

PORT ORANGE CODE ENFORCEMENT
SPECIAL MAGISTRATE MINUTES
COUNCIL CHAMBERS
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 12, 2018

THE SPECIAL MAGISTRATE HEARING of the City of Port Orange was called to order by Special Magistrate Fuller at 9:02 a.m.

PRESENT: David Fuller, Special Magistrate

ALSO PRESENT: Scott Allman, Code Compliance Inspector
Dena Joseph, Code Compliance Inspector
Debbie Pearson, Code Enforcement Manager
Shelby Field, Assistant City Clerk

Attorney Overview of Special Magistrate Code Enforcement Process

Special Magistrate Fuller gave an overview of the code enforcement process as there were members of the public present.

Consideration of Minutes

Special Magistrate Fuller approved the November 14, 2018 meeting minutes as presented.

Oaths

Code Compliance Inspectors Dena Joseph, Scott Allman and Debbie Pearson, Code Enforcement Manager, were sworn in by Special Magistrate Fuller.

Dena Joseph, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and requested a change in the agenda order as there are members of the public in attendance for a few of the cases. Special Magistrate Fuller granted the request.

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. CEB Case No.: 18-1512

Respondent: Adam B. Wilson

Julie Furnas

Address of Violation: 409 Grant Street, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 09/17/2018

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.

Debbie Pearson, Code Enforcement Manager, was sworn in by Special Magistrate Fuller and requested a dismissal as this case is in compliance. Special Magistrate Fuller granted the dismissal request.

4. **CEB Case No.:** 18-1636

Respondent: Good Land & Timber LLC, Property Owner

CO: George W. Good, Registered Agent

Address of Violation: 4390 Ridgewood Avenue, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 10/04/2018

Compliance: Yes

Cited for violation(s) - 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), (e) No recreational vehicle or equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (3) Commercial Uses.

Ms. Pearson requested a dismissal as this case is in compliance. Special Magistrate Fuller granted the dismissal request.

5. **CEB Case No.:** 18-1237

Respondent: Kenneth D. Veradi

Ruth P. Veradi

Address of Violation: 5411 Landis Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 08/01/2018

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), (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 18 (Businesses), Article II (Local Business Tax), Section 18-27 (Business Tax Imposed) of the City of Port Orange Code of Ordinances.

Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses & Structures), (4) Size Limitations, (d) of the City of Port Orange Land Development Code.

Ms. Pearson requested a dismissal as this case is in compliance. Special Magistrate Fuller granted the dismissal request.

6. CEB Case No.: 18-1314

Respondent: Ralph E. & Linda L. Cavinee

Address of Violation: 5245 Taylor Avenue, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 08/14/2018

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.

Ms. Pearson requested a dismissal as this case is in compliance. Special Magistrate Fuller granted the request.

7. CEB Case No.: 18-1594

Respondent: R G Stone

Address of Violation: 729 Barlow Circle, Port Orange FL 32127

Code Officer: Dena Joseph

First Notified: 09/27/2018

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

Ms. Joseph testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected on or before October 28, 2018 by mowing the entire property to include weed eating, edging, and blowing of debris, removing all trash and debris from the site, and properly storing all outside stored items in an enclosed building. Re-inspection was conducted on November 2, 2018 and found the property remains in non-compliance.

Ms. Joseph recommended the property owners be found in violation of the above referenced code with the violations to be corrected on or before January 8, 2019 by mowing the entire property to include trimming of all high weeds on site, weed eating, edging, and blowing of

debris, removing of all trash and debris on site, and properly storing all outside items (that are not considered trash) in an enclosed building. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Tracy Barton, Power of Attorney of the property, explained they have been having trouble with the current renter of the property. There is an eviction case open against the current renter.

Special Magistrate Fuller granted the recommendation with some modification. The property owner has until January 8, 2019 to mow the entire property to include trimming of all high weeds on site, weed eating, edging and blowing of debris off the street and onto the property, remove all trash and debris on site, and properly store all outside items not considered trash in an enclosed building or the City shall have the option to abate the violation. Costs in the amount of \$41.28 were awarded to the City. No daily fine was awarded.

8. CEB Case No.: 18-1026

Respondent: Rudolph Heiko Worm

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

Code Officer: Dena Joseph

First Notified: 07/03/2018

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), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

2018 International Property Maintenance Code Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.8 (Motor Vehicles) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Ms. Joseph testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected on or before November 4, 2018 by mowing the entire property to include trimming of all high weeds on site, weed eating, edging and blowing of yard debris as well as removing the possibly unregistered vehicle with flat tires from the property. Re-inspection was conducted on November 5, 2018 and found the property remains in non-compliance.

