



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

**Meeting Date:** Wednesday, October 8, 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 - September 10, 2025

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

3. **CEB Case No.:** 25-2143  
**Respondent:** FL & Z INC.  
**Address of Violation:** 5545 S. Williamson Blvd.  
**Code Officer:** Dena Joseph  
**First Notified:** 5/27/2025

Compliance: No

**Cited for violation(s)** - FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13.3.3.2 (Fire Sprinkler System Not Inspected/Maintained Per NFPA 25) A sprinkler system installed in accordance with this code, shall be inspected, tested and maintained in accordance with NFPA 25; and FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13.7.1.4.2 (Fire Alarm System Not Inspected or Maintained) To ensure operational integrity, the fire alarm system shall have an approved maintenance and testing program complying with the applicable requirements of NFPA 70 AND NFPA 72.

4. **CEB Case No.:** 25-2585  
**Respondent:** Francis E Thompson  
**Address of Violation:** 1292 Harms Way  
**Code Officer:** Dena Joseph  
**First Notified:** 9/15/2025

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.

5. **CEB Case No.:** 25-1334  
**Respondent:** JMCG S NOVA RD LLC  
**Address of Violation:** 5231 S Nova Road  
**Code Officer:** Joseph Brewer  
**First Notified:** 8/10/2025

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), (C) (Maintenance of Commercial and Industrial Zoned lots) of the City of Port Orange Code of Ordinances.

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

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.

7. **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.

## **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 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  
SEPTEMBER 10, 2025

THE CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING of the City of Port Orange was called to order by Special Magistrate David Fuller at 8:55 a.m.

PRESENT: David Fuller, Special Magistrate

ALSO PRESENT: Dena Joseph, Code Enforcement Officer  
Greg Lariscy, Code Enforcement Manager

Oaths

Code Enforcement Officer Dena Joseph was sworn in by Special Magistrate Fuller.

CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process

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

2. Consideration of Minutes - August 13, 2025

Special Magistrate Fuller approved the August 13, 2025, meeting minutes as presented.

FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 25-1842

**Respondent:** M & K Sunshine Properties, LLC

**Address of Violation:** 965 Belleflower Drive

**Code Officer:** Dena Joseph

**First Notified:** 7/22/2025

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

ORDER IMPOSING FINE/LIEN

4. **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.

*Ms. Joseph was sworn in by Special Magistrate Fuller and requested an Order Setting Fine/Lien as the property was not in compliance immediately, as ordered in the previous hearing on July 23, 2025, by the Special Magistrate. Ms. Joseph requested a one-time fine in the amount of \$500.00 as ordered in the Finding of Fact, Conclusion of Law & Order. The City retained vendor Yellowstone Landscape, who abated the violation(s) at the cost of \$371.42. A cost sheet for mailing and recording costs in the amount of \$107.34 was tendered and submitted into evidence without objection.*

*Special Magistrate Fuller found the property in non-compliance and awarded a one-time fine in the amount of \$500.00, abatement costs of \$371.42, and mailing and recording costs to date of \$107.34. A lien in the amount of \$978.76 shall be imposed.*

ADJOURNMENT - 9:01 a.m.

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Special Magistrate David Fuller

**Case Cost Sheet Log**

**Case No. 25-2143**

Name	Activity	Activity_Date	Status	Cost
FL & Z INC.	Cost to mail Finding of Fact	10/8/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	10/8/2025		\$29.25

**Total: \$40.43**



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2143

To: FL & Z Inc.  
Property Owner  
1400 Royal Grove Lane  
Port Orange, FL 32129

C/O De S Zheng  
Registered Agent  
3878 Dorsiere Avenue  
Port Orange, FL 32129

Re: TAKARA JAPANESE RESTAURANT  
5545 S. Williamson Boulevard  
Port Orange, FL 32128  
Parcel ID: 6318-06-00-0090

