



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, December 10, 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 - November 12, 2025
3. Approval of the 2026 Special Magistrate Hearing Dates

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

4. **CEB Case No.:** 25-0807
Respondent: Khosrow Khossrovani
Address of Violation: 4189 Ridgewood Avenue
Code Officer: Kristi Jones
First Notified: 6/16/2025

Compliance: No

Cited for violation(s) - Code of Ordinances Chapter 30 Secion 30-26 Adoption NFPA 01 Chapter 11, Code 11.12.1 - Agency Having Jurisdiction, Authorization for permits. Code of Ordinances Chapter 30 Secion 30-26 Adoption NFPA 01 Chapter 11, Code 11.1.5 Extension Cords. Code of Ordinances Chapter 30 Secion 30-26 Adoption NFPA 01 Chapter 11, Code 11.1.2.3 - Permanent wiring abandoned. Code of Ordinances Chapter 30 Secion 30-26 Adoption NFPA 01 Chapter 11, Code 11.1.8 - Covers compatible with the box or conduit body.

5. **CEB Case No.:** 25-0571
Respondent: Kathleen Borne Rauscher
Address of Violation: 5056 Palmetto Street
Code Officer: Kristi Jones
First Notified: 6/5/2025

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.

6. **CEB Case No.:** 25-3024

Respondent: Everett Wicker

Address of Violation: 711 Fieldstone Avenue

Code Officer: Jackson Concepcion

First Notified: 11/17/2025

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.

7. **CEB Case No.:** 25-2796

Respondent: William A Busi

Address of Violation: 111 Abby Lane

Code Officer: Rachel Lippens

First Notified: 10/15/2025

Compliance: No

Cited for violation(s) - Chapter 1 Scope and Administration, Section 109 Unsafe Structures and Equipment, 109.1 (Unsafe Structure) of the 2024 IPMC as adopted per Chapter 14 Article II of the City of Port Orange Code of Ordinances. Chapter 1 Scope and Administration, Section 109 Unsafe Structures and Equipment, 109.3 (Structure Unfit for Human Occupancy) of the 2024 IPMC as adopted per Chapter 14 Article II of the City of Port Orange Code of Ordinances. Chapter 3 (General Requirements), Section 304 (Exterior Structure) of the 2024 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

8. **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.

9. **CEB Case No.:** 25-2798

Respondent: William Busi

Address of Violation: 111 Abby Lane

Code Officer: Rachel Lippens

First Notified: 10/15/2025

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 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

10. **CEB Case No.:** 25-2390

Respondent: Richard Jones

Crystal Jones

Address of Violation: 1237 Edna Drive

Code Officer: Dena Joseph

First Notified: 8/27/2025

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances. Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

11. **CEB Case No.:** 25-2337

Respondent: Joseph A Fazzie

Kathleen A Fazzie

Address of Violation: 6604 Mansour Lane

Code Officer: Dena Joseph

First Notified: 10/13/2025

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances. Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages. Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances. Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

12. **CEB Case No.:** 25-2821

Respondent: Fair Value Homebuyers LLC

Address of Violation: 830 Sugar House Blvd.

Code Officer: Scott Allman

First Notified: 10/21/2025

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.

13. **CEB Case No.:** 25-2817

Respondent: James V Kloos

Address of Violation: 828 Sugar House Blvd.

Code Officer: Scott Allman

First Notified: 10/21/2025

Compliance: Yes

Cited for violation(s) - 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.

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, 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
NOVEMBER 12, 2025

THE CODE ENFORCEMENT SPECIAL MAGISTRATE MEETING of the City of Port Orange was called to order by Special Magistrate David D. Fuller Jr. at 9:00 a.m.

PRESENT: David D. Fuller Jr., Special Magistrate

ALSO PRESENT: Greg Lariscy, Code Enforcement Manager
Dena Joseph, Code Enforcement Officer
Scott Allman, Code Enforcement Officer
Rachel Lippens, Code Enforcement Support Specialist/ Code Enforcement Officer

Oaths

Code Enforcement Officers Dena Joseph, Scott Allman, and Rachel Lippens were sworn in by Special Magistrate David D. Fuller Jr.

CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process

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

2. Consideration of Minutes - October 22, 2025

Special Magistrate David D. Fuller Jr. approved the October 22, 2025 meeting minutes as presented.

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.

