



**AGENDA**  
**CODE ENFORCEMENT SPECIAL MAGISTRATE**  
**CITY OF PORT ORANGE**

**Meeting Date:** Wednesday, August 13, 2025      **Time:** 9:00 AM

**Type of Meeting:** Regular

**Location:** Council Chambers, City Hall  
1000 City Center Circle  
Port Orange, Florida

**A. CALL TO ORDER**

1. Attorney Overview of Special Magistrate Code Enforcement Process
2. Consideration of Minutes - July 23, 2025

**B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)**

3. **CEB Case No.:** 25-1087  
**Respondent:** Arkagas LLC  
C/O Corporation Service Company, Registered Agent  
**Address of Violation:** 5784 Taylor Branch Road  
**Code Officer:** Dena Joseph  
**First Notified:** 5/15/2025

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), (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), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

4. **CEB Case No.:** 25-1589  
**Respondent:** Fair Value Homebuyers LLC  
**Address of Violation:** 830 Sugar House Blvd  
**Code Officer:** Scott Allman  
**First Notified:** 6/18/2025

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 V (Unsafe Conditions), Division 2 (Nuisance Trees), Section 42-103 (Declaration of Nuisance) of the City of Port Orange Code of Ordinances.

5. **CEB Case No.:** 25-1513

**Respondent:** James P. Standfast Est.

**Address of Violation:** 1114 Morgan Road

**Code Officer:** Dena Joseph

**First Notified:** 6/9/2025

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), (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), (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. 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. 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. Chapter 70 (Traffic), Article II (Stopping standing and parking), Section 70-48 Parking of recreational vehicles and equipment on residential premises.

6. **CEB Case No.:** 25-1514

**Respondent:** James P. Standfast Est.

**Address of Violation:** 1120 Kane Drive

**Code Officer:** Dena Joseph

**First Notified:** 6/9/2025

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), (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), (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. 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. Chapter 70 (Traffic), Article II (Stopping standing and parking), Section 70-48 Parking of recreational vehicles and equipment on residential premises.(a), (c) (4) and (5) and (h).

7. **CEB Case No.:** 25-0910

**Respondent:** George E. Hill Jr. & Linda L. Hill

**Address of Violation:** 1107 Morgan Road

**Code Officer:** Dena Joseph

**First Notified:** 4/21/2025

Compliance: Yes

**Cited for violation(s)** - Chapter 3, Section 303 (Swimming Pools, Spas and Hot Tubs), 303.1 (Swimming pools), of the 2024 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances. Chapter 3, (General Requirements), Section 303 (Swimming Pools, Spas and Hot Tubs), 303.2 (Enclosures), of the 2024 International Property Maintenance Code as adopted per Chapter 14, Article II 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. 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 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. 2024 International Property Maintenance Code, Chapter 3, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.7 Roofs and drainage.

8. **CEB Case No.:** 25-1559

**Respondent:** BBKD LLC

**Address of Violation:** 5865 Ridgewood Avenue

**Code Officer:** Scott Allman

**First Notified:** 5/8/2025

Compliance: Yes

**Cited for violation(s)** - Chapter 17, Zoning District Regulations, Section 25, Ridgewood Development (RD) District, (b) Permitted uses, of the City of Port Orange Land Development Code. Chapter 6, Site Development, Section 2, Applicability, of the City of Port Orange Land Development Code Chapter 3, Administration, Section 2, Development order and development permit required, (a) In General, of the City of Port Orange Land Development Code.

9. **CEB Case No.:** 23-682  
**Respondent:** BBKD LLC  
**Address of Violation:** 5835 Ridgewood Avenue  
**Code Officer:** Scott Allman  
**First Notified:** 5/8/2025

Compliance: Yes

**Cited for violation(s)** - Chapter 17, Zoning District Regulations, Section 25, Ridgewood Development (RD) District, (b) Permitted uses, of the City of Port Orange Land Development Code. Chapter 6, Site Development, Section 2, Applicability, of the City of Port Orange Land Development Code. Chapter 3, Administration, Section 2, Development order and development permit required, (a) In General, of the City of Port Orange Land Development Code. City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (3) Commercial uses.

### **C. ORDER IMPOSING FINE/LIEN**

10. **CEB Case No.:** 25-0067  
**Respondent:** Dierick Lopez Roman  
**Address of Violation:** 46 Springwood Square  
**Code Officer:** Scott Allman  
**First Notified:** 1/14/2025

Compliance: Yes

**Cited for violation(s)** - Chapter 18, Article II, Section 18-27 Business Tax Imposed of the City of Port Orange Code of Ordinances.

### **D. ADJOURNMENT**

**NOTICES** – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE



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PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA)**, IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, 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, [CITYCLERK@PORT-ORANGE.ORG](mailto:CITYCLERK@PORT-ORANGE.ORG), AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

CODE ENFORCEMENT SPECIAL MAGISTRATE  
MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
JULY 23, 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: Dena Joseph, Code Enforcement Officer  
Rachel Lippens, Code Enforcement Officer  
Greg Lariscy, Code Enforcement Manager

Oaths

Code Enforcement Officers Dena Joseph and Rachel Lippens 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 - June 11, 2025

Special Magistrate Fuller approved the June 11, 2025, meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 25-1192  
**Respondent:** Peter Renko  
**Address of Violation:** 150 Howes Street  
**Code Officer:** Kristi Jones  
**First Notified:** 6/24/2025

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.

