



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, January 27, 2016

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
December 9, 2015
January 13, 2016

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 15-1809
Respondent: Travis Houman LF EST
Susan Hawthorne LF EST
101 Cambridge Drive
Port Orange, FL 32127

Lindsey Matthews
191 Ledford Rd., Lot 6
Cairo, GA 39828
Address of Violation: 101 Cambridge Drive
Port Orange, FL 32127
Code Officer: Scott Allman
First Notified: 12/15/2015

Compliance: No

Cited for violation(s) - Chapter 5, Section 505 Plumbing Facilities and Fixture Requirements of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances, 505.1 Water System.

Chapter 6, Mechanical and Electrical requirements of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances,
604.1 Electrical Facilities.

4. **CEB Case No.:** 15-1946

Respondent: Judith A. Vitali EST

Address of Violation: 1237 Mellisa Drive
Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 12/18/2015

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs.

5. **CEB Case No.:** 15-2007

Respondent: Jolan Toth

Address of Violation: 46 Springwood Square
Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 12/18/2015

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: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten inches.

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: No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in

an enclosed building.

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:

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall: Stop, stand or park a motor vehicle or trailer:

k. On any other portion of the front yard of a residential lot, except on approved driveways. As used in this section, driveways shall be constructed of the following materials:

1. Concrete or paved materials;
2. Nonpaved materials, excluding grass and dirt, provided that loose materials such as gravel, bark or cypress mulch are effectively contained within a border of concrete, railroad ties, or other rigid materials; or
3. Concrete paver strips, paver blocks, or other semi-pervious materials.

Chapter 3 (General Requirements), Section 307 (Handrails and Guardrails), 307.1 (General) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1.1 (Unsafe Conditions), (12) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.10 (Stairways, decks, porches, and balconies) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads

6. **CEB Case No.:** 15-2049

Respondent: James P. Standfast

Address of Violation: 1120 Kane Drive
Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 12/21/2015

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) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances: The owner of an improved lot in a residential zone with lot sizes of one acre or less shall keep such lot free and clear of all fallen trees and limbs. All weeds, grass and undergrowth shall be cut to a height not exceeding ten (10) inches.

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) Garbage, waste, trash, etc., prohibited of the City of Port Orange Code of Ordinances: The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.

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.: No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

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.

(1) No disabled or abandoned vehicle shall remain on residentially-zoned or agriculturally-zoned private property unless such vehicle is:

a. Within a completely enclosed garage; or

b. Parked in a carport, parking space or city-approved parking area and covered solely with a standard vehicle cover in good repair, so long as any portion of the vehicle which is not covered is not in a state of disrepair.

(2) No disabled or abandoned vehicle parked on residentially-zoned or agriculturally-zoned private property shall be covered by material other than a standard vehicle cover in good repair unless such vehicle is parked inside a completely enclosed garage.

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:

(a) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a motor vehicle or trailer:

k. On any other portion of the front yard of a residential lot, except on approved driveways. As used in this section, driveways shall be constructed of the following materials:

1. Concrete or paved materials;
2. Nonpaved materials, excluding grass and dirt, provided that loose materials such as gravel, bark or cypress mulch are effectively contained within a border of concrete, railroad ties, or other rigid materials; or
3. Concrete paver strips, paver blocks, or other semi-pervious materials.

7. **CEB Case No.:** 15-1959

Respondent: Basil Jaisingh

153 Deskin Drive

Port Orange, FL 32129

Address of Violation: 5160 Ridgewood Avenue

Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 12/23/2015

Compliance: No

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 Cleanliness of property generally – Duty of owner (c) Maintenance of commercial and industrial zoned lots. The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone with the city shall keep each such lot, piece or parcel of land free and clear of all fallen trees and limbs and undergrowth exceeding 12 inches in height.

City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26 (f) Garbage, waste, trash, etc., prohibited. The owner of every lot, piece and parcel of land located within the city shall keep each such lot, piece and parcel of land free and clear of garbage, waste, trash, debris and junk.

City of Port Orange Code of Ordinances, Chapter 42, Section 42-32. Storage of vehicles, furniture, etc. No owner of property within the city shall permit the storage of vehicles or parts of vehicles, furniture, appliances or other personal property upon the premises, except in an enclosed building.

C. ORDER IMPOSING FINE/LIEN

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.