LEGAL DESCRIPTION: LOT 9 PAVILION AT PORT ORANGE MB 55 PGS 13-19 INC PER OR 7658 PG 3595

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on May 27, 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 30 days to correct. Re-inspections done on June 25, 2025, and July 30, 2025, resulted in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by September 14, 2025**, by doing the following: **1.) inspecting, testing and maintaining the sprinkler system in accordance with NFPA 25** **2.) the fire alarm system shall have an approved maintenance and testing program complying with the applicable requirements of NFPA 70 and NFPA 72**

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) FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13.3.3.2 (Fire Sprinkler System Not Inspected/Maintained Per NFPA 25)

A sprinkler system installed in accordance with this code, shall be inspected, tested and maintained in accordance with NFPA 25

- Initial inspection of the property revealed a sprinkler system that has not been tested annually as required

- 2) FL NFPA 01 2021 Chapter 13 Fire Protection Systems 13.7.1.4.2 (Fire Alarm System Not Inspected or Maintained)  
To ensure operational integrity, the fire alarm system shall have an approved maintenance and testing program complying with the applicable requirements of NFPA 70 AND NFPA 72
- Initial inspection of the property revealed a fire alarm panel that is non-operational due to a lightning strike to the system

**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 October 8, 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 \$                      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 **October 8, 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 November 12, 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 13<sup>th</sup> day of August, 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: FL & Z Inc., Property Owner, 1400 Royal Grove Lane, Port Orange, FL 32129, RE: 5545 S. Williamson Boulevard, Port Orange, FL 32128 was

- Hand-delivered      Recipient of hand delivered documents: Arnel Young - manager
- Posted at the property \_\_\_\_\_ (date)      August 13, 2025
- 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: FL & Z Inc., Property Owner, 1400 Royal Grove Lane, Port Orange, FL 32129, RE: 5545 S. Williamson Boulevard, Port Orange, FL 32128, 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: C/O De S Zheng, Registered Agent, 3878 Dorsiere Avenue, Port Orange, FL 32129, RE: 5545 S. Williamson Boulevard, Port Orange, FL 32128, 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: FL & Z, Property Owner, 5545 S. Williamson Boulevard, Port Orange, FL 32128, RE: 5545 S. Williamson Boulevard, Port Orange, FL 32128, 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. 25-2585**

Name	Activity	Activity_Date	Status	Cost
Francis E Thompson	Mailing of NOV	9/18/2025	Return to Sender	\$11.18
Francis E Thompson	Mailing of Finding of Fact	10/8/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	10/8/2025		\$29.25

**Total: \$51.61**



**NOTICE OF REPEAT VIOLATION  
AND  
NOTICE OF HEARINGS**

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**CITY OF PORT ORANGE, FLORIDA**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2585

To: Francis E Thompson  
1292 Harms Way  
Port Orange, FL 32119

Re: 1292 Harms Way  
Port Orange, FL 32119

Parcel ID: 6317-27-00-0450

LEGAL DESCRIPTION: LOT 45 HORIZON P.U.D. MB 46 PGS 197 & 198 INC PER OR 4666 PG 4365  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on September 15, 2025, indicates that certain violation(s) of the City of Port Orange Code exist. This correspondence will serve as official notification that the below-stated violation(s) must be corrected immediately, by doing the following: mowing entire property to include weed eating of all high weeds on site and blowing yard debris back onto the property.

You have previously (within the past five years) been found by the Special Magistrate to have violated the above-referenced code section(s) on April 9, 2025, under Case No. 25-0274

**A fine up to \$5,000 per day per violation for a repeat violation may be assessed by the Special Magistrate beginning from the date of this Notice.**

Once you have caused the violation(s) to be corrected, you must request a re-inspection by the Code Enforcement Officer Dena Joseph 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. **(h) Abutting property owner maintenance of parkages:** It shall be the duty of every owner of real property within the city to at all times cause to be cut and mowed the grass and weeds, and to cause to be cut and trimmed the flowers, vines, shrubbery, and trees not exceeding six feet in height, in a manner that protects and promotes the public health, safety and welfare and presents an aesthetically pleasing appearance in those areas of the parkage most nearly abutting their properties. Parkages abutting improved residential or commercial lots shall be maintained as provided in subsection (d) of this section for improved residential lots. Parkages abutting unimproved residential lots shall be maintained as provided in subsection (e) of this section for the maintained portion of unimproved residential lots. "Parkage" is that space between the private property lot or survey line of the property owner and the paved or graded portion of the public street adjacent thereto and includes that area between a sidewalk and street. Every property owner shall also have the duty of removing any refuse or other debris existing within the

adjacent parkage, but the placement of refuse for collection in a manner and in containers specified by other provisions of this Code is not prohibited.