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

4. CEB Case No.: 25-2390

Respondent: Richard Jones and Crystal Jones

Address of Violation: 1237 Edna Drive

Code Officer: Dena Joseph

First Notified: 8/27/2025

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances. Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

Ms. Joseph was sworn in by Special Magistrate David D. Fuller Jr. 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 David D. Fuller Jr. with no objections. The violation was to be corrected by October 26, 2025, by mowing and weed-eating the entire property, removing all undergrowth, blowing the debris back onto the property, and all unsecured areas of the home must be properly secured with plywood.

Ms. Joseph recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected November 19, 2025, by mowing and weed-eating the entire property, removing all undergrowth, blowing the debris back onto the property, and all unsecured areas of the home must be properly secured with plywood. 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. Dena Joseph requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that it could be a haven for mosquitoes, snakes, vermin, and animals, etc. The cost sheet in the amount of \$96.33 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented and deemed the property a health and safety violation. The property owner has until

November 19, 2025, to mow and weed-eat the entire property, remove all undergrowth, and blow the debris back onto the property or a daily fine in the amount of \$100.00 per day shall be imposed. Costs in the amount of \$96.33 were awarded to the City.

5. CEB Case No.: 25-2337

Respondent: Joseph A Fazzie and Kathleen A Fazzie

Address of Violation: 6604 Mansour Lane

Code Officer: Dena Joseph

First Notified: 10/13/2025

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances. Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages. Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances. Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Ms. Joseph was sworn in by Special Magistrate David D. Fuller Jr. 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 David D. Fuller Jr. with no objections. The violation was to be corrected immediately, by mowing the property to include weed eating all high weeds on site and removing all yard debris, by removing all trash and debris on the property, and by removing all items stored outside, and by properly storing them in an enclosed building.

Ms. Joseph recommended the property owners be found in violation of the above-referenced codes, with the violations to be corrected immediately by mowing the property to include weed eating all high weeds on site and removing all yard debris, by removing all trash and debris on the property, and by removing all items stored outside, and by properly storing them in an enclosed building. 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 \$250.00 per day shall be imposed.

Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Dena Joseph requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that it could be a haven for mosquitoes, snakes, vermin, etc. The cost sheet in the amount of \$73.97 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented and deemed the property a health and safety violation. A daily fine in the amount of \$250.00 per day shall be imposed. Costs in the amount of \$73.97 were awarded to the City.

6. CEB Case No.: 24-950

Respondent: Almer J. Prather Estate

Address of Violation: 5942 Trailwood Drive, Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 7/26/2024

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, (h) Abutting property owner maintenance of parkages.

Chapter 70 (Traffic), Article II (Stopping, standing, and parking), Section 70-36 (Stopping, standing or parking prohibited in specified places), (a)(1)(k)(1), (2) & (3) of the City of Port Orange Code of Ordinances.

Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of vehicles, furniture, etc.), of the City of Port Orange Code of Ordinances.

Chapter 70 (Traffic), Article II (Stopping, Standing, and Parking), Section 70-49 (Restrictions on abandoned or disabled vehicles), (c) Restrictions, (1) (a), (b) and (2) of the City of Port Orange Code of Ordinances.

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

7. CEB Case No.: 25-2821

Respondent: Fair Value Homebuyers LLC

Address of Violation: 830 Sugar House Blvd.

Code Officer: Scott Allman

First Notified: 10/21/2025

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.

Scott Allman, Code Enforcement Officer, was sworn in by Special Magistrate David D. Fuller Jr. 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 David D. Fuller Jr. with no objections. The violation was to be corrected immediately by mowing the entire property and by trimming all high weeds.

Mr. Allman recommended the property owners be found in violation of the above-

referenced codes with the violations to be corrected immediately by mowing the entire property and by trimming all high weeds. 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 \$200.00 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. Scott Allman requested any future violations under this ordinance be considered repeat, and shall be deemed a health and safety concern for the surrounding neighbors in that it is a haven for rats, snakes, and vermin, etc. The cost sheet in the amount of \$73.97 was tendered into evidence and accepted by Special Magistrate David D. Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented and deemed the property a health and safety violation. A daily fine in the amount of \$200.00 per day shall be imposed. Costs in the amount of \$73.97 were awarded to the City.

8. CEB Case No.: 25-2817

Respondent: James V Kloos

Address of Violation: 828 Sugar House Blvd.

Code Officer: Scott Allman

First Notified: 10/21/2025

Compliance: No

Cited for violation(s) - 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.

