



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, September 11, 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.:** 19-847
Respondent: OR-EL 18 LLC
Business Filings Incorporated
Address of Violation: 3741 Clyde Morris Blvd., Port Orange, FL 32129
Code Officer: Amanda Bonin
First Notified: 6/5/2019

Compliance: No

Cited for violation(s) - Chapter 14, Article VII, Commercial Property Maintenance Standards of the City of Port Orange Code of Ordinances Section 14-314. - Landscaping and buffers - Maintenance criteria. (a) Approved landscape plans (1) Trees (2) Shrubs (3) Lawns (d) (2) (5) (7) Required maintenance and anticipated growth and coverage.

Chapter 14, Article VII, Commercial Property Maintenance Standards of the City of Port Orange Code of Ordinances Section 14-315. - Same - Replacement criteria. (a) Landscape plantings (b) Buffer plantings (1) (2) (3).

Chapter 14, Article VII, Commercial Property Maintenance Standards of the City of Port Orange Code of Ordinances Section 14-318. -Other property improvements; maintenance criteria. (d) Trash, litter and debris.

4. **CEB Case No.:** 19-1108
Respondent: Herbert Schubert Jr.
Address of Violation: 408 Nancy Street, Port Orange, FL 32127
Code Officer: Dennis Boehmer
First Notified: 7/26/2019

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.

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.

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.

5. **CEB Case No.:** 19-1108

Respondent: Herbert Schubert Jr.

Address of Violation: 408 Nancy Circle, Port Orange, FL 32127

Code Officer: Dennis Boehmer

First Notified: 7/26/2019

Compliance: No

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (1) Residential Uses (a).

6. **CEB Case No.:** 19-1116

Respondent: InBusiness Inc. Property Owner

c/o David T Wolf, Registered Agent

Address of Violation: 54 Elda Lane, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 7/29/2019

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.

7. **CEB Case No.:** 19-1010

Respondent: Linda B. Caswell, Trustee

Address of Violation: 13 Lawrence Court, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 7/9/2019

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.

8. **CEB Case No.:** 19-1096

Respondent: Morozov Enterprises Inc. Property Owner

C/O Igor A. Morozov, Registered Agent

Address of Violation: 6102 Del Mar Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 7/24/2019

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.

9. **CEB Case No.:** 19-1129

Respondent: Jessica Lynn Lincicome

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

Code Officer: Scott Allman

First Notified: 7/31/2019

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.

10. **CEB Case No.:** 19-1130

Respondent: Jessica Lynn Lincicome

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

Code Officer: Scott Allman

First Notified: 7/31/2019

Compliance: No

Cited for violation(s) - 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.

11. **CEB Case No.:** 19-0928

Respondent: Nancy Lane

Address of Violation: 5443 Orange Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 6/26/2019

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.

12. **CEB Case No.:** 19-0903

Respondent: Parque Badger Holdings LLC

Address of Violation: 5337 Dubois Avenue, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 6/17/2019

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), (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.

13. **CEB Case No.:** 19-0870

Respondent: Rudolph Heiko Worm

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

Code Officer: Dena Joseph

First Notified: 7/17/2019

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.

14. **CEB Case No.:** 19-0824

Respondent: ARF Properties Trust

Address of Violation: 5417 Dubois Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 6/4/2019

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.

Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

15. **CEB Case No.:** 19-1046
 Respondent: James E. Redmond
 Address of Violation: 5400 Turton Lane, Port Orange, FL 32127
 Code Officer: Dena Joseph
 First Notified: 7/16/2019

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.

Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

16. **CEB Case No.:** 19-0915
 Respondent: Matthew Brandt
 Address of Violation: 5478 Rogers Avenue, Port Orange, FL 32127
 Code Officer: Dena Joseph
 First Notified: 6/21/2019

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 (h) abutting property owner maintenance of parkages 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.

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.

17. **CEB Case No.:** 19-0750
 Respondent: Samuel C. Sebergandio Jr.
 Address of Violation: 5453 Pineland Ave., Port Orange, FL 32127
 Code Officer: Dena Joseph
 First Notified: 5/22/2019

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.

Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

2018 International Property Maintenance Code Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, Skylight, and Door Frames) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

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 1-800-955-8771. 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.