- The initial inspection of this property found high weed and grass. To correct the violation, the property must be mowed and maintained to include weed eating of all high weeds on site and blowing yard debris back onto the property.

This case shall be presented to the Special Magistrate even if the violation(s) has been corrected prior to the scheduled hearing date below.

**NOTICE OF HEARING AS TO REPEAT 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 October 8, 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 in the notice of repeat violation above, and shall issue a Final Order affording the proper relief which may include a per diem fine of up to \$5,000 for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code enforcement officer (code inspector). 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.

A certified copy of the 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(s) 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 \$ 11.18 as indicated on the cost sheet submitted into evidence. The respondent shall 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 **October 8, 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 **October 22, 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 17th day of September, 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 Francis E. Thompson, Property Owner, 1292 Harms Way, Port Orange, FL 32129, RE: 1292 Harms Way, Port Orange, FL 32129, was:

- Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_  
 Posted at the property September 17, 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 Francis E. Thompson, Property Owner, 1292 Harms Way, Port Orange, FL 32129, RE: 1292 Harms Way, Port Orange, FL 32129, was sent via certified and regular mail this 18 day of September, 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**

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**ACCOMMODATIONS**

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**Case Cost Sheet Log**

**Case No. 25-1334**

Name	Activity	Activity_Date	Status	Cost
JMCG S NOVA RD LLC - Owner	Cost to mail Notice of Hearing	9/9/2025	Return to Sender	\$11.18
Corporation Services Company - Registered Agent	Cost to mail Notice of Hearing	9/9/2025		\$11.18
JMCG S NOVA RD LLC - Owner/Miami	Cost to mail Notice of Hearing	9/9/2025	Return to Sender	\$11.18
Corporation Services Company - Registered Agent	Cost to mail Finding of Fact	10/8/2025		\$11.18
JMCG S NOVA RD LLC - Owner/Miami	Cost to mail Finding of Fact	10/8/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	10/8/2025		\$29.25

**Total: \$85.15**



# NOTICE OF HEARINGS

## CITY OF PORT ORANGE, FLORIDA

CASE NO. 25-1334

To: JMCG S NOVA RD LLC (Property Appraiser)  
1395 NW 167<sup>TH</sup> ST  
MIAMI, FL 33169

CORPORATIONS SERVICES COMPANY (Registered Agents)  
1201 HAYES STREET  
TALLAHASSEE, FL 32301

RE: 5231 S NOVA RD  
Port Orange, FL 32127  
Parcel ID: 631500000104  
LEGAL DESCRIPTION: 15 16 33 IRREG PARCEL BEING W 262.55 FT OF E 958.36 FT MEAS  
ON N/L & BEING 309.9 FT ON E/L & 246.65 FT MEAS ON N/L OF NO  
VA RD OF SW 1/4 OF NE 1/4 PER OR 4556 PG 3773 PER OR 8266 PG  
Volusia County Public Records  
Volusia County, FL

You received a Notice of Violation ("NOV") dated August 10, 2025, describing one or more violations of the City of Port Orange Code and you were given a reasonable amount of time to correct said violation. An inspection of the premises on 20 August, 2025, indicates that one or more violations of the City of Port Orange Code continue to exist.

Briefly stated, the property is in violation of the following:

*CH 42, ART.2 SEC 42-26 (C) Code of Ordinances*

*Maintenance of commercial and industrial zoned lots.* 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.

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. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, as stated in the NOV, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing.

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

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 October 8, 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 an Order affording the proper relief. A certified copy of the 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.

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 \$11.18 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.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5646**.