Scott Allman was sworn in by Special Magistrate David D. Fuller Jr. 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 David D. Fuller Jr. with no objections. The violation was to be corrected removing all outdoor stored items from the property including but not limited to boxes, chairs, fencing, garbage cans, a wheelchair and a car jack by October 21, 2025.

Scott Allman recommended the property owners be found in violation of the above referenced codes with the violations to be corrected immediately by removing all outdoor stored items from the property including but not limited to boxes, chairs, fencing, garbage cans, a wheelchair and a car jack. 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. Mr. Allman 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 is an attractive nuisance for small children, rodents, and other pests. The cost sheet in

the amount of \$51.61 was tendered into evidence and accepted by Special Magistrate Fuller with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented and deemed the property a health and safety violation. A one-time fine in the amount of \$500.00 shall be imposed. Costs in the amount of \$51.61 were awarded to the City.

9. CEB Case No.: 25-2798

Respondent: William Busi

Address of Violation: 111 Abby Lane

Code Officer: Rachel Lippens

First Notified: 10/15/2025

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 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Rachel Lippens, Code Enforcement Officer, was sworn in by Special Magistrate David D. Fuller Jr. 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 David D. Fuller Jr. with no objections. The violation was to be corrected by October 31, 2025, by removing all outdoor stored items household or structural in yard and driveway, mowing and trimming the entire property and removing overgrowth.

Ms. Lippens recommended the property owners be found in violation of the above-referenced codes with the violations to be corrected by November 30, 2025, by removing all outdoor stored items household or structural in yard and driveway, mowing and trimming the entire property and removing overgrowth. In the event the property is not brought into compliance on or before the compliance date, and/or not maintained in a state of compliance, a daily fine in the amount of \$50.00 per day shall be imposed.

Accused should be further ordered to contact the Code Enforcement Officer to arrange for a re-inspection of the property to verify compliance with the order. Rachel Lippens requested any future violations under this ordinance be considered repeat, and that the property be deemed a health and safety concern for the surrounding neighbors in that, the high grass is a habitat for vermin, snakes, insects etc. and the home is a safety risk to squatters, animals and children due to not being secured. The cost sheet in the amount of \$73.97 was tendered into evidence and accepted by Special Magistrate Fuller Jr. with no objections.

Special Magistrate David D. Fuller Jr. granted the recommendation as presented and deemed the property a health and safety violation. The property owner has until

Code Enforcement Special Magistrate Meeting

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November 30, 2025, to remove all outdoor stored items household or structural in yard and driveway, mow and trim the entire property and remove overgrowth or a daily fine in the amount of \$50.00 per day shall be imposed. Costs in the amount of \$73.97 were awarded to the City.

ADJOURNMENT - 9:58 a.m.

Special Magistrate David D. Fuller Jr.

2026 Special Magistrate Hearing Dates

January 14 & 28

February 11 & 25

March 11 & 25

April 8 & 22

May 13 & 27

June 10 & 24

July 8 & 22

August 12 & 26

September 9 & 23

October 14 & 28

November 4

December 9

Case Cost Sheet Log

Case No. 25-0807

Name	Activity	Activity_Date	Status	Cost
Khosrow Khossrovani	First Class and Certified Mailing for the NOH	10/24/2025		\$11.18
Khosrow Khossrovani	Mailing of FF	12/10/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	12/10/2025		\$29.25

Total: \$51.61



NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

CASE NO. 25-0807

To: Khosrow Khossrovani (Property Appraiser)
4189 Ridgewood Ave
Port Orange, FL 32127

Re: 4189 Ridgewood Ave
Port Orange, FL 32127
Parcel ID: 634102000130
LEGAL DESCRIPTION: W 132.5 FT OF LOTS 13 & 14 LYING E OF US 1 R/W
Volusia County Public Records
Volusia County, FL

You received a Notice of Violation ("NOV") dated June 16, 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 16, 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:

- 1) Code of Ordinances Ch. 30 Sec. 30-26 Adoption NFPA 01 Ch.11 Code 11.12.1 – Agency Having Jurisdiction, Authorization for Permits.
- 2) Code of Ordinances Ch. 30 Sec. 30-26 Adoption NFPA 01 Ch.11 Code 11.1.5 – Extension Cords.
- 3) Code of Ordinances Ch. 30 Sec. 30-26 Adoption NFPA 01 Ch.11 Code 11.1.2.3 – Permanent wiring abandoned.
- 4) Code of Ordinances CH 30 Sec. 30-26 Adoption NFPA 01 Ch.11 Code 11.1.8 – Covers compatible with the box or conduit body.

