



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, April 13, 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 - March 23, 2016

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 16-167

Respondents: Linda Kennedy, Maureen Kennedy, & John Kennedy

Address of Violation: 5204 Sydney Street, Port Orange, FL 32127

Code Officer: Deborah Faircloth

First Notified: 03/18/2016

Compliance: No

Cited for violation(s) - Chapter 3, Section 304.11 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304.7 (Roofs and Drainage) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304.9 (Overhanging Extensions) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 304-18 (Building Security) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 305.1.1 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II of the City of Port Orange Land Development Code.

Chapter 3, Section 305.3 (Interior Surfaces) of the 2015 International Property Maintenance Code as adopter per Chapter 14, Article II 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), §§(d) (Maintenance of improved residential lots) & §§(f) (Garbage, waste, trash, etc., prohibited) of the City of Port Orange Code of Ordinances.

4. **CEB Case No.:** 16-162

Respondent: Brian M. Peterson and Brandy M. Peterson

Address of Violation: 767 Sandy Hill Circle, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 03/04/2016

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.

5. **CEB Case No.:** 16-0237

Respondent: David M. Powell

Address of Violation: 775 Sugar Cane Lane, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 02/25/2016

Compliance: Yes

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage, Junk, and Undergrowth), Section 42-26 (Maintenance of property generally-duty of owner), (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances.

6. **CEB Case No.:** 15-2094

Respondent: Ryan Alan McDowell JTRS & Stacey Nicole Simon JTRS

Address of Violation: 4632 Golden Apples Trail, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 02/24/2016

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage Junk, and Undergrowth), Section 42-26 (Maintenance of property generally-duty of owner), (d) Maintenance of Improved Residential Lots of the City of Port Orange Code of Ordinances.

7. **CEB Case No.:** 16-0158

Respondent: John B. Clark

Address of Violation: Nova Road, Port Orange, FL 32127
Parcel ID: 6340-03-13-0040

Code Officer: Dena Joseph

First Notified: 02/24/2016

Compliance: No

Cited for violation(s) -

Florida Building Code-Building, 5th Edition (2014), Section 105 (Permits), Section 105.1 (Required): Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit;

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; and

Chapter 10 (Clearing, Grading and Stormwater Management), Article I (Clearing and Grading), Section 2 (Permit Requirements for Change of Grade) of the City of Port Orange Land Development Code.

C. ORDER IMPOSING FINE/LIEN

8. CEB Case No.: 15-1367

Respondent: Country Manor Assisted Living & Retirement Home LLC

Address of Violation: 1152 Old Hammock Road, Port Orange, FL 32129

Code Officer: Dena Joseph

First Notified: 01/29/2016

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), (c) Maintenance of Commercial and Industrial Zoned Lots of the City of Port Orange Code of Ordinances: The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone within 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.

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: 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.

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.