



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, December 9, 2015

Time: 9:00 AM

Type of Meeting: Regular

Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Roll Call
2. Attorney Overview of Special Magistrate Code Enforcement Process

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. CEB Case No.: 15-1343

Respondent: SBC II REO LLC

C/O Summit Inv. Mgmt. Brian Ekback

Address of Violation: 3450 Ridgewood Avenue, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 10/16/2015

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), (c) Maintenance of commercial and industrial zoned lots of the City of Port Orange Code of Ordinances.

Chapter 3 (General Requirements), Section 301 (General), 301.3 Vacant Structures and land of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

4. CEB Case No.: 15-1531

Respondent: Kay Talbott Caldwell TR

Address of Violation: 309 Magnolia St., Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 11/06/2015

Compliance: Yes

Cited for violation(s) - Chapter 6 (Mechanical and Electrical Requirements), Section 605 (Electrical Equipment), 605.2 (Receptacles) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

5. **CEB Case No.:** 15-1746

Respondent: Joseph Magurezek

Address of Violation: 407 Grant St., Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 11/06/2015

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 70 (Traffic), Article II (Stopping, Standing and Parking), Section 70-49 (Restrictions on Disabled or Abandoned Vehicles, (c) Restrictions, 1 (a),(b) and 2 of the City of Port Orange Code of Ordinances: (c) Restrictions.

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) and (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.

6. **CEB Case No.:** 15-1772

Respondent: John M. Sofio

Address of Violation: 30 E. Bayshore Lane, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 10/15/2015

Compliance: No

Cited for violation(s) - Chapter 42, Section 42-26 Cleanliness of property generally – duty of owner (d) Maintenance of improved residential lots (f) Garbage, waste, trash, etc., prohibited (h) Abutting property owner maintenance of parkages and Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

7. CEB Case No.: 15-1427

Respondent: Jimmie Thompason & Susie Rimmer

Address of Violation: 5271 Taylor Ave., Port Orange, FL 32174

Code Officer: Deborah Faircloth

First Notified: 10/21/2015

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) 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) 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.

8. CEB Case No.: 15-1744

Respondent: Shirley A. Rose

Address of Violation: 5109 Taylor Rd., Port Orange, FL 32174

Code Officer: Deborah Faircloth

First Notified: 10/29/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

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), (f) of the City of Port Orange Code of Ordinances.

Chapter 42 (Nuisances) of the City of Port Orange Code of Ordinances, 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, Article II (Stopping, Standing, Parking) Section 70-49 Restrictions on disabled or abandoned vehicles (c) Restrictions (1) of the City of Port Orange Code of Ordinances.

Chapter 16 (Miscellaneous Regulations) of the City of Port Orange Land Development Code Section 3 (Fences and Walls)(4) Design and Maintenance (b)(d) of the City of Port Orange Code of Ordinances.

9. **CEB Case No.:** 15-801

Respondent: White Fawn, LLC
C/o Yiz Gong, Registered Agent

Address of Violation: 5596 S. Lancewood Circle, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 06/18/2015

Compliance: No

Cited for violation(s) - 2010 Florida Building Code, Chapter 1, Section 105 Permits, 105.1 Required as adopted by the City of Port Orange Land Development Code, Chapter 1.

10. **CEB Case No.:** 15-222

Respondent: RRRAC LLC

Address of Violation: 5080 Ridgewood Avenue, Port Orange, FL 32129

Code Officer: Deborah Faircloth

First Notified: 03/24/2015

Compliance: No

Cited for violation(s) - 2009 International Property Maintenance Code as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II.

Chapter 3, Section 304.7.

11. **CEB Case No.:** 15-1347

Respondent: Audrey M. Howard

Address of Violation: 1137 Bayview Lane, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 10/13/2015

Compliance: Yes

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) of the City of Port Orange Code of Ordinances.

12. **CEB Case No.:** 15-1360

Respondent: Jeffrey James & Kimberly Ann English

Address of Violation: 5487 Ward Lake Drive, Port Orange, FL 32128

Code Officer: Scott Allman

First Notified: 10/13/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

13. **CEB Case No.:** 15-768

Respondent: Lynn Nelson & Dolores Ann Nelson JTWROS

Address of Violation: 6509 Baywood Avenue, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 10/13/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

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), (f) of the City of Port Orange Code of Ordinances.

14. **CEB Case No.:** 15-1560

Respondent: Jacqueline M. Acosta & Donald A. Acosta

Address of Violation: 825 Upland Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 10/19/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

15. **CEB Case No.:** 15-1683

Respondent: Peter H. Easterbrook

Address of Violation: 5756 Dogwood Road, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 10/20/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

16. **CEB Case No.:** 15-1799

Respondent: Access Funding, LLC

Address of Violation: 560 Newton Rd., Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 11/03/2015

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.

17. **CEB Case No.:** 15-1438

Respondent: Paul Dematteo

Address of Violation: 1429 Richel Dr., Port Orange, FL 32129

Code Officer: Scott Allman

First Notified: 11/03/2015

Compliance: No

Cited for violation(s) - Chapter 3, Section 304 Exterior Structure of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, 304.13 Window, Skylight and door frames.

18. **CEB Case No.:** 15-1732

Respondent: MCM Capital Partners LLC TR
%Aldridge Connors LLP

Address of Violation: 105 Kent Court, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 11/03/2015

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.

19. **CEB Case No.:** 15-1353

Respondent: Akram Batniji

Address of Violation: 735 Dunlawton Avenue, Port Orange, FL 32129

Code Officer: Scott Allman

First Notified: 09/08/2015

Compliance: No

Cited for violation(s) - Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (b) General Provisions, (4) Design and Maintenance, (b) & (d) of the City of Port Orange Land Development Code.

C. ORDER IMPOSING FINE/LIEN

20. CEB Case No.: 15-070

Respondent: Corine M. Mackey

Address of Violation: 5420 Landis Avenue, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/09/2015

Compliance: No

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) of the City of Port Orange Code of Ordinances.

Chapter 42 Nuisances, Section 42-32 Storage of vehicles, furniture, etc. if the City of Port Orange Code of Ordinances.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.7 Roofs and drainage of the 2009 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

21. CEB Case No.: 15-1520

Respondent: Geraldine L. Price

Address of Violation: 5361 Landis Avenue, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 09/25/2015

Compliance: No

Cited for violation(s) - Chapter 42, Article II, Section 42-26 Cleanliness of property generally-Duty of owner (d)(f)(h) of the City of Port Orange Code of Ordinances.

22. CEB Case No.: 15-1490

Respondent: Marshall Kevyn & Sarah Surrusco JTRS

Address of Violation: 866 Chickadee Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 09/28/2015

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) of the City of Port Orange Code of Ordinances.

D. PUBLIC COMMENTS

E. 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 ANY 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, 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 1-800-955-8771.