AGENDA

CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF PORT ORANGE

Meeting Date: Wednesday, October 9, 2019 **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.:** 19-535
   Respondent: Bernard H. & Karen K. Nadeau
   Address of Violation: 1343 Coconut Palm Circle, Port Orange, FL 32128
   Code Officer: Amanda Bonin
   First Notified: 4/10/2019

Compliance: Yes

Cited for violation(s) - 2017 Florida Building Code, 6th Edition, Section 105 (Permits), 105.1 (Permits Required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

4. **CEB Case No.:** 17-1229
   Respondent: George G. & Jill Catledge
   Address of Violation: 1521 Rusty Circle, Port Orange, FL 32129
   Code Officer: Amanda Bonin
   First Notified: 8/24/2017

Compliance: Yes

Cited for violation(s) - 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.:** 19-1297
   Respondent: Sheryl Carrigan
   Address of Violation: 1123 Loblolly Lane, Port Orange, FL 32129
   Code Officer: Amanda Bonin

First Notified: 8/15/2019

Compliance: Yes

Cited for violation(s) - 2018 International Property Maintenance Code, Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 505 (Water System), 505.1 General as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II.

6. **CEB Case No.:** 18-1500
   Respondent: Industrial Corporation Inc.
   c/o Leonard Zedeck
   Address of Violation: 3812 (aka) 3826 Clyde Morris Blvd., Port Orange, FL 32129
   Code Officer: Amanda Bonin
   First Notified: 9/13/2018

Compliance: No

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 14 Buildings and Building Regulations, Article VII Commercial Property Maintenance Standards, Section 14-314. - Landscaping and buffers - Maintenance criteria (a) (1) (2) (3) & (5).
Section 14-315. - Same - Replacement criteria (a) (b) & (c).
Section 14-317. - Parking, sidewalk and driveway areas (a) (1) (2) & (3).

City of Port Orange Land Development Code, Chapter 11 Utilities, Section 7 Solid Waste Collection Service; (b) (3) (3) Enclosure.

7. **CEB Case No.:** 19-745
   Respondent: Finance of America Reverse LLC, Property Owner
   Address of Violation: 1426 Royal Grove Lane, Port Orange, FL 32129
   Code Officer: Amanda Bonin
   First Notified: 5/30/2019

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 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.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1.1 (Unsafe Conditions), (8), of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

8. **CEB Case No.:** 19-0982
   Respondent: Jeremiah & Cynthia Anderson
   Address of Violation: 5276 Rogers Avenue, Port Orange, FL 32127
   Code Officer: Dena Joseph
   First Notified: 7/1/2019

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.:** 19-1087
   Respondent: Mark E. & Cecelia K. Davidson
   Address of Violation: 312 Grant Street, Port Orange, FL 32127
   Code Officer: Dena Joseph
   First Notified: 7/23/2019

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.:** 19-1086
    Respondent: Mark E. Davidson
    Address of Violation: 310 Grant Street, Port Orange, FL 32127
    Code Officer: Dena Joseph
    First Notified: 7/23/2019

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.

11. **CEB Case No.:** 19-1379
    Respondent: Dana Deella Anderson
    Address of Violation: 3248 S. Peninsula Dr., Port Orange, FL 32127
    Code Officer: Dena Joseph
    First Notified: 9/16/2019

Compliance: No

Cited for violation(s) - Sixth Edition (2017) Florida Building Code, Section 105 (Permits), 105.1 (Permits Required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

12. **CEB Case No.:** 19-0280
Respondent: Loretto U. Bobo
Address of Violation: 608 Roselle Street, Port Orange, FL 32127
Code Officer: Dennis Boehmer
First Notified: 2/22/2019

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) 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 42-26, (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, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.1 General and 304.6 Exterior Walls.

2018 International Property Maintenance Code, Chapter 3, 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.

2018 International Property Maintenance Code Chapter 3 (General Requirements), Section 304.13 (Window, skylight and door frames) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

2018 International Property Maintenance Code Chapter 3 (General Requirements), Section 304.15 (Doors) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), 604.3 (Electrical system hazards) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

13. **CEB Case No.:** 19-1157
Respondent: Audrey M. Howard
Address of Violation: 1128 Bayview Lane, Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 8/5/2019

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.

C. ORDER IMPOSING FINE/LIEN

14. **CEB Case No.:** 19-1053
Respondent: Sharon Blake
Address of Violation: 1112 Bayview Lane, Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 7/15/2019

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.

15. **CEB Case No.:** 19-1059
Respondent: Springwood Square Joint Ventures
Address of Violation: Springwood Square, Port Orange, FL 32129
Code Officer: Dennis Boehmer
First Notified: 7/17/2019

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 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

16. **CEB Case No.:** 19-1075
    Respondent: Eva K Ivie
    Address of Violation: 27 Golden Gate Circle, Port Orange, FL 32129
    Code Officer: Dennis Boehmer
    First Notified: 7/22/2019

Compliance: No

Cited for violation(s) - Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 505 (Water System), 505.1 (General), of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

17. **CEB Case No.:** 19-0909
    Respondent: Pete R. Panziani
    Address of Violation: 5475 Rogers Avenue, Port Orange, FL 32127
    Code Officer: Dena Joseph
    First Notified: 6/17/2019

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.

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

18. **CEB Case No.:** 19-0224
    Respondent: Sara Lynne Bailey
    Address of Violation: 5445 Wood Street, Port Orange, FL 32127
    Code Officer: Dena Joseph

First Notified: 2/13/2019

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 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.

19. **CEB Case No.:** 19-1085
Respondent: Stacey L. Algieri
Address of Violation: 5245 Sydney Street, Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 7/23/2019

Compliance: No

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

20. **CEB Case No.:** 19-0302
Respondent: Stacey L. Algieri
Address of Violation: 5245 Sydney Street, Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 2/27/2019

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.

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.

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.