

CODE ENFORCEMENT SPECIAL MAGISTRATE MINUTES

COUNCIL CHAMBERS

1000 CITY CENTER CIRCLE

MARCH 25, 2015

THE SPECIAL MAGISTRATE HEARING of the City of Port Orange was called to order by Special Magistrate Branch at 9:14 a.m.

PRESENT:

Raymond Branch, Special Magistrate

ALSO PRESENT:

Chris Hutchison, Code Enforcement Supervisor
Scott Allman, Code Enforcement Inspector
Dena Joseph, Code Enforcement Inspector
Deborah Faircloth, Code Enforcement Inspector
Amanda Bonin, Code Enforcement Inspector
Theresa Gutierrez, Recording Secretary

Special Magistrate Branch reviewed the Code Enforcement hearing process.

Consideration of Minutes from March 11, 2015

Special Magistrate Branch approved the March 11, 2015 meeting minutes.

Oaths

Deborah Faircloth, Code Compliance Inspector; Scott Allman, Code Compliance Inspector, Amanda Bonin; and Dena Joseph, Code Compliance Inspector, were sworn in by Special Magistrate Branch.

A. NEW BUSINESS

3. CEB CASE NO. 15-048
RESPONDENT/ Jacqueline M. & Donald A. Acosta
ADDRESS OF VIOLATION/ 825 Upland Drive, Port Orange, FL 32127
CODE OFFICER/ Deborah Faircloth
First Notified – February 5, 2015

Cited for violation(s) – Chapter 42 (Nuisances), Article II (Garbage, Junk, and Undergrowth), Section 42-26 (Cleanliness of property generally—Duty of Owner), (a)(d)(f)(h) of the City of Port Orange Code of Ordinances.

The violation was first observed on January 16, 2015. The alleged violator was given Notice of Violation/Notice of Hearing on February 5, 2015. Upon re-inspection on February 16, 2015, the site was still in violation. The notice was sent via certified mail on February 6, 2015 and posted at the property. The certified mail was returned to the City Clerk's Office marked "unclaimed and unable to forward." The most recent inspection was on March 24, 2015 resulting in non-compliance.

Ms. Faircloth presented photos dated February 4, 2015 showing the high weeds, overgrowth along the house, and outside storage. Ms. Faircloth also presented pictures dated February 5, 2015 and March 24, 2015. Special Magistrate Branch submitted the photos into evidence.

Special Magistrate Branch asked if the property was occupied. Ms. Faircloth said yes. It is occupied by the owner's two (2) children.

Based on the information presented in case no. 15-048, Ms. Faircloth is requesting the Special Magistrate find that Jacqueline M. & Donald Acosta, property owners of 825 Upland Drive, Port Orange, FL 32127, be found in violation of the City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(d)(f)(h).

Special Magistrate Branch found case no. 15-048 in violation of the City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(d)(f)(h).

Ms. Faircloth requested that the violation be corrected on or before April 2, 2015. If the accused does not comply with this Order, a fine of \$200 be imposed for each day the violation continues past April 2, 2015. Additionally, the City shall have the option to abate the violation if not in compliance on or before April 2, 2015 due to the violations being a health, safety, and welfare concern to the public. Ms. Faircloth also requested that the accused be further ordered to contact this Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the Order. Any future violations under this ordinance shall be considered repeat violations.

Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to sub section (a)." The costs to date are \$54.30 as indicated on this cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

Special Magistrate Branch asked if there is any prior history on this property. Ms. Faircloth indicated that there is a \$100 per day fine running since November 9, 2013 and continuing to accrue on the property due to a green pool located in the back of the property.

Special Magistrate Branch ordered the City having the option to abate the violation if not in compliance on or before April 2, 2015. The fine of \$200 per day will not be assessed. Special Magistrate Branch believes this is not an effective remedy due to the ongoing fine since November 9, 2013 that has never been paid and the conditions never being abated. The matter will be referred to the City Council for possible abatement action by the City. The cost in the amount of \$54.30 is awarded.