*Dena Joseph, Code Enforcement Officer requested a dismissal of the case as it is in compliance. Special Magistrate Fuller granted the dismissal request.*

4. **CEB Case No.:** 25-1588

**Respondent:** James V. Kloos and Itala M. Kloos

**Address of Violation:** 828 Sugar House Blvd.

**Code Officer:** Scott Allman

**First Notified:** 6/18/2025

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.

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

5. **CEB Case No.:** 25-1417

**Respondent:** Francis E. Thompson

**Address of Violation:** 1292 Harms Way

**Code Officer:** Dena Joseph

**First Notified:** 6/4/2025

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.

*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 immediately by doing the following: The entire property needs to be mowed, weed-eated, all undergrowth removed, and all debris blown back onto the property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway.*

*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 debris back onto the property.*

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*Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway, immediately. 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 one-time fine in the amount of \$500.00 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. Ms. 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 it 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 shall mow and weed-eat the entire property, remove all undergrowth, and blow debris back onto the property. Additionally, all the weeds in the landscaped areas must be weed-eated and all grass must be removed off the sidewalk and driveway, immediately, or a one-time fine in the amount of \$500.00 shall be imposed. Costs in the amount of \$49.91 were awarded to the City.*

6. **CEB Case No.:** 25-0828

**Respondent:** Rainbow Development Group LLC

**Address of Violation:** 4015 S. Williamson Blvd.

**Code Officer:** Rachel Lippens

**First Notified:** 6/4/2025

Compliance: No

**Cited for violation(s)** - 2024 International Property Maintenance Code, Chapter 3, Section 304 Exterior Structure, as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.7 Roofs and drainage. City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (e) Outside Storage (3) (a) Commercial Vehicles and Equipment. Chapter 14, Article VII, Section 318 (b), (1), (4) - sign and (c), (3) - Fence. Chapter 14, Article VII, Section 314 (a), (1) and (2) Maintenance of trees and shrubs and (d) (2) and (7) irrigation.

*Rachel Lippens 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 July 1, 2025, by repairing the building, fixing or removing signs, replacing missing fence panels, removing and replacing all dead trees and shrubs, restoring the irrigation system to full working order, and removing or screening commercial vehicles and equipment currently located on the property.*

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*Ms. Lippens recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected by August 23, 2025, by repairing the existing for sale signs, replacing missing fence panels, removing and replacing all dead trees and shrubs, restoring the irrigation system to full working order, and removing or screening commercial vehicles and equipment. 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 \$100.00 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. Rachel Lippens requested any future violations under this ordinance be considered repeat. The cost sheet in the amount of \$39.58 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.*

*Amar Hemaiden, property owner, was sworn in by Special Magistrate David D. Fuller Jr. and testified as to the condition of the property and his efforts to correct the violations. Additionally, he asked for clarification of the shrub requirement and irrigation repair for the interior portion of the property, since the property is not in use.*

*Special Magistrate Fuller amended and ordered the recommendation as follows. The property owner is ordered to remove the commercial vehicles and equipment from the property immediately, and shall repair the existing for-sale signs, replace the missing fence panels, remove and replace all dead trees and shrubs, and restore the irrigation system to full working order by September 23, 2025, or a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$39.58 were awarded to the City.*

ADJOURNMENT - 9:29 a.m.

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Special Magistrate David Fuller

**Case Cost Sheet Log**

**Case No. 25-1087**

Name	Activity	Activity_Date	Status	Cost
ArkagasLLC Property Owner	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33
ArkagasLLC C/O Corporation Service Company, Registered Agent	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33
Arkagas LLC Property Owner (Miami)	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33

**Total: \$30.99**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-1087

To: Arkagas LLC  
Property Owner  
4900 NW 2nd Avenue  
Miami, FL 33127

C/O Corporation Service Company  
Registered Agent  
1201 Hays Street  
Tallahassee, FL 32301

Re: 5784 Taylor Branch Road  
Port Orange, FL 32127  
Parcel ID: 6317-03-00-0017

LEGAL DESCRIPTION: 17-16-33 TRIANGLE IN LOT 1 E OF HERBERT ST BEING 225.85 FT ON HERBERT ST & 224.48 FT ON TAYLOR RD PLAT 2 CRAIG FARMS PER OR 4431 PGS 4691-4730 INC PER OR 7208 PG 2646 PER OR 7592 PG 3331 PER OR 8305 PG 1010 PER OR 8306 PG 2614  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on May 15, 2025, indicates that certain violation(s) of the City of Port Orange Code exists. The property owner was notified of the violations noted below and given 10 days to correct. A re-inspection completed on June 24, 2025, resulted in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 10, 2025**, by doing the following: **1.) The entire property must be edged, and weed eaten and all debris blown back onto the property. In addition, the overgrown area on Journey's End must be mowed up to the area that is being maintained as required 2.) Clean up and remove all garbage, trash, and debris from the property including the area inside the dumpster enclosure.**

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer Dena Joseph, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) **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. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than 12 inches within such natural areas. Owners of unimproved vacant parcels in such zones shall similarly maintain such portion of their property as lies within ten feet of any improved property, any sidewalk, roadway or bicycle path.
  - Initial inspection revealed that the property is overgrown with high grass and weeds.
  