### **NOTICE OF HEARING IMPOSING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **October 8, 2025** enters an 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 October 22, 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 imposing the appropriate fine and 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.

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. Please govern yourself accordingly.

For further information regarding this matter, you may contact the Code Enforcement Office at **(386) 506-5604**.

DATED this 9th day of September, 2025.

CITY OF PORT ORANGE, FLORIDA  
**Secretary, Special Magistrate**

By:   
**Amanda Bonin, Deputy City Clerk**

### **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. 25-0828**

Name	Activity	Activity_Date	Status	Cost
Rainbow Development Group	Cost to mail Finding of Fact	7/23/2025		\$10.33
Clerk of Court	Cost to record Finding of Fact			\$29.25
Rainbow Development Group	Cost to mail Order Imposing Fine/Lien	10/8/2025		\$11.18
Clerk of Court	Cost to record Order Imposing Fine/Lien	10/8/2025		\$46.25

**Total: \$97.01**



# NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

CASE NO. 25-0828

To: Rainbow Development Group LLC  
H.K.H. Family Limited Partnership  
1690 Dunlawton Ave STE 110  
Port Orange, FL 32129

RE:4015 S Williamson Blvd.  
Port Orange, FL 32129  
Parcel ID: 620100000050  
LEGAL DESCRIPTION:1-16-32 S 700 FT N OF MADELINE AVE OF W 500 FT E OF WILLIAMS  
ON BLVD MB 44 PG 19 PER OR 6343 PG 0010 PER OR 6743 PG 4980  
Volusia County Public Records  
Volusia County, FL

You received a Notice of Violation ("NOV") dated June 4, 2025, describing one or more violations of the City of Port Orange Code and you were given a reasonable amount of time to correct said violation(s). An inspection of the premises on July 1, 2025, indicates that one or more violations of the City of Port Orange Code continue to exist.

Briefly stated, the property is in violation of the following:

- Chapter 3, Sec 304.6-exterior walls and 304.7 roofs and flashing of the IPMC
- Chapter 14, Article VII, Sec 318 (b), (1), (4)-sign and (c), (3)-fence
- Chapter 14, Article VII, Sec 314(a), (1) and (2) maintenance of trees and shrubs and (d)(2) and (7) irrigation
- Chapter 16, Sec 1 (e), (3), (a) Commercial Vehicles and equipment of the LDC

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. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, as stated in the NOV, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing.

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

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 23, 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 an Order affording the proper relief. A certified copy of the 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.

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 \$ 31.11 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.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5643**.

**NOTICE OF HEARING IMPOSING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **July 23, 2025** enters an 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 27, 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 imposing the appropriate fine and 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.

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. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Enforcement Officer at **(386) 506-5643**.

DATED this 3 day of July, 2025.

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

By: Rachel Lippens  
Rachel Lippens, Code Enforcement Officer

**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.

**CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
CASE NO. 25-0828**

CITY OF PORT ORANGE,  
a Florida municipal corporation,

Petitioner,

Rainbow Development Group LLC  
4015 S WILLIAMSON BLVD  
PARCEL ID:62010000050

Recorded in the Public Record  
Instrument #2025140421  
Book: 8733 Page:4130  
7/28/2025

**Respondent.**

\_\_\_\_\_ /

**FINDING OF FACT, CONCLUSION OF LAW AND ORDER**  
**(THIS DOES NOT CONSTITUTE A LIEN)**

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on July 23, 2025, after due notice to the Respondent(s), and the Special Magistrate having heard testimony under oath, received evidence and heard argument from Staff thereupon issues its Findings of Fact, Conclusions of Law, and Order, as follows:

**FINDINGS OF FACT:**

**A.** Respondents, Rainbow Development Group LLC, whose mailing address is 1690 Dunlawton Ave STE 110, PORT ORANGE, FL 32129 is the owner of the property located at 4015 Williamson Blvd., PORT ORANGE, FL 32129, and more particularly described as:

1-16-32 S 700 FT N OF MADELINE AVE OF W 500 FT E OF WILLIAMS  
ON BLVD MB 44 PG 19 PER OR 6343 PG 0010 PER OR 6743 PG 4980