Deborah Pearson, Code Enforcement Manager, spoke with a representative for the property owner on December 10, 2018 who stated that they never received copies of the paperwork. The representative stated that the owner is frequently out of the country. It was explained that someone needs to check on the property and have it set up for frequent mowing and

maintenance. The property has since been mowed and the vehicle has been removed from the property.

Ms. Joseph recommended the property owners be found in violation of Chapter 42, Article II, Section 42-26 (d) as the property was not in compliance with the Notice of Hearing. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. Costs in the amount of \$41.28 were awarded to the City.

9. 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: 09/11/2018

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.

Ms. Joseph testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected on or before November 16, 2018 by removing all trash and debris from the property, properly storing all outside items in an enclosed building, mowing the entire property to include edging, weed eating, and blowing of debris, removing the POD storage container that has been on the site for almost a year, and obtaining the appropriate permits through the City of Port Orange Building Department to repair the roof or install a new roof on the home. Re-inspections were conducted on October 22 and 26, 2018 as well as November 17, 2018 and found that all violations were corrected at the time of the inspections except the roof and the property remains in non-compliance.

Lonnie Freeman, Property Owner, was sworn in by Special Magistrate Fuller and testified as to the condition to his property due to hurricane damage. Mr. Freeman stated FEMA would not provide aid to repair the roof and the city was not able to either due to the cost of repairs. He is waiting to hear back from Rebuild Florida to see if they will aid in fixing the roof. Special Magistrate Fuller acknowledged Mr. Freeman's financial and physical issues.

Ms. Joseph recommended the property owner be found in violation of the 2018 International Property Maintenance Code, Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.7 Roofs and drainage as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances with the violations to be corrected on or before March 12, 2019 by obtaining all necessary permits to repair the roof or re-install a new roof on the structure. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$20.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$34.14 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. The property owner has until March 12, 2019 to obtain all necessary permits to repair the roof or re-install a new roof on the structure or a daily fine in the amount of \$20.00 per day shall be imposed. Costs in the amount of \$34.14 were awarded to the City.

10. CEB Case No.: 18-1308

Respondent: Blum Acquisitions LLC, Property Owner

CO: Eric C. Blum, Registered Agent

Address of Violation: 5564 Nova Road, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 08/01/2018

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.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1 (General) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

304.2 Protective Treatment.

304.6 Exterior Walls.

304.7 Roofs and drainage.

304.13 Windows, skylights and door frames. 304.13.1 Glazing.

304.13.2 Openable windows.

304.15 Doors.

Ms. Joseph testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected on or before November 30, 2018 by removing all trash and debris on site to include the pile of used shingles, removing all outside storage, and either demolishing the structure or making necessary repairs to the siding that is rotten, the external door frames, decking, and roof structure. A permit would need to be obtained for repairs and/or demolition. Re-inspection was conducted on December 3, 2018 and while all trash and debris were removed along with the outside storage, repairs and/or demolition of the home have not been complied with. No permits have been obtained for either option and the property remains in non-compliance.

Ms. Joseph recommended the property owners be found in violation of Chapter 3, Section 304, 304.1, 304.2, 304.7 and 304.15 of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances. with the violations to be corrected on or before January 14, 2019 by obtaining the necessary permits to either demolish the structure or make all necessary repairs. (Both options will require applying for and paying for the permits by the 14th day of January 2019.) In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be assessed for each day the property is in violation beyond the compliance date. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Ms. Joseph requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. The property owner has until January 14, 2019 to obtain the necessary permits to either demolish or make all necessary repairs to the structure or a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$41.28 were awarded to the City.

11. CEB Case No.: 18-1727

Respondent: Linda B. Caswell Trustee of 13 Lawrence Court Land Trust

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

Code Officer: Scott Allman

First Notified: 10/26/2018

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), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Scott Allman, Code Compliance Inspector, was sworn in by Special Magistrate Fuller and testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no

objections. The violation was to be corrected by November 26, 2018 by mowing the entire property and trimming all high weeds. Re-inspection was conducted on December 3, 2018 and found the property remains in non-compliance. An additional re-inspection was conducted on December 10, 2018 to find the property has been mowed and all high weeds trimmed.

Mr. Allman recommended the property owners be found in violation of the above referenced code as the property was not in compliance with the Notice of Hearing. Mr. Allman requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented. Costs in the amount of \$41.28 were awarded to the City.

12. CEB Case No.: 18-1742

Respondent: Jennifer M. Foster

Address of Violation: 45 Elda Lane, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 11/01/2018

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.

Mr. Allman testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected by November 26, 2018 by mowing the entire property and trimming all high weeds. Re-inspection was conducted on December 3, 2018 and found the property remains in non-compliance.