- 2) **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.
  - The initial inspection of this property found various pieces of garbage, trash, and debris on the property.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 30.99 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

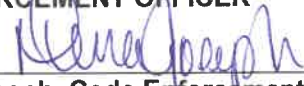
**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025, at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at (386) 506-5645.

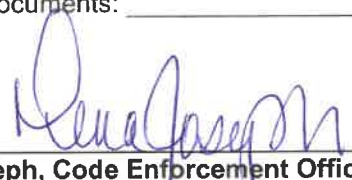
DATED this 25th day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By:   
Dena Joseph, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Arkagas LLC, Property Owner, 5784 Taylor Branch Road, Port Orange, FL 32127, RE: 5784 Taylor Branch Road, Port Orange, FL 32127, was

- Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_
- Posted at the property June 25, 2025 (date)
- Posted at City Hall \_\_\_\_\_ (date)

  
Dena Joseph, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Arkagas LLC, Property Owner, C/O Corporation Service Company, Registered Agent, 1201 Hays Street, Tallahassee, FL 32301, RE: 5784 Taylor Branch Road, Port Orange, FL 32127, was sent via certified and regular mail this 27 day of June, 2025.

  
Secretary, Special Magistrate

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Arkagas LLC, Property Owner, 4900 NW 2 Avenue, Miami, FL 33127, RE: 5784 Taylor Branch Road, Port Orange, FL 32127, was sent via certified and regular mail this 27 day of June, 2025.

  
Secretary, Special Magistrate

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Arkagas LLC, Property Owner, 5784 Taylor Branch Road, Port Orange, FL 32127, RE: 5784 Taylor Branch Road, Port Orange, FL 32127, was sent via certified and regular mail this 27 day of June, 2025.

  
Secretary, Special Magistrate

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-1589**

Name	Activity	Activity_Date	Status	Cost
Fair Value Homebuyers LLC	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33
Clerk of Court	Cost to record Finding of Fact	8/13/2025		\$29.25
Fair Value Homebuyers LLC	Cost to mail Finding of Fact	8/13/2025		\$10.33

**Total: \$49.91**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-1589

To: FAIR VALUE HOMEBUYERS LLC  
4781 N. Congress Ave #1125  
Boynton Beach, FL 32129

Re: 830 Sugar House Blvd  
Port Orange, FL 32127  
Parcel ID: 6337-08-01-0090  
LEGAL DESCRIPTION: LOT 9 SUGAR FOREST PHASE I PER OR 1885 PGS 910 TO 942 INC MB  
34 PG 123 PER OR 4545 PG 4360 PER OR 8318 PG 1017  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on June 18, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

A re-inspection was done on June 25, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 21, 2025** by doing the following: 1) The entire property needs to be mowed and all high weeds trimmed. 2) The nuisance tree in the front yard must be removed as it is a health and safety issue to the public.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer J. Scott Allman, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) **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:** The owner of an improved lot in a residential zone 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. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than ten inches within such natural areas.

The initial inspection of this property found high weeds and grass.

1. **City of Port Orange Code of Ordinances, Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 2 (Nuisance Trees), Sec. 42-103. - Declaration of nuisance:** It is declared and determined by the city council that the following shall each individually or in any combination be considered a nuisance when they exist upon any lot, lots or adjacent lots, within the City of Port Orange. (a) A nuisance tree shall be subject to immediate removal when

determined to be a public hazard in the opinion of the code enforcement official of the City of Port Orange consistent with the following standards: (2) Sand pine (Pinus clausa) leaning 45 degrees or more from vertical and other types of trees having special conditions, disease or damage constituting them a nuisance tree in the opinion of the professions forester, botanist or landscape architect.

- The initial inspection of this property found a diseased tree on the front left corner of the front yard. The City has confirmed that the tree meets the requirements of a nuisance tree and is a risk to the health and safety of the public and the public right of way.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 10.33 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5641**.

DATED this 26 day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By: J. Scott Allman  
J. Scott Allman, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: FAIR VALUE HOMEBUYERS LLC, 4781 N. Congress Ave #1125, Boynton Beach, FL 32129, RE: 830 Sugar House Blvd, Port Orange, FL 32129, was

- Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_  
 Posted at the property 6-26-25 (date)  
 Posted at City Hall 6-26-25 (date)

  
J. Scott Allman, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: FAIR VALUE HOMEBUYERS LLC, 4781 N. Congress Ave #1125, Boynton Beach, FL 32129, RE: 830 Sugar House Blvd, Port Orange, FL 32129, was sent via certified and regular mail this 27 day of June, 2025

  
Secretary, Special Magistrate

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-1513**

Name	Activity	Activity_Date	Status	Cost
James P. Standfast Est. (Kane)	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33
James P. Standfast Est. (Morgan)	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33

**Total: \$20.66**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-1513

To: James P. Standfast  
Property Owner  
1120 Kane Drive  
Port Orange, FL 32129

