

CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 26, 2025

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
 SCOTT ALLMAN, CODE OFFICER

ALSO PRESENT: AMANDA BONIN, DEPUTY CITY CLERK

Oaths

Code Enforcement Officer Scott Allman was 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

Special Magistrate Fuller approved the March 12, 2025 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 24-1007

Respondent: Peter J. Renko

Address of Violation: 150 Howes Street, Port Orange, FL 32127

Code Officer: Kristi Jones

First Notified: 8/6/2024

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

Scott Allman, Code Enforcement Officer, requested a continuation of the case until April 9, 2025. Special Magistrate Fuller granted the continuation request.

4. **CEB Case No.:** 25-0150

Respondent: Austin Evan Watts

Address of Violation: 5348 Landis Avenue

Code Officer: Joseph Brewer

First Notified: 1/27/2025

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. 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. 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. Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (1) (a), (b) and (2) of the City of Port Orange Code of Ordinances. 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 3, Section 304 (Exterior Structure), 304.6 (Exterior Walls) of the 2024 International Property Maintenance Code, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Mr. Allman requested a continuation of the case until April 9, 2025. Special Magistrate Fuller granted the continuation request.

ORDER IMPOSING FINE/LIEN

5. **CEB Case No.:** 24-1211

Respondent: Mark Davison

Address of Violation: 1125 Bayview Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 8/30/2024

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, (h) Abutting property owner maintenance of

parkages. 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.

Mr. Allman, was sworn in by Special Magistrate Fuller and requested an Order Setting Fine/Lien as the property was not in compliance by trimming all high weeds and removing all down trees and limbs and by removing or repairing the damaged chain-link fence on the property, as ordered in the previous hearing on October 23, 2024, by the Special Magistrate. He requested a daily fine in the amount of \$100.00 per day beginning November 7, 2024 as ordered in the Finding of Fact, Conclusion of Law & Order. The City retained vendor Yellowstone Landscaping, who abated the violation(s) at the cost of \$1,134.00. A cost sheet for mailing and recording costs in the amount of \$158.32 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded a daily fine in the amount of \$100.00 beginning November 7, 2024 and shall continue to run until compliance is met, abatement costs of \$1,134.00 and mailing and recording costs to date of \$158.32. A lien in the amount of \$1,292.32 shall be imposed.

6. CEB Case No.: 24-1448

Respondent: James V. Kloos and Itala M. Kloos

Address of Violation: 828 Sugarhouse Boulevard

Code Officer: Scott Allman

First Notified: 9/27/2024

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. 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. City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (a) In general (b) Principal use and/or principal structure required.

Mr. Allman requested an Order Setting Fine/Lien as the property was not in compliance by mowing the entire property and by removing all outdoor stored items, as ordered in the previous hearing on January 8, 2025, by the Special Magistrate. He requested a daily fine in the amount of \$500.00 per day beginning January 28, 2025 and running through and including February 12, 2025 for a total of 16 days as ordered in the Finding of Fact, Conclusion of Law & Order. The City retained vendor Scotty Boy Landscaping, who

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abated the violation(s) at the cost of \$1200.00. A cost sheet for mailing and recording costs in the amount of \$111.89 was tendered and submitted into evidence without objection.

Special Magistrate Fuller found the property in non-compliance and awarded a daily fine in the amount of \$500.00 beginning January 28, 2025 and running through and including February 12, 2025 for a total of \$8,000.00, abatement costs of \$1,200.00 and mailing and recording costs to date of \$111.89. A lien in the amount of \$9,311.89 shall be imposed.

ADJOURNMENT - 9:14 a.m.



Special Magistrate David Fuller