CODE ENFORCEMENT SPECIAL MAGISTRATE
MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 9, 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
ALSO PRESENT:	Greg Lariscy, Code Enforcement Manager Dena Joseph, Code Enforcement Officer Kristi Jones, Code Enforcement Officer

Oaths

Code Enforcement Officers Dena Joseph and Kristi Jones 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 - March 26, 2025

Special Magistrate Fuller approved the March 26, 2025 meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 25-0274
   Respondent: Francis E Thompson
   Address of Violation: 1292 Harms Way Port Orange, FL 32129
   Code Officer: Dena Joseph
   First Notified: 2/6/2025

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.

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Dena Joseph 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 by mowing and weed eating the entire property, removing all undergrowth and blowing all debris back onto property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway by March 9, 2025.

Dena Joseph recommended the property owners be found in violation of the above referenced codes with the violations to be corrected by mowing and weed eating the entire property, removing all undergrowth and blowing all debris back onto property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway by April 16, 2025. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of $50.00 per day shall be imposed. 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. Dena Joseph requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that the high grass and weeds could be a habitat for vermin, snakes, insects, etc. The cost sheet in the amount of $49.91 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 until April 16, 2025, to mow and weed eat the entire property, remove all undergrowth and blow all debris back onto property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway, or a daily fine in the amount of $50.00 per day shall be imposed. Costs in the amount of $49.91 were awarded to the City.

4. **CEB Case No.:** 25-0228
   Respondent: Arkagas LLC, Property Owner
   C/O Daniel Neary, Registered Agent
   Address of Violation: 5784 Taylor Branch Road
   Code Officer: Dena Joseph
   First Notified: 2/3/2025

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), (c) (Maintenance of Commercial and Industrial zoned 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), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

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

5. **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.

Kristi Jones 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 by February 28, 2025 by properly storing or removing all outdoor stored items from the property. Items include, but are not limited to lawn equipment, furniture, storage containers, small motor equipment, bicycle parts, and ladders, and removing all garbage, junk, trash, and debris from the property, repairing or replacing the garage door to be in operable condition, removing the graffiti from the exterior walls of the shed, and repairing the roof on the shed.

Kristi Jones recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected by April 20, 2025, by properly storing or removing all outdoor stored items from the property. Items include, but are not limited to, lawn equipment, furniture, storage containers, small motor equipment, bicycle parts, and ladders, and removing all garbage, junk, trash, and debris from the property, repairing or replacing the garage door to be in operable condition, removing the graffiti from the exterior walls of the shed, and repairing the roof on the shed.

In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of $1000.00 per day shall be imposed. 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. Kristi Jones requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that the trash and debris and outside storage

could result in vermin, insects etc. and the debris could potentially be a hazard during storms and hurricanes etc. The cost sheet in the amount of $49.91 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 until April 20, 2025, to properly store or remove all outdoor stored items from the property. Items include, but are not limited to, lawn equipment, furniture, storage containers, small motor equipment, bicycle parts, and ladders, and shall remove all garbage, junk, trash, and debris from the property, repair or replace the garage door to be in operable condition, remove the graffiti from the exterior walls of the shed, and repair the roof on the shed or a daily fine in the amount of $1000.00 per day shall be imposed. Costs in the amount of $49.91 were awarded to the City.

6. **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.

Ms. Joseph requested a continuation of the case until April 23, 2025. Special Magistrate Fuller granted the continuation request.

7. **CEB Case No.:** 25-0052
   Respondent: Kaine, Machado
   Address of Violation: 5657 Wood Street
   Code Officer: Joseph Brewer

First Notified: 1/13/2025

Compliance: Yes

Cited for violation(s) - Chapter 70 (Traffic), Article II (Stopping, standing, and parking), Section 70-36 (Stopping, standing or parking prohibited in specified places) of the City of Port Orange Code of Ordinances.

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

ADJOURNMENT - 9:26 a.m.

Special Magistrate David Fuller