

CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
AUGUST 23, 2023

THE CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING of the City of Port Orange was called to order by Special Magistrate David Fuller at 9:00 a.m.

PRESENT: David Fuller, Special Magistrate

ALSO PRESENT: Amanda Bonin, Code Enforcement Manager
Bailey Hornbuckle, Code Enforcement Officer

Oaths

Code Enforcement Officer Bailey Hornbuckle and Amanda Bonin Code Enforcement Manager were sworn in by Special Magistrate Fuller.

CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process

Special Magistrate Fuller dispensed with the overview of the code enforcement process as there were no members of the public present.

2. Consideration of Minutes - August 9, 2023

Special Magistrate Fuller approved the August 9, 2023 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 23-229

Respondent: Peggy A. Brandt

Address of Violation: 6114 Palmas Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 2/16/2023

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.

Amanda Bonin, Code Enforcement Manager, was sworn in by Special Magistrate Fuller and requested a continuation of the case until September 27, 2023. Special Magistrate Fuller granted the continuation request.

4. **CEB Case No.:** 23-0721

Respondent: Gil Lichtenstein

Address of Violation: 907 Second Street, Port Orange, FL 32129

Code Officer: Sherry Schimizzi

First Notified: 7/11/2023

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), (h) (Abutting property owner maintenance of parkages) of the City of Port Orange Code of Ordinances.

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

5. **CEB Case No.:** 23-0626

Respondent: Geraldine Jones Life Estate

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

Code Officer: Bailey Hornbuckle

First Notified: 6/8/2023

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) and (f) Garbage, waste, trash, etc. 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.

Bailey Hornbuckle 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 immediately by mowing the entire property, removing all weeds and undergrowth, blowing all debris back onto the property, cleaning up and removing all garbage, trash, and debris from the property, and properly storing all outside storage in an enclosed building.

Mrs. Hornbuckle recommended the property owners be found in repeat violation of the above referenced codes with the violations to be corrected immediately by mowing the entire property, removing all weeds and undergrowth, blowing all debris back onto the property, cleaning up and removing all garbage, trash, and debris from the property, and properly storing all outside storage in an enclosed building. In the event the property is not brought into compliance on or before the compliance date, and/or not

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maintained in a state of compliance, the City of Port Orange shall have the option to abate the violations 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. Mrs. Hornbuckle requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern. The cost sheet in the amount of \$47.57 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate Fuller granted the recommendation as presented and deemed the property a health and safety violation. The property owner has immediately to mow the entire property, remove all weeds and undergrowth, blow all debris back onto the property, clean up and remove all garbage, trash, and debris from the property, and properly store all outside storage in an enclosed building. Costs in the amount of \$47.57 were awarded to the City.

ADJOURNMENT – 9:10 a.m.


Special Magistrate David Fuller