4. CEB CASE NO. 14-1591
RESPONDENT/ George Manual Dasilva Machado
ADDRESS OF VIOLATION/ 5410 Sydney Street, Port Orange, FL 32127
CODE OFFICER/ Scott Allman
First Notified – February 13, 2015

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.

Mr. Allman requested for case no. 14-1591 to be dismissed due to the fact the property owner is in compliance with the notice. Special Magistrate Branch dismissed case no. 14-1591.

5. CEB CASE NO. 14-2040
RESPONDENT/ Lawrence J. Pelletier
ADDRESS OF VIOLATION/ 7 Lawrence Court, Port Orange, FL 32127
CODE OFFICER/ Scott Allman
First Notified – February 13, 2015

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

The violation was first observed on September 2, 2014. The Notice of Violation/Notice of Hearing was posted on the property on February 13, 2015 at 2:10 p.m. The notice was also sent via certified mail and posted at City Hall on February 17, 2015. The certified mail was returned to the City Clerk's Office marked "vacant". The most recent inspection was March 23, 2015 resulting in non-compliance. One of the neighbors had partially mowed the front yard but it has already grown back in.

Mr. Allman presented pictures of the violations dated February 13, 2015 showing the property posting, high weeds and grass, debris, and the broken fence. The pictures showed TV's all over the yard. The most recent inspection was on March 23, 2015 resulting in non-compliance.

Special Magistrate Branch asked how Mr. Allman was able to determine the ownership of the fence. Mr. Allman submitted a fence permit application indicating that a chain linked fence was installed for the property address 7 Lawrence Court, Port Orange, FL 32127. There were no permits with the adjoining property for a chain linked fence. Special Magistrate Branch submitted Mr. Allman's fence permit application into evidence.

Special Magistrate Branch asked if the neighbors had any idea how the fence started to lean. Mr. Allman said no. His best guess would be children playing on the fence.

Based on the information presented in case no. 14-2040, Mr. Allman is requesting the Special Magistrate find that Lawrence Pelletier property owner of 7 Lawrence Court, Port Orange, FL 32127, in violation of Chapter 42 (Nuisances), Article II (Garbage, junk, and undergrowth), Section 42-26 (d) & (f) of the City of Port Orange Land development Code and Chapter 16 (Miscellaneous Regulations of the Land Development Code), Section 3 (Fences and walls), §§(b) (General provisions), (4) (Design and maintenance), §§(b), of the City of Port Orange Land Development Code.

Special Magistrate Branch found case no. 14-2040 in violation of Chapter 42 (Nuisances), Article II (Garbage, junk, and undergrowth), Section 42-26 (d) & (f) of the City of Port Orange Land development Code and Chapter 16 (Miscellaneous Regulations of the Land Development Code), ~~Section 3 (Fences and walls), §§(b) (General provisions)~~, (4) (Design and maintenance), §§(b), of the City of Port Orange Land Development Code.

Special Magistrate Branch denied Section 3 (Fences and walls), §§(b) (General provisions).

Mr. Allman also requested the violations be corrected on or before April 10, 2015. If the accused does not comply with this Order, a fine of \$100 is imposed for each day the violation continues past April 10, 2015. Additionally, the City shall have the option to abate all health and safety issues and lien the property for all costs of abatement. Mr. Allman also requested the accused be further ordered to contact this Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the Order. Any future violations under this ordinance shall be considered repeat violations.

Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the City in enforcing its codes and all costs or repairs pursuant to sub section (a)." The costs to date are \$40.65 as indicated on this cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

Special Magistrate Branch ordered a fine of \$100 per day be imposed for each day the violation continues past April 10, 2015. If the property does not come into compliance by April 10, 2015 then the City shall have the option to abate all health and safety issues and lien the property for all cost of abatement. The matter will be referred to the City Council for possible abatement action by the City. The cost of \$40.65 is awarded.