Mr. Allman recommended the property owners be found in violation of the above referenced code with the violations to be corrected on or before December 21, 2018 by mowing the entire property and trimming all high weeds. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be assessed for each day the property is in violation beyond the compliance date and the City shall have the option to abate the violation as this is a health and safety concern. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Mr. Allman requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented and found the property a health, safety, and welfare violation. The property owner has until December 21, 2018 to mow the entire property and trim all high weeds on site or the city shall have the option to abate the

violation and a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$41.28 were awarded to the City.

13. CEB Case No.: 18-1368

Respondent: Jessica Lynn Lincicome

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

Code Officer: Scott Allman

First Notified: 08/23/2018

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), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Mr. Allman testified as to the condition of the property, as well as the notice provided to the property owner. Photos were submitted into evidence and accepted by Special Magistrate Fuller with no objections. The violation was to be corrected immediately as this is a repeat violation by mowing the entire property and trimming all high weeds. Re-inspection was conducted on December 5, 2018 and found the property remains in non-compliance.

Mr. Allman recommended the property owners be found in repeat violation of the above referenced code with the violations to be corrected on or before December 21, 2018 by mowing the entire property and trimming all high weeds. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$100.00 per day shall be assessed for each day the property is in violation beyond the compliance date and the City shall have the option to abate the violation as this is a health and safety concern. Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Mr. Allman requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$41.28 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented and found the property a health, safety, and welfare violation. The property owner has until December 21, 2018 to mow the entire property and trim all high weeds on site or the city shall have the option to abate the violation and a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$41.28 were awarded to the City.

14. CEB Case No.: 18-1372

Respondent: Lynda Shipman

Address of Violation: 708 La Grange Avenue, Port Orange, FL 32129

Code Officer: Dennis Boehmer

First Notified: 08/23/2018

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.

Ms. Pearson requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

15. CEB Case No.: 18-1448

Respondent: MHC Pickwick LLC, Owner

C/O CT Corporation System, Registered Agent

Address of Violation: 4500 Clyde Morris Blvd., Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 09/04/2018

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.

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.

Ms. Pearson requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.

C. ORDER IMPOSING FINE/LIEN

16. CEB Case No.: 18-1139

Respondent: Kimberly Ann Long

Address of Violation: 713 Sheldon Circle, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 07/20/2018

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), (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.

Ms. Joseph requested an Order Setting Fine/Lien as the property was not in compliance on or before November 4, 2018 as ordered in the previous hearing on October 24, 2018 by the Special Magistrate. She requested a daily fine in the amount of \$100.00 per day as ordered in the Finding of Fact, Conclusion of Law & Order to begin on November 5, 2018 and running through November 7, 2018 (3 days) for a total amount due of \$300.00 in daily fines. The City has incurred costs in the amount of \$300.00 by Mark Solomon, who abated the violations. A cost sheet for mailing and recording costs in the amount of \$92.42 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded \$600.00 in abatement costs and daily fines and mailing and recording costs to date of \$92.42. A lien is imposed on the property in the amount of \$692.42.

17. CEB Case No.: 18-1140

Respondent: Ethel M. Morgan

Address of Violation: 709 Sheldon Circle, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 07/20/2018

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), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Ms. Joseph requested an Order Setting Fine/Lien as the property was not in compliance on or before November 4, 2018 as ordered in the previous hearing on October 24, 2018 by the Special Magistrate. No daily fine was recommended; however, the City has incurred costs in the amount of \$100.00 by Mark Solomon, who abated the violations. A cost sheet for mailing and recording costs in the amount of \$92.42 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded \$100.00 and mailing and recording costs to date of \$92.42. A lien is imposed on the property in the amount of \$192.42.

18. CEB Case No.: 18-1301

Respondent: James E. Redmond

Address of Violation: 5400 Turton Lane, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 08/13/2018

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), (d) (Maintenance of improved residential lots) (h) Abutting property owner maintenance of parkages of the City of Port Orange Code of Ordinances.

Ms. Joseph requested an Order Setting Fine/Lien as the property was not in compliance on or before November 4, 2018 as ordered in the previous hearing on October 24, 2018 by the Special Magistrate. She requested a daily fine in the amount of \$250.00 per day as ordered in the Finding of Fact, Conclusion of Law & Order to begin on November 5, 2018 and running until and through November 28, 2018, for a total of 24 days. The City has incurred costs in the amount of \$200.00 by Mark Solomon, who abated the violations. A cost sheet for mailing and recording costs in the amount of \$92.42 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded \$6,200 in abatement costs and daily fines and mailing and recording costs to date of \$92.42. A lien is imposed on the property in the amount of \$6,292.42.

19. **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: 03/05/2018

Compliance: No

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

Ms. Pearson asked to continue the case to the June 12, 2019 hearing.

D. ADJOURNMENT – 10:42 am



Special Magistrate David Fuller