Re: 1114 Morgan Road  
Port Orange, FL 32129  
Parcel ID: 6308-06-00-0580

LEGAL DESCRIPTION: LOT 58 WINTER WOODS MB 35 PGS 128-129 INC PER OR 2159 PG 0207 PER OR 5860 PG 1870 PER OR 6067 PG 0595 PER OR 6657 PG 4308

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on June 9, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

The property owner was notified of the violations noted below and given 10 days to correct. A re-inspection was done on June 24, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 13, 2025** by doing the following: 1) The entire property must be mowed and maintained to include weed eating of all high weeds on site 2) Removing all trash and debris from the property 3) Removing all outside stored items and properly storing them in an enclosed building 4) Removing all fencing, repairing or replacing existing that is broken, missing, etc. (A permit will be required to repair or replace) 5) Unregistered or inoperable vehicle (s) on the property must be removed from the back yard area and placed in the driveway. Said vehicles must be registered or covered with an approved car cover. (6) Recreational vehicles and equipment on property that appear to be abandoned and are in a state of disuse must be removed 7) Wastepro will not take the paint cans and hazardous materials that have been left by the roadway. These will need to be taken to the landfill for disposal. The right of way area where this pile is located must be cleaned up of all trash and debris.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer Dena Joseph, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) 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: 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.
  - The initial inspection of the property found an overgrown lawn.
  
- 2) Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Maintenance 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
  - The initial inspection of the property found trash and debris on site along with hazardous materials that have been placed out by the roadway for pickup by the trash contractor for the city.
  
- 3) 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.
  - The initial inspection of the property found outside stored items all over the property (including but not limited to wood, car parts, camper top, cinder blocks, building materials, etc)
  
- 4) Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (b) General Provisions, (4) Design and maintenance, (b) & (d) of the City of Port Orange Land Development Code:
  - (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.
  - The initial inspection found fencing down in areas, broken pickets, missing panels, leaning panels, etc.
  
- 5) 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:
  - (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.
  - The initial inspection of the property found inoperable/unregistered vehicle (s) in the back yard of the residence.
  
- 6) Chapter 70 (Traffic), Article II (Stopping, standing and parking), Section 70-48 (Parking of recreational vehicles and equipment on residential premises, (a), (c) (4) and (5), and (h) of the City of Port Orange Code of Ordinances:
  - (a) For the purpose of this section, "recreational vehicle or equipment" means any vehicle, motorized equipment or equipment customarily towed behind a motor vehicle, which is designed, intended, or used for recreational purposes, including, but not limited to, boats, boat trailers, travel trailers, private motor coaches, truck campers or motor homes and camping trailers as defined in F.S. § 320.01(1)(b).
  
  - (c) For purposes of this section, disabled or abandoned recreational vehicles or equipment means any vehicle or equipment which (4)Is apparently inoperative, as indicated by vegetation underneath the recreational vehicle or equipment as high as the vehicle or equipment body or frame or refuse or debris collected underneath the vehicle or equipment; or(5)Is otherwise located on property in an apparent state of disuse or neglect, so as to render the recreational vehicle or equipment unsightly to a reasonable person viewing the vehicle or equipment from outside the property on which the vehicle or equipment is located.

(h) There shall be no parking or storage of abandoned or disabled recreational vehicles or equipment on any residential lot or the right-of-way adjoining any residential lot other than temporary parking or storage for those awaiting repair. Such temporary parking or storage shall be confined to an enclosed building or completely enclosed garage or behind the front plane of the dwelling unit. Such temporary parking or storage shall not exceed seven days.

- The initial inspection of the property found abandoned "recreational vehicles" and "equipment" being stored on the property.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 20,466 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5645**.

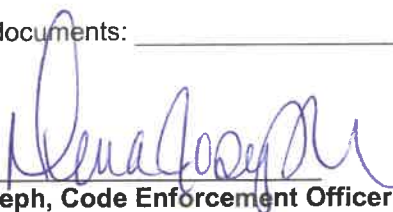
DATED this 26th day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By:   
Dena Joseph, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: James P. Standfast, Property Owner, 1120 Kane Drive, Port Orange, FL 32129, RE: 1114 Morgan Road, Port Orange, FL 32129, was

- Hand-delivered
- Posted at the property June 26, 2025 (date)
- Posted at City Hall \_\_\_\_\_ (date)

Recipient of hand delivered documents: \_\_\_\_\_  
  
\_\_\_\_\_  
**Dena Joseph, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: James P. Standfast, 1120 Kane Drive, Port Orange, FL 32129, RE: 1114 Morgan Road, Port Orange, FL 32129, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Secretary, Special Magistrate**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: James P. Standfast, 1114 Morgan Road, Port Orange, FL 32129, RE: 1114 Morgan Road, Port Orange, FL 32129, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Secretary, Special Magistrate**

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-1514**

Name	Activity	Activity_Date	Status	Cost
James P. Standfast Est.	Cost to mail Notice of Violation/Hearing	6/27/2025		\$10.33

**Total: \$10.33**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-1514

To: James P. Standfast Est.  
Property Owner  
1120 Kane Drive  
Port Orange, FL 32129

