintenance.

**This case will be continued until December 11, 2019.**

11. **CEB Case No.:** 18-1449

**Respondent:** MHC Pickwick L.L.C., Owner

Attn: David Eldersveld

CT Corporation System, Registered Agent

**Address of Violation:** 4500 Clyde Morris Blvd. - Pickwick Village Mobile Home Park,  
Port Orange FL 32129

**Code Officer:** Amanda Bonin

**First Notified:** 9/4/2018

Compliance: No

**Cited for violation(s)** - City of Port Orange Land Development Code, Chapter 10 (Clearing, Grading, and Storm Water Management), Article II(Storm Water Management), Section 13 (Maintenance).

City of Port Orange Code of Ordinances, Chapter 14 (Buildings and Building Regulations), Article VII (Commercial Property Maintenance Standards), Section 14-318 (Other Property improvements; maintenance criteria): Drainage and utility improvements.

City of Port Orange Code of Ordinances, Chapter 14 (Buildings and Building Regulations), Article VII (Commercial Property Maintenance Standards), Section 14-317 (Parking, sidewalk and driveway) Subsection (3): Pavement surfaces.

**This case will be continued until January 8, 2020.**

**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.