**B.** The violations were to be corrected by repairing 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, removing or screening commercial vehicles and equipment. This condition was first observed at the real property described above on April 17, 2025; re-inspection was conducted on July 1, 2025 and confirmed the condition as being the same. Respondent received notice via posting at City Hall and regular and certified mail on July 3, 2025, as well as posted on the property on July 3, 2025 that the aforesaid conditions constituted a violation of Chapter 3 (General Requirements), Sec 304.6 (Exterior walls) and 304.7 (roofs and drainage) of the International Property Maintenance Code Adopted per Chapter 14-26 of the Port Orange code of ordinances. Chapter 14 (Buildings and Regulations) Article VII (Commercial Property Maintenance), Sec 318(b) Signs (4) damaged faces or structural members shall be

replaced, Sec 318 (c) walls and fences (3) fences and wall maintained in their original upright position; Sec 314 (Landscaping and buffers-Maintenance criteria) (a)(1) Trees. All trees shall be maintained as shown on the plans (2) Shrubs. All shrubs shall be maintained as shown on plans; (d)Required maintenance and anticipated growth and coverage (2) Landscape plantings shall be maintained based on accepted professional practice to include regular irrigation etc.; Chapter 16 (miscellaneous regulations), Sec 1 (accessory uses and structures) (e) (outside storage) (3) (Commercial uses) (a) Storage of licensed and operable motor vehicles, tractor trailers and other such vehicles shall be located out of view from any abutting rights-of-way etc., and was to be corrected by July 1, 2025.

C. At the time of the hearing, the violations cited above:  continued to exist, or  remained non-compliant until \_\_\_\_\_ [Date].

### **CONCLUSION OF LAW:**

Respondent(s), by reason of the foregoing, has/have violated the above-referenced code(s) in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions as stated in the notice of violation is/are therefore subject to the provisions of the City of Port Orange Municipal Code 2-207.

### **ORDER:**

A. Respondent(s) shall correct the aforesaid violation by removing the commercial vehicles and equipment immediately and then repairing existing for sale signs, replacing missing fence panels, removing and replacing all dead trees and shrubs, restoring the irrigation system to full working order, on or before September 23, 2025 ("Compliance Date"). In the event that 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 of \$100.00 per day will be assessed for each day the property is in violation beyond the Compliance Date. If paragraph D. above is checked and the Respondent(s) has/have not abated the condition by the Compliance Date, then notice of the violation will be given to the City Council. The City Council may repair the condition and charge the Respondent(s) with reasonable costs of the repairs. Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to subsection (a)." The cost to date is \$39.58 as indicated on the cost sheet submitted into evidence. The Respondent(s) will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion. Any future violations under this ordinance shall be considered repeat violations.

B. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to the City of Port Orange Municipal Code 2-207 and 2-213. Failure to comply with this Order shall result in the issuance of an Order

Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

**DONE AND ORDERED** this 13 day of July, 2025.

Attest:   
Secretary, Code Enforcement Special Magistrate

By:   
Code Enforcement Special Magistrate

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Rainbow Development Group LLC, 1690 Dunlawton Avenue, PORT ORANGE, FL 32127, by Certified and Regular Mail this 24 day of July, 2025.

  
Secretary, Code Enforcement Special Magistrate

**The Findings of Fact and Conclusions of Law set forth in the Order of the Special Magistrate constitute a final administrative order which may be appealed by filing a notice of appeal with the Circuit Court within 30 days of the signing of this order.**

**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	Return to Sender - Not deliverable as addressed	\$11.18
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	Signed by (illegible)	\$11.18
Fair Value Homebuyers LLC	Cost to mail Order Imposing Fine/Lien	10/8/2025		\$11.18
Clerk of Court	Cost to record Order Imposing Fine/Lien	10/8/2025		\$11.18

