AGENDA

CODE ENFORCEMENT SPECIAL MAGISTRATE

CITY OF PORT ORANGE

Meeting Date: Wednesday, September 8, 2021
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.:** 21-0549
Respondent: Julia J. Knapp
Address of Violation: 5180 Pineland Avenue, Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 3/29/2021

Compliance: Yes

Cited for violation(s) - 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.

Chapter 70 (Traffic), Article II (Stopping standing and parking), Section 70-48 Parking of recreational vehicles and equipment on residential premises, (d), (1), (2), (3), of the City of Port Orange Code of Ordinances.

4. **CEB Case No.:** 21-1302
Respondent: Audrey E. Aiuto Vanbuskirk - Hoge
Address of Violation: 407 N. Willow Ave., Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 7/20/2021

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), (e) Maintenance of unimproved residential lots of the City of Port Orange Code of Ordinances.

5. **CEB Case No.:** 21-513
   Respondent: Robert L. Ward
   Address of Violation: 7 Lawrence Court, Port Orange, FL 32127
   Code Officer: Scott Allman
   First Notified: 3/19/2021

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.

6. **CEB Case No.:** 21-1254
   Respondent: Majid Tavakoli
   Address of Violation: 839 6th Street, Port Orange, FL 32129
   Code Officer: Scott Allman
   First Notified: 7/12/2021

Compliance: No

Cited for violation(s) - Chapter 56 (Solid Waste), Article II (Collection and Disposal Service), Section 56-32 (Wrapping and preparation of garbage; keeping containers covered) of the City of Port Orange Code of Ordinances.

Chapter 56 (Solid Waste), Article II (Collection and Disposal Service), Section 56-34 (Location of Containers) of the City of Port Orange Code of Ordinances.

7. **CEB Case No.:** 21-1305
   Respondent: Ashley M. Lampe
   Address of Violation: 3464 Country Walk Drive, Port Orange, FL 32129
   Code Officer: Scott Allman
   First Notified: 7/21/2021

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.

Chapter 3 (General Requirements), Section 303 (Swimming Pools, Spas and Hot Tubs), 303.2 (Enclosures), of the 2021 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

8. **CEB Case No.:** 21-1012
   Respondent: J. Plummer Sherbino
   J. Plummer Sherbino Rev. Living Trust
   Address of Violation: 115 Fleming Avenue, Port Orange, FL 32127
   Code Officer: Dena Joseph
   First Notified: 5/26/2021

Compliance: No

Cited for violation(s) - 2020 Florida Building Code, 7th Edition, Section 105 (Permits), Section 105.1 (Required) as adopted per Chapter 8, Article I of the City of Port Orange Code of Ordinances: Failure to Obtain a Building Permit.

9. **CEB Case No.:** 20-1578
   Respondent: Darrell & Sharon Blake
   Address of Violation: 1157 Millbrook Avenue, Port Orange, FL 32127
   Code Officer: Scott Allman
   First Notified: 10/4/2020

Compliance: No

Cited for violation(s) - 2018 International Property Maintenance Code, Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures), 108.1.3 (Structure unfit for human occupancy), and 108.1.5 (1-11) (Dangerous structure or premises), as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II, Section 14-26.

10. **CEB Case No.:** 21-1257
   Respondent: Zachary R. Staley
   Address of Violation: 1515 Rusty Circle, Port Orange, FL 32129
   Code Officer: Daniel Bungart

First Notified: 7/13/2021

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.

11. **CEB Case No.:** 21-837

Respondent: Wynter Geneva M
Address of Violation: 717 Brom Bones Court, Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 5/3/2021

Compliance: No

Cited for violation(s) - Chapter 3, Section 302 Exterior Property Areas of the 2021 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Chapter 3, Section 303 Swimming Pools, Spas, and Hot Tubs of the 2021 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances 303.1 Swimming Pools.

D. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

FOR SPECIAL ACCOMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) 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 OR HEARING DATE.

HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, 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 OR HEARING 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.