Re: 1120 Kane Drive  
Port Orange, FL 32129  
Parcel ID: 6308-06-00-0650  
LEGAL DESCRIPTION: LOT 65 WINTER WOODS MB 35 PGS 128-129 INC PER OR 4428 PGS 4746-4759 INC

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on June 9, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

The property owner was notified of the violations noted below and given 10 days to correct. A re-inspection was done on June 24, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 13, 2025** by doing the following: 1) The entire property must be mowed and maintained to include weed eating of all high weeds on site 2) Removing all trash and debris from the property 3) Removing all outside stored items and properly storing them in an enclosed building 4) Removing all fencing, repairing or replacing existing that is broken, missing, etc. (A permit will be required to repair or replace) (5) Recreational vehicles and equipment on property that appear to be abandoned and are in a state of disuse must be removed

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer Dena Joseph, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) 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: 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.
  - The initial inspection of the property found an overgrown lawn.

- 2) Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Maintenance 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
  - The initial inspection of the property found trash and debris on site.
  
- 3) 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.
  - The initial inspection of the property found outside stored items all over the property (including but not limited to landscaping materials, building materials, appliances, tires, dolly, bins, buckets, personal items, mattress, etc)
  
- 4) Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (b) General Provisions, (4) Design and maintenance, (b) & (d) of the City of Port Orange Land Development Code:
  - (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.
  - The initial inspection found fencing down in areas, broken pickets, missing panels, leaning panels, etc.
  
- 5) Chapter 70 (Traffic), Article II (Stopping, standing and parking), Section 70-48 (Parking of recreational vehicles and equipment on residential premises, (a), (c) (4) and (5), and (h) of the City of Port Orange Code of Ordinances:
  - (a) For the purpose of this section, "recreational vehicle or equipment" means any vehicle, motorized equipment or equipment customarily towed behind a motor vehicle, which is designed, intended, or used for recreational purposes, including, but not limited to, boats, boat trailers, travel trailers, private motor coaches, truck campers or motor homes and camping trailers as defined in F.S. § 320.01(1)(b).
  
  - (c) For purposes of this section, disabled or abandoned recreational vehicles or equipment means any vehicle or equipment which (4)Is apparently inoperative, as indicated by vegetation underneath the recreational vehicle or equipment as high as the vehicle or equipment body or frame or refuse or debris collected underneath the vehicle or equipment; or(5)Is otherwise located on property in an apparent state of disuse or neglect, so as to render the recreational vehicle or equipment unsightly to a reasonable person viewing the vehicle or equipment from outside the property on which the vehicle or equipment is located.
  
  - (h) There shall be no parking or storage of abandoned or disabled recreational vehicles or equipment on any residential lot or the right-of-way adjoining any residential lot other than temporary parking or storage for those awaiting repair. Such temporary parking or storage shall be confined to an enclosed building or completely enclosed garage or behind the front plane of the dwelling unit. Such temporary parking or storage shall not exceed seven days.
  - The initial inspection of the property found abandoned "recreational vehicles" and "equipment" being stored on the property.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns

real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 10.33 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The Special Magistrate will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5645**.

DATED this 26th day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By: *Dena Joseph*  
**Dena Joseph, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: James P. Standfast Est, Property Owner, 1120 Kane Drive, Port Orange, FL 32129, RE: 1120 Kane Drive, Port Orange, FL 32129, was

- Hand-delivered
- Posted at the property June 26, 2025 (date)
- Posted at City Hall \_\_\_\_\_ (date)

*Dena Joseph*  
**Dena Joseph, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: James P. Standfast Est, 1120 Kane Drive, Port Orange, FL 32129, RE: 1120 Kane Drive, Port Orange, FL 32129, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Secretary, Special Magistrate**

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-0910**

Name	Activity	Activity_Date	Status	Cost
George E. Hill Jr. & Linda L. Hill	Cost to mail Notice of Violation to each	6/6/2025	Signed by G Hill and other is illegible	\$20.66

**Total: \$20.66**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-0910

To: George E. Hill Jr.  
Linda L. Hill  
Property Owners  
P.O. Box 15230  
Daytona Beach, FL 32115

Re: 1107 Morgan Road  
Port Orange, FL 32129  
Parcel ID: 6308-06-00-0200

LEGAL DESCRIPTION: LOT 20 WINTER WOODS MB 35 PGS 128 & 129 PER OR 3034 PG 0812  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on April 21, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

The property is vacant and every number was contacted for the owners and residents that were residing in the home prior to it being vacant. A re-inspection was done on June 2, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by June 30th, 2025** by doing the following: 1) the pool must be maintained in a clean and sanitary condition 2) Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching 3) All trash and debris must be removed from the property 4) All outside stored items including but not limited to (wood, tools, personal items, etc) must be removed and placed inside an enclosed building 5) Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*. 6) The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer Dena Joseph, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) 2024 International Property Maintenance Code, Chapter 3 (General Requirements), SECTION 303—SWIMMING POOLS, SPAS AND HOT TUBS as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: **303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.
- 2) **303.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.
  - During the initial inspection, a pool was observed on the property that is possibly full of unsanitary water and the pool is not enclosed or surrounded with any type of barrier or fence which constitutes a safety issue.
- 3) Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Maintenance 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
  - Initial inspection observed trash and debris on the property.
- 4) 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.
  - Initial inspection observed outside items on the property including but not limited to ladders, tools, wood, personal items, etc.
- 5) 2024 International Property Maintenance Code, Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.6 (Exterior Walls) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: 304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
  - Initial inspection observed holes in the exterior walls of the structure.
- 6) 2024 International Property Maintenance Code, Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.7 (Roofs and Drainage as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.
  - Initial inspection observed holes and openings in the roof structure that is emitting rain and allowing vermin into and out of the structure.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate July 9th, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 20,164 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

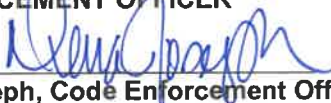
**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **July 9th, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on August 13th, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5645**.