**Total: \$109.04**



**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.

**CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
CASE NO. 25 -1589**

**CITY OF PORT ORANGE,**

a Florida municipal corporation,

**Petitioner,**

**FAIR VALUE HOMEBUYERS LLC  
PROPERTY OWNER**

VIOLATION ADDRESS 830 SUGAR HOUSE BLVD  
PORT ORANGE, FL 32129  
PARCEL ID: 6337-08-01-0090

**Respondent.**

\_\_\_\_\_ /

**FINDING OF FACT, CONCLUSION OF LAW AND ORDER  
(THIS DOES NOT CONSTITUTE A LIEN)**

THIS CAUSE came on for public hearing before the Code Enforcement Special Magistrate on August 13, 2025 after due notice to the Respondent(s), and the Special Magistrate having heard testimony under oath, received evidence and heard argument from Staff thereupon issues its Findings of Fact, Conclusions of Law, and Order, as follows:

**FINDINGS OF FACT:**

**A.** Respondents, Fair Value Homebuyers LLC, whose mailing address is 4781 N. CONGRESS AVENUE #1125, BOYNTON BEACH, FL 33426, is the owner of the property located at 830 SUGAR HOUSE BLVD., PORT ORANGE, FL 32129, and more particularly described as:

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

**B.** The violation was to be corrected by mowing the entire property to include trimming of all weeds and by removing the nuisance tree on the property as it is a health and safety issue to the public. This condition was first observed at the real property described above on June 18, 2025; re-inspection was conducted on June 25, 2025 and confirmed the condition as being the

same. Respondent received notice via posting at City Hall and regular and certified mail on June 27, 2025, as well as posted on the property on June 26, 2025 that the aforesaid conditions constituted a violation of 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 and City of Port Orange Code of Ordinances, Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 2 (Nuisance Trees), Sec. 42-103. - Declaration of nuisance and was to be corrected by July 21, 2025.

C. At the time of the hearing, the violations cited above:  continued to exist, or  remained non-compliant until \_\_\_\_\_ [Date].

D.  The condition described above presents a serious threat to the public health, safety and welfare or is irreparable or irreversible.

### **CONCLUSION OF LAW:**

Respondent(s), by reason of the foregoing, has/have violated the above-referenced code(s) in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions as stated in the notice of violation is/are therefore subject to the provisions of the City of Port Orange Municipal Code 2-207.

### **ORDER:**

A. Respondent(s) shall correct the aforesaid violation by mowing the entire property to include trimming of all high weeds and by removing the nuisance tree on the property as it is a health and safety issue to the public, on or before August 25, 2025 ("Compliance Date"). In the event that 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 of \$100.00 per day will be assessed for each day the property is in violation beyond the Compliance Date. If paragraph D. above is checked and the Respondent(s) has/have not abated the condition by the Compliance Date, then notice of the violation will be given to the City Council. The City Council may repair the condition and charge the Respondent(s) with reasonable costs of the repairs. Additionally, as per Chapter 2, Section 2-214, Code of Ordinances: "In addition to any fines, the Special Magistrate may impose additional fines to cover all costs incurred by the city in enforcing its codes and all costs or repairs pursuant to subsection (a)." The cost to date is \$49.91 as indicated on the cost sheet submitted into evidence. The Respondent(s) will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion. Any future violations under this ordinance shall be considered repeat violations.

B. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) and if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns pursuant to the City of Port Orange Municipal

Code 2-207 and 2-213. Failure to comply with this Order shall result in the issuance of an Order Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

**DONE AND ORDERED** this 13<sup>th</sup> day of August, 2025.

Attest:  By:   
Secretary, Code Enforcement Special Magistrate David Fuller, Code Enforcement Special Magistrate



I **HEREBY CERTIFY** that a true and correct copy of the foregoing Findings of Fact, Conclusion of Law, and Order have been furnished to Respondent(s), Fair Value Homebuyers LLC, Boynton Beach, FL 33426 by Certified and Regular Mail this 13<sup>th</sup> day of August, 2025.

  
Secretary, Code Enforcement Special Magistrate

The Findings of Fact and Conclusions of Law set forth in the Order of the Special Magistrate constitute a final administrative order which may be appealed by filing a notice of appeal with the Circuit Court within 30 days of the signing of this order.