



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, April 13, 2022

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.:** 22-160

Respondent: Orange & Blue Investments LLC

Address of Violation: 801 Banbury Drive, Port Orange, FL 32129

Code Officer: Scott Allman

First Notified: 2/7/2022

Compliance: Yes

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 16 (Miscellaneous Regulations), Section 6 (Visual clearance): (a) (1)

4. **CEB Case No.:** 21-2053

Respondent: Richard A. Rossi
Shelia D. Rossi

Address of Violation: 733 Niver Street, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 12/20/2021

Compliance: Yes

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.

Chapter 16 (Miscellaneous Regulations), Section 6 (Visual Clearance), (a) In General, (4) of the City of Port Orange Land Development Code.

5. **CEB Case No.:** 22-0022

Respondent: Dillon Andrew Wilkerson
Amy Lyn Herron

Address of Violation: 730 Barlow Circle, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 1/4/2022

Compliance: Yes

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.

Chapter 16 (Miscellaneous Regulations), Section 6 (Visual Clearance), (a) In General, (4) of the City of Port Orange Land Development Code.

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.

6. **CEB Case No.:** 21-209

Respondent: Barrow Ray L TR
Barrow Rev Living Trst
Barrow Tracy M TR

Address of Violation: 734 Barlow Circle, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 12/20/2021

Compliance: Yes

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.

Chapter 16 (Miscellaneous Regulations), Section 6 (Visual Clearance), (a) In General, (4) of the City of Port Orange Land Development Code.

7. **CEB Case No.:** 22-0099

Respondent: Gregory Krawchuk

Address of Violation: 722 Barlow Circle, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 1/4/2022

Compliance: No

Cited for violation(s) - 2020 Florida Building Code, 7th Edition, Section 105 (Permits), 105.1 (Required), as adopted per Chapter 8, Article 1, of the City of Port Orange Code of Ordinances: Failure to Obtain a Building Permit.

C. ORDER IMPOSING FINE/LIEN

8. **CEB Case No.:** 21-491

Respondent: Turcotte Enterprises LLC

Address of Violation: 3664 Jackson Street, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 3/19/2021

Compliance: Yes

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 10 Clearing, Grading, and Stormwater Management Article 2 Stormwater Management, Section 9 Prohibitions and exemptions (b) Exemptions. The following activities shall be exempt from this article: (6) The one-time construction of any structure or addition, not otherwise exempt, not exceeding 4,000 square feet of impervious or semi-impervious surface area subject to vehicular traffic. This area includes roads, parking lots, driveways and loading zones.

City of Port Orange Land Development Code, Chapter 10 Clearing, Grading, and Stormwater Management Article 2 Stormwater Management, Section 10 Stormwater Management permit review (c) Stormwater permit application and review. Application shall be made directly to the department (1) (a) (b) (c) (d) (e) (f) (g)

9. **CEB Case No.:** 21-1202

Respondent: Sally Powell Estate

Address of Violation: 1205 Sparton Avenue, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 6/30/2021

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), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

10 **CEB Case No.:** 21-1524

Respondent: Sean C Derwick
Rachel L Derwick

Address of Violation: 720 Pringle Road, Port Orange, FL 32127

Code Officer: Dennis Boehmer

First Notified: 9/10/2021

Compliance: No

Cited for violation(s) - 2020 Florida Building Code, 7th Edition, Section 105 (Permits), 105.1 (Permits Required), as adopted by Chapter 8, Article 1, of the City of Port Orange Land Development Code.

11 **CEB Case No.:** 21-1984

Respondent: Jack Barnes

Address of Violation: 5483 Orange Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 12/2/2021

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), (h) Abutting property owner maintenance of parkages.

12 **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.

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 ACCOMMODATIONS, 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.