6. CEB CASE NO. 15-13
RESPONDENT/ James A. Lollich
ADDRESS OF VIOLATION/ 5062 Ridgewood Avenue, Port Orange, FL 32127
CODE OFFICER/ Scott Allman
First Notified – February 25, 2015

Cited for violation(s) – Chapter 18, Article II, Section 18-27 (Business Tax Imposed) of the City of Port Orange, Code of Ordinances.

Chapter 16 - Section 2 (d), (2), (3) & (8) (Home Occupations) of the City of Port Orange, Code of Ordinances.

Chapter 42 - Article II (Garbage, Junk, and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, etc.), of the City of Port Orange, Code of Ordinances.

Mr. Allman requested for case no. 15-13 to be dismissed due to the fact that the property owner came into compliance with the notice. Special Magistrate Branch dismissed case no. 15-13.

7. CEB CASE NO. 14-2211
RESPONDENT/ Mark D. Cameron
ADDRESS OF VIOLATION/ 886 Stonybrook Circle, Port Orange, FL 32127
CODE OFFICER/ Amanda Bonin
First Notified – February 12, 2015

Cited for violation(s) – Chapter 70 Traffic, Article II, Section 70-36 (K), (1) (2) (3) of the City of Port Orange Code of Ordinances.

The violation was first observed on September 16, 2014. The alleged violator was given Notice of Violation/Notice of Hearing on February 13, 2015 via hand delivery to Shane Cameron (son of owner) at approximately 3:05 p.m. The violation was to be corrected on February 20, 2015. Upon re-inspection on March 7, 2015, the property was still in violation. The most recent inspection was on March 17, 2015 resulting in non-compliance.

Special Magistrate Branch asked if Shane Cameron indicated if his father does live at the property. Ms. Bonin said yes. Mr. Shane Cameron told Ms. Bonin that his father just wasn't there the day Ms. Bonin stopped by. Ms. Bonin did explain the issues to Shane Cameron.

Ms. Bonin presented pictures dated September 29, 2014, February 13, 2015, and March 17, 2015. All the pictures indicate the cars pulled up in the yard. The cars are still parking in the yard and there is no driveway extension that has been created. Special Magistrate Branch admitted the photos into evidence.

Ms. Bonin stated that this property is a duplex. The owner is most likely parking on the yard for the convenience of not having to move the vehicles around every time someone has to leave.

Based on the information presented in case no. 14-2211, Ms. Bonin is requesting the Special Magistrate find that Mark D. Cameron, property owner of 886 Stonybrook Circle, Port Orange, FL 32127, be found in violation of the City of Port Orange's Code of Ordinances Chapter 70 Traffic, Article II, Section 70-36 (K), (1) (2) (3).

Special Magistrate Branch found case no. 14-2211 in violation of the City of Port Orange Code of Ordinances Chapter 70 Traffic, Article II, Section 70-36 (K), (1) (2) (3).

Ms. Bonin requested the violation be corrected by parking the car in the driveway or creating a driveway extension using mulch or rock and landscape timbers on or before April 4, 2015. If the accused does not comply with this Order, a fine of \$100 be imposed for each day the violation continues past April 4, 2015. Ms. Bonin also requested the accused is further ordered to contact this Code Enforcement Officer to

arrange for a re-inspection of the property to verify compliance with the Order. Any future violations under this ordinance shall be considered repeat violations.

Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the City in enforcing its codes and all costs or repairs pursuant to sub section (a)." The costs to date are \$33.96 as indicated on this cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

Special Magistrate Branch asked if the owner of the property will have to seek a permit through the City for paving. Ms. Bonin said yes; if they just do an extension with proper mulch, they would not have to obtain a permit for the work. Ms. Bonin said anything with concrete will require a permit.

Special Magistrate Branch asked the turnaround time for a permit. Ms. Bonin said approximately two (2) weeks. Ms. Bonin said if they were to try and pour concrete, due to the duplex area, they would not be allowed to because of the width of their lot. A border for concrete could possibly be approved but extending the driveway just using concrete would not be approved because the driveway can only be a certain width with a certain amount of green space.