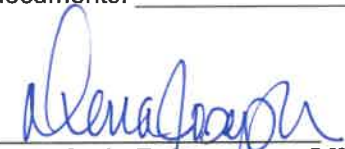
DATED this 4th day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By:   
Dena Joseph, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: George E. Hill Jr. & Linda L. Hill, Property Owners, P.O. Box 15230, Daytona Beach, FL 32115, RE: 1107 Morgan Road, Port Orange, FL 32129, was

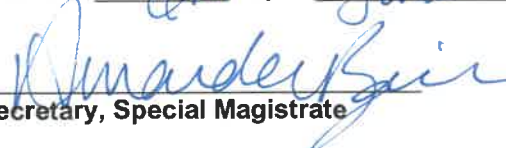
- Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_
- Posted at the property June 4, 2025 (date)
- Posted at City Hall \_\_\_\_\_ (date)

  
Dena Joseph, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: George E. Hill Jr. & Linda L. Hill, P.O. Box 15230, Daytona Beach, FL 32115, RE: 1107 Morgan Road, Port Orange, FL 32129, was sent via certified and regular mail this 6<sup>th</sup> day of June, 2025.

  
Secretary, Special Magistrate

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: George E. Hill Jr. & Linda L. Hill, Property Owners, 1107 Morgan Road, Port Orange, FL 32129, RE: 1107 Morgan Road, Port Orange, FL 32129, was sent via certified and regular mail this 6<sup>th</sup> day of June, 2025.

  
Secretary, Special Magistrate

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-1559**

**Total:**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-1559

To: BBKD LLC  
5645 Palm Ave  
Port Orange FL, 32127

C/O Craig I. Kelley (Registered Agent)  
1665 Palm Beach Lakes Blvd, Suite 1000  
West Palm Beach, FL 33401

Re: 5865 Ridgewood Ave  
Port Orange, FL 32127  
Parcel ID: 6314-03-14-0080  
LEGAL DESCRIPTION: LOTS 8 9 & 10 BLK 14 HARBOR OAKS UNIT 1 PER OR 1470 PG 1376  
PER OR 2131 PG 0524 PER OR 6974 PG 3043 PER OR 6998 PG 4971 PER OR 7514 PG 0602  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on May 8, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

The property owner was notified of the violations noted below and given 47 days to correct. A re-inspection was conducted on June 24, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 28, 2025** by doing the following: Remove all vehicles, boats, trailers, commercial, and recreational vehicles from the property as there is not an approved site-plan for this location. The motor vehicle, trailers and boat storage on the property is prohibited under Ridgewood Development (RD) Zoning.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer J. Scott Allman, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) Chapter 17, Zoning District Regulations, Section 25, Ridgewood Development (RD) District, (b) Permitted uses, of the City of Port Orange, Land Development Code.

The initial inspection of this property found vehicles, boats, trailers, and commercial and recreational vehicles being stored on this property. Motor vehicle and boat storage is not a permitted use in the Ridgewood Development District (RD) district.

- 2) Chapter 6, Site Development, Section 2, Applicability: All construction of site improvements, and construction of building improvements for new structures, increases in the size of a structure, or changing the use of a structure, shall be required to comply with the requirements of this chapter, except where exempted in section 2, [chapter 3](#).

The initial inspection of this property found the property owner utilizing the property as a storage lot for vehicles, boats, trailers, and commercial and recreational vehicles without a site development plan or a development permit.

- 3) Chapter 3, Administration, Section 2, Development order and development permit required, (a) In general of the City of Port Orange Land Development Code: No development activity shall be undertaken unless the activity is authorized by a development permit. A development permit may not be issued unless authorized by a development order reflecting conformance with the requirements of this code.

The initial inspection of this property found the owner utilizing the property as a storage lot for vehicles, boats, trailers, and commercial and recreational vehicles without a site development plan or a development permit.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 1035.00 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at (386) 506-5641.

DATED this 27 day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By: J. Scott Allman  
J. Scott Allman, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: BBK LLC, 5645 Pal Ave, Port Orange, FL 32127, RE: 5865 Ridgewood Ave, Port Orange, FL 32127, was

- Hand-delivered 6-27-25 Recipient of hand delivered documents: TARA DAVIS
- Posted at the property \_\_\_\_\_ (date)
- Posted at City Hall 6-27-25 (date) TITLE MANGER OF BOXD LLC

J. Scott Allman  
J. Scott Allman, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: C/O Craig I. Kelly (Registered Agent), 1665 Palm Beach Lakes Blvd, Suite 1000, West Palm Beach, FL 33401, RE: 5865 Ridgewood Ave, Port Orange, FL 32127, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_,

N/A  
Secretary, Special Magistrate

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

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**Case Cost Sheet Log**

**Case No. 23-682**

**Total:**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 23-682

To: BBKD LLC  
5264 Riverside Dr  
Port Orange FL, 32127

C/O Craig I. Kelley (Registered Agent)  
1665 Palm Beach Lakes Blvd, Suite 1000  
West Palm Beach, FL 33401

Re: 5835 Ridgewood Ave  
Port Orange, FL 32127

Parcel ID: 6314-03-13-0220

LEGAL DESCRIPTION: LOTS 22 & 23 EXC RD RWY BLK 13 HARBOR OAKS UNIT 1 MB 10 PGS  
145-146 INC PER OR 4998 PG 4203 PER OR 8348 PG 1200

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on June 27, 2023, indicates that certain violation(s) of the City of Port Orange Code exists.

The property owner was notified of the violations noted below and given 7 months to correct. A re-inspection was conducted on February 2, 2024, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by July 28, 2025** by doing the following: Remove all vehicles, boats, trailers, recreational vehicles and all outside stored items from the property as there is not an approved site-plan for this location. The motor vehicle and boat storage of the above is prohibited under Ridgewood Development (RD) Zoning, and other outdoor storage associated with a permitted use must be screened per an approved site plan.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer J. Scott Allman, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

- 1) Chapter 17, Zoning District Regulations, Section 25, Ridgewood Development (RD) District, (b) Permitted uses, of the City of Port Orange, Land Development Code.

The initial inspection of this property found vehicles, boats, trailers, recreational vehicles, and outside stored items on the property. Motor vehicle and boat storage is not a permitted use in the Ridgewood Development District (RD) district.

- 2) Chapter 6, Site Development, Section 2, Applicability: All construction of site improvements, and construction of building improvements for new structures, increases in the size of a structure, or changing the use of a structure, shall be required to comply with the requirements of this chapter, except where exempted in section 2, [chapter 3](#).

The initial inspection of this property found the property owner utilizing the property as a storage lot for vehicles, boats, trailers, recreational vehicles, outside stored items, etc. without a site development plan or a development permit.

- 3) Chapter 3, Administration, Section 2, Development order and development permit required, (a) In general of the City of Port Orange Land Development Code: No development activity shall be undertaken unless the activity is authorized by a development permit. A development permit may not be issued unless authorized by a development order reflecting conformance with the requirements of this code.

The initial inspection of this property found the owner utilizing the property as a storage lot for vehicles, boats, trailers, recreational vehicles, outside stored items, etc. without a site development plan or a development permit.

- 4) Chapter 16 Miscellaneous Regulations, Section 1 Accessory uses and structures, (e), (3) of the City of Port Orange Land Development Code: (e) Outside storage. Outside storage of new and used equipment and materials shall be regulated as follows. (3) Commercial uses. Outside storage of equipment and materials shall be permitted only when associated with a commercial use and located in designated areas approved for such display as part of a development plan, or as part of a building permit, if the required right-of-way landscape buffer is provided. Additional restrictions are specified below.

The initial inspection of this property found the owner utilizing the property as a storage lot for vehicles, boats, trailers, recreational vehicles, and outside stored items. The outside stored items include but are not limited to (lawn mowers, ladders, tires, kayaks, buckets, vehicle parts etc). There is no development plan approved to identify areas where items associated with a permitted use may be stored outside with required screening.

### **NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

#### **NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING. PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 22,100.00 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **August 13, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 24, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The Special Magistrate will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5641**.

DATED this 27 day of June, 2025.

CITY OF PORT ORANGE, FLORIDA  
**CODE ENFORCEMENT OFFICER**

By: J. Scott Allman  
**J. Scott Allman, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: BBK LLC, 5264 Riverside Dr, Port Orange, FL 32127, RE: 5835 Ridgewood Ave, Port Orange, FL 32127, was

- Hand-delivered      Recipient of hand delivered documents: TESSA DAVIS
- Posted at the property \_\_\_\_\_ (date)
- Posted at City Hall 6-27-25 (date)      TITLE manager for BBKD LLC

J. Scott Allman  
**J. Scott Allman, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: C/O Craig I. Kelly (Registered Agent), 1665 Palm Beach Lakes Blvd, Suite 1000, West Palm Beach, FL 33401, RE: 5835 Ridgewood Ave, Port Orange, FL 32127, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_,

N/A  
**Secretary, Special Magistrate**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: BBKD LLC, 5264 Riverside Dr, Port Orange, FL 32127, RE: 5835 Ridgewood Ave, Port Orange, FL 32127, was sent via certified and regular mail this \_\_\_\_\_ day of \_\_\_\_\_,

N/A  
**Secretary, Special Magistrate**

**RIGHT TO APPEAL**

PURSUANT TO SECTION 162.11 OF THE FLORIDA STATUTES, ANY DECISION BY THE SPECIAL MAGISTRATE MAY BE APPEALED TO THE CIRCUIT COURT AND MUST BE FILED WITHIN THIRTY (30) DAYS OF THE EXECUTION OF THE ORDER. SUCH AN APPEAL SHALL BE LIMITED TO APPELLATE REVIEW OF THE TESTIMONY AND EVIDENCE OF THE PROCEEDING CREATED BEFORE THE SPECIAL MAGISTRATE.