Special Magistrate Branch ordered a fine of \$100 per day be assessed for each day the violation continues past April 6, 2015. This would give the owner an additional weekend to comply with the order. The cost in the amount of \$33.96 is awarded. At Ms. Bonin's discretion, the Magistrate will extend time if the property owner goes with the concrete border extension.

8. 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 – February 13, 2015

Cited for violation(s) – Failure to Obtain a Building Permit This is a violation of the 2010 Florida Building Code Section 105.1

Ms. Bonin said the owner had a family emergency and is asking for a continuance. The property owner will not be back until May. Ms. Bonin read a letter aloud written from Judy French; neighbor, on behalf of Mr. Dech. Special Magistrate Branch asked if the violation is a threat to the public health, safety, and welfare. Ms. Bonin said no. Ms. Bonin spoke with Mr. Dech over the phone to verify the letter written and submitted by Ms. French.

Special Magistrate Branch awarded an extension for Mr. Dech. Case no. 14-2211 will be adjourned until May 27, 2015.

9. CEB CASE NO. 14-2704
RESPONDENT/ Susan Ann Brynes
ADDRESS OF VIOLATION/ 1006 3rd Street, Port Orange, FL 32129
CODE OFFICER/ Amanda Bonin
First Notified – February 13, 2015

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).

Ms. Bonin requested for case no. 14-2704 to be dismissed due to the fact that the property owner is in compliance with the notice. Special Magistrate Branch dismissed case no. 14-2704.

10. CEB CASE NO. 14-2472
RESPONDENT/ Jonathan D. Thomas
ADDRESS OF VIOLATION/ 4726 Hidden Lake Drive, Port Orange, FL 32129
CODE OFFICER/ Amanda Bonin
First Notified – February 12, 2015

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 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage, (1) Residential Uses, (a) & (b) of the City of Port Orange Land Development Code).

Chapter 70 (Traffic), Article II (Stopping, Standing or Parking Prohibited in Specified Places), Section 70-36 (a)(1) (c) & (k) (1) (2) & (3) of the City of Port Orange Code of Ordinances.

Chapter 70 (Traffic), Article II (Stopping, Standing and Parking), Section 70-48 (Parking of Recreational Vehicles and Equipment on Residential Premises), (c) (1) (2) & (3) of the City of Port Orange Code of Ordinances.

Ms. Bonin explained that this was originally Dena Joseph, Code Compliance Inspector, case. She was asked by her supervisor to take over due to Ms. Joseph being out on leave.

Ms. Bonin said the violation was first observed by Ms. Joseph on November 5, 2014. The alleged violator was given Notice of Violation/Notice of Hearing via hand delivery to Melissa Thomas at 3:40 pm. on February 12, 2015 by Ms. Bonin. The violation was to be corrected on February 28, 2015. Upon re-inspection on March 7, 2015, the property still remained in non-compliance. The most recent inspection was performed on March 18, 2015 by Ms. Bonin resulting in non-compliance.

Ms. Joseph explained the pictures she took on February 12, 2015. The owners are driving over the City's right-of-way. The right-of-way is all cracked and broken.

Ms. Joseph said she does not have evidence of that but only makes sense because of the large trailers being pulled in. Ms. Joseph explained that the driveway extension has to be rock, mulch, etc. It cannot be what it is now and they cannot access it by pulling over the City right-of-way.

Ms. Bonin explained the pictures she took on March 18, 2015. There is a trailer at which the property owners try to make as a driveway extension. This was the second re-inspection. Ms. Bonin said the pictures indicate the property owners pulling the trailers over the sidewalk. They are also pulling along the sidewalk of Rusty Circle.

Special Magistrate Branch asked about the vehicle shown off of Rusty Circle. He asked if they are same parcel. Ms. Bonin said yes. It is a corner lot.

Special Magistrate Branch asked if the location would be a legal place to park the trailer off of Rusty Circle. Ms. Bonin said the trailer off of Rusty Circle was not pulling over the sidewalk.