**RECORD OF PROCEEDINGS**

PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THE HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.

**ACCOMMODATIONS**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), 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, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771. HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.

**Case Cost Sheet Log**

**Case No. 25-0067**

**Total:**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-67

To: Dierick Lopez Roman  
1010 N. Swallow Tail Dr Apt 2705  
Port Orange, FL 32127

Re: 46 Springwood Sq  
Port Orange, FL 32129  
Parcel ID: 6337-15-00-0460  
LEGAL DESCRIPTION: LOT 46 SPRINGWOOD SQUARE MB 36 PG 178 PER OR 3228 PG 1477 PE  
R OR 7357 PG 828 PER OR 8450 PG 2944  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on January 14, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

The property owner was notified of the violations noted below and given 10 days to correct. A re-inspection was done on February 27, 2025, resulting in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by May 14, 2025** by doing the following: The owner must obtain a business tax or remove all rental vehicles from the parking lot/city right of way.

Failure to comply after this date may result in the commencement of appropriate code enforcement action and/or possible fine of up to \$1,000.00 per day for a first violation, \$5,000.00 per day per violation for a repeat violation, and up to \$15,000.00 per violation if the special magistrate finds the violation to be irreparable or irreversible in nature.

If the violation is corrected and then recurs, or if the violation is not corrected by the above specified time for correction given by the undersigned Code Enforcement Officer J. Scott Allman, the case shall be presented to the Special Magistrate on the date set forth below, even if the violation has been corrected prior to this scheduled hearing.

The burden shall rest upon the Respondent to request a re-inspection by the Code Enforcement Officer to determine whether the property is in compliance. Briefly stated, the property is in violation of the following:

1. **Chapter 18, Article II, Section 18-27 Business Tax Imposed of the City of Port Orange Code of Ordinances:**  
There is hereby imposed upon each and every business, profession and occupation having an effective place of business within the city business tax according to the schedule of taxes contained in this article.

The initial inspection of this property found several vehicles being rented from the parking lot/city right of way.

**NOTICE OF HEARING AS TO VIOLATION(S) ALLEGED**

**NOTICE: A FINE AND COSTS MAY BE IMPOSED AT THIS HEARING.  
PLEASE GOVERN YOURSELF ACCORDINGLY.**

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate June 25, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will receive testimony and evidence at said PUBLIC HEARING and shall make such findings of facts and conclusions of law as supported by the testimony and evidence pertaining to the matter alleged above and shall issue a Final Order affording the proper relief. A certified copy of the Final Order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, upon any subsequent purchasers, successors in interest, or assigns. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

If the violation is not corrected within the time specified for correction ordered by the **Special Magistrate**, then a certified copy of an order imposing a fine may be recorded in the public records of the county and once recorded, it SHALL CONSTITUTE A LIEN against the property upon which the violation was found to exist and upon any other real or personal property owned by the violator. If said lien remains unpaid for more than ninety days, the City may seek to foreclose on said lien.

As per Chapter 2, Section 2-214, Code of Ordinances and Section 162.09(2)(d), Florida Statutes: "In addition to such fines, a code enforcement board or special magistrate may impose additional fines to cover all costs incurred by the local government in enforcing its codes and all costs of repairs." The costs incurred to date are \$ 20.66 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **June 25, 2025** enters a Final Order finding a violation as alleged, pursuant to Chapter 2, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on August 13, 2025 at 9:00 a.m.**, or as soon after as may be heard, in Council Chambers, City Hall, 1000 City Center Circle, Port Orange, Florida. The **Special Magistrate** will consider setting the fine lien on the above-referenced case at said PUBLIC HEARING. If you fail to appear at the Hearing, the **Special Magistrate** may base any findings solely on the testimony and evidence presented by the Code Enforcement Officer. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5641**.

DATED this 29 day of April, 2025.

CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT OFFICER

By: J. Scott Allman  
J. Scott Allman, Code Enforcement Officer

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Dierick Lopez Roman, 1010 N. Swallow Tail Dr Apt 2705, Port Orange, FL 32127, RE: 46 Springwood Sq, Port Orange, FL 32129 was

Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_  
 Posted at the property 4-29-25 (date)  
 Posted at City Hall 4-29-25 (date)

J. Scott Allman

**J. Scott Allman, Code Enforcement Officer**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Dierick Lopez Roman, 46 Springwood Sq, Port Orange, FL 32129, RE: 46 Springwood Sq, Port Orange, FL 32129, was sent via certified and regular mail this 30<sup>th</sup> day of April, 2025.

  
Secretary, Special Magistrate

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Dierick Lopez Roman, 1010 N. Swallow Tail Dr Apt 2705, Port Orange, FL 32127, RE: 46 Springwood Sq, Port Orange, FL 32129, was sent via certified and regular mail this 30<sup>th</sup> day of April, 2025.

  
Secretary, Special Magistrate

**RIGHT TO APPEAL**

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