Ms. Bonin said the house was addressed to Hidden Lake. Rusty Circle would be considered the side of back lot. The trailer would be ok there. The trailer in the front is not because it is considered the front lot and it is over 24 feet in length.

Special Magistrate Branch asked what the trailers are used for. Ms. Joseph said that the property owner has a lawn business. Ms. Joseph said that there are usually more trucks parked at the location. Special Magistrate Branch asked if the property owners are using this property to park his company vehicles. Ms. Joseph said she cannot prove that the trailers are being used for the business but does have trucks with the name of the lawn company on them. The trailers do not have any writing on them.

Special Magistrate Branch asked to see a picture from the Rusty Circle location showing the trailer. Deborah Faircloth, Code Compliance Inspector, presented a photo dated January 29, 2015 at 4:38 p.m. She received a complaint because he had seen photos being taken by a code officer a few weeks prior. Ms. Faircloth showed a picture taken from Rusty Circle, which is the side yard. It does show the tire marks going across the right-of-way. The picture shows the white pickup truck that has all the lettering of his lawn service on it. There is also a utility trailer present in the picture.

Special Magistrate Branch said the picture dated January 27, 2015 that Ms. Faircloth presented does not indicate a violation of Section 70-36 (a)(1) (c) because the vehicle is not on the sidewalk.

Ms. Joseph said they have always been taught that a side lot has two (2) front sides to it. It is treated as having two (2) front lots.

Special Magistrate Branch wants to know where it's cited in the notice about the parking on the sidewalk. Ms. Faircloth said section 70-48 (c) (1) (2) and (3).

Special Magistrate Branch does not feel that a trailer meets the definition of the recreational vehicle or equipment. Ms. Joseph said they are not considering it commercial use because there is no lettering on the trailer. It does not meet the definition of a recreational use either.

Special Magistrate Branch asked how big the trailer is on the side off the house off Rusty Circle. Ms. Joseph said it is smaller than 24 feet. Special Magistrate Branch said if it is not over 24 feet, it would not violate the ordinance because it is not greater than 24 feet.

Special Magistrate Branch said the January 29, 2015 photo does not show a violation. He struck the photo.

Based on the information presented in case no. 14-2472, Ms. Bonin is requesting the Special Magistrate find that Jonathan D. Thomas property owner of 4726 Hidden Lake Drive, Port Orange, FL 32127, be found in violation of 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 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage, (1) Residential Uses, (a) & (b) of the City of Port Orange Land Development Code), Chapter 70 (Traffic), Article II (Stopping, Standing or Parking Prohibited in Specified Places), Section 70-36 (a)(1) (c) & (k) (1) (2) & (3) of the City of Port Orange Code of Ordinances, and Chapter 70 (Traffic), Article II (Stopping, Standing and Parking), Section 70-48 (Parking of Recreational Vehicles and Equipment on Residential Premises), (c) (1) (2) & (3) of the City of Port Orange Code of Ordinances.

Special Magistrate Branch found case no. 14-2472 in violation of 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 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage, (1) Residential Uses, (a) & (b) of the City of Port Orange Land Development Code), Chapter 70 (Traffic), Article II (Stopping, Standing or Parking Prohibited in Specified Places), Section 70-36 (a)(1) (c) & (k) (1) (2) & (3) of the City of Port Orange Code of Ordinances, and Chapter 70 (Traffic), Article II (Stopping, Standing and Parking), Section 70-48 (Parking of Recreational Vehicles and Equipment on Residential Premises), (c) (1) (2) & (3) of the City of Port Orange Code of Ordinances.

Ms. Bonin requested the violation be corrected by removing all outside storage, all trailers over 24 feet in length need to be parked behind the front plane of the home or in the back yard, and the parking over the sidewalk needs to stop on or before April 8, 2015. If the accused does not comply with this Order, a fine of \$100 be imposed for each day the violation continues past April 8, 2015. Ms. Bonin also requested that the accused be further ordered to contact this Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the Order. Any future violations under this ordinance shall be considered repeat violations.

Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to sub section (a)." The costs to date are \$33.96 as indicated on this cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

Special Magistrate Branch ordered a fine of \$100 per day be assessed for each day the violation continues past April 8, 2015. Additionally, the cost in the amount of \$33.96 is awarded.

B. OLD BUSINESS

11. CEB CASE NO. 14-2632
RESPONDENT/ Brian M. & Brandy M. Peterson
ADDRESS OF VIOLATION/ 767 Sandy Hills Drive, Port Orange, FL 32127
CODE OFFICER/ Deborah Faircloth
First Notified – January 8, 2015

Cited for violation(s) – Chapter 70, Article II, Section 70-49(a)(2)(b)(2)(5)(c)(b) of the City of Port Orange Code of Ordinances.

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

Ms. Faircloth said on February 11, 2015 the Special Magistrate held a public hearing and issued his order and found the property in violation. The property was in violation of Chapter 70, Article II, Section 70-49(a)(2)(b)(2)(5)(c)(b) of the City of Port Orange Code of Ordinances and Chapter 42, Article II, Section 42-26 (f) and Chapter 42, Article II, Section 42-26 (f) City of Port Orange Code of Ordinances. The owners were given until February 18, 2015 to bring the property into compliance or a \$250 per day fine will begin on May 19, 2015. Ms. Faircloth re-inspected the property on May 19, 2015 resulting in non-compliance. The cost to date is \$99.68 as indicated on the cost sheet. An affidavit of non-compliance has been submitted to the recording/code secretary.

Ms. Faircloth presented pictures dated March 25, 2015 indicating the property still being in non-compliance.

Special Magistrate Branch ordered the fine of \$250 per day to start on May 19, 2015 and will continue to accrue until the property comes into compliance. The cost of \$99.68 is awarded.

12. CEB CASE NO. 14-2621
RESPONDENT/ Robert J. Ader & Mary Coleman
ADDRESS OF VIOLATION/ 710 Sheldon Circle, Port Orange, FL 32127
CODE OFFICER/ Scott Allman
First Notified – January 20, 2015

Cited for violation(s) – Chapter 16 - Section 2 (Home Occupations) (c) 13, and (d) 8 & 9 of the City of Port Orange Code of Ordinances.

Chapter 42 - Article II (Garbage, Junk, and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, etc., and Chapter 42- Article II (Garbage, Junk, and Undergrowth), section 42-26, (f) of the City of Port Orange Code of Ordinances.

Mr. Allman said this case was first heard on February 11, 2015. Pursuant to the order, the respondents were to have taken corrective action on or before February 25, 2015. A re-inspection was conducted on March 12, 2015 showing compliance. An affidavit of compliance has been provided to the recording/code secretary. Mr. Allman is requesting \$87.85 be due and payable to the City of Port Orange.

Special Magistrate Branch awarded the costs of \$87.85 as indicated on the cost sheet submitted into evidence.

13. CEB CASE NO. 14-970
RESPONDENT/ 831 Railroad LLC C/o Tim Davis
ADDRESS OF VIOLATION/ 831 Railroad Street, Port Orange, FL 32129
CODE OFFICER/ Amanda Bonin
First Notified – December 10, 2014

Cited for violation(s) – Chapter 14, Article VII, Commercial Property Maintenance Standards of the City of Port Orange Code of Ordinances Section 14314 (a) (2), (d) (1) (2) (3) (4) (5) (6) & (7), 14315 (a), (b)(3), 14317 (4), & 14318 (d).

Ms. Bonin said the Finding of Fact/Conclusion of Law & Order was not signed until March 25, 2015 due to the amendment requested by the Special Magistrate.

Special Magistrate adjourned case no. 14-970 to the May 6, 2015 due to the 30 day appeal process.

C. PUBLIC COMMENTS: None

D. ADJOURNMENT: 11:48 a.m.



Special Magistrate Raymond Branch