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 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 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 \$ 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) 506-5616**.

NOTICE OF HEARING IMPOSING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **August 27, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on September 10, 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 30th day of July, 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. 25-0571

Name	Activity	Activity_Date	Status	Cost
Kathleen Borne Rauscher	Cost to mail NOH	10/24/2025		\$11.35
Kathleen Borne Rauscher	Cost to mail FF	12/10/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	12/10/2025		\$29.25

Total: \$51.78



NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

CASE NO. 25-0571

To: Rauscher Kathleen Borne
5056 Palmetto St
Port Orange, FL 32127

Re: 5056 Palmetto St
Port Orange, FL 32127
Parcel ID: 631012050190

LEGAL DESCRIPTION: N 15 FT OF LOT 18 & LOT 19 EXC N 5 FT AS MEAS ON W/L THEREOF BLK 5 NORWOOD MB 5
PG 1 PER OR 3784 PG 0872 PER OR 6779 PG2905

Volusia County Public Records
Volusia County, FL

You received a Notice of Violation ("NOV") dated June 5, 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 October 23, 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 3, SECTION 304 OF THE 2021 IPMC 304.7: Chapter 3, Section 304 Exterior Structures of the 2021 IPMC as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances 304.7 Roofs and drainage. 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. 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 December 10, 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) 506-5616**.

NOTICE OF HEARING IMPOSING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **December 10, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on January 14, 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) 506-5616**.

CITY OF PORT ORANGE, FLORIDA

CODE ENFORCEMENT OFFICER

By: 
Kristi Jones, 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: Rauscher Kathleen Borne 5056 Palmetto St, Port Orange, FL 32127, RE: 5056 Palmetto St, Port Orange, FL 32127, was

☐ Hand-delivered Recipient of hand delivered documents: _____
☒ Posted at the property 10/23/2025 (date)
☒ Posted at City Hall 10/23/2025 (date)


Kristi Jones, 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: Rauscher Kathleen Borne 5056 Palmetto St, Port Orange, FL 32127, RE: 5056 Palmetto St, Port Orange, FL 32127 was sent via certified and regular mail this 24 day of October, 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. 25-3024

Name	Activity	Activity_Date	Status	Cost
Everett Wicker	Cost to mail NOH	11/18/2025		\$11.35
Everett Wicker	Cost to mail FF	12/10/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	12/10/2025		\$29.25

Total: \$51.78



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

CITY OF PORT ORANGE, FLORIDA

To: WICKER EVERETT
711 FIELDSTONE AVE
PORT ORANGE, FL 32129

Case No.: 25-3024

Re: WICKER EVERETT

Location: 711 FIELDSTONE AVE., PORT ORANGE, FL 32129

Parcel ID: 630505010690

Legal Description: LOT 69 LAURELWOOD MOBILE ESTATES UNIT I MB 33 PG 191 PER OR5227 PG 4706 PER OR 6665 PG 4256

Volusia County, FL Public Records

An inspection of the premises on 11/17/2025, indicates that certain violation(s) of the City of Port Orange Code exists.

You have previously (within the past five years) been found guilty to have violated the above-referenced code section(s) on 01/25/2023 , under case number 22-0027.

The initial inspection of this property found: Excessive high grass/weeds found at this property.

This correspondence will serve as official notification that the violation(s) must be corrected immediately (Repeat Offender Status) by doing the following: Mow all existing high grass/weeds to include weed-eating all areas of the parkage and sidewalk.

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

CODE OF ORDINANCES CH 42, ART II, SEC. 42-26(D): Maintenance of improved residential lots. 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.

A fine up to \$5,000.00 per day per violation for a repeat violation may be assessed by the Special Magistrate beginning from the date of this Notice. The Special Magistrate may impose additional fines to cover all costs incurred by the City in enforcing its codes including costs of repairs and abatement.

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

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

NOTICE OF HEARING AS TO REPEAT VIOLATION(S) ALLEGED
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 on 12/10/2025 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 \$ 11.35 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 Jackson Concepcion, Code Enforcement Officer at (386) 506-5604.

NOTICE OF HEARING IMPOSING FINE AND LIEN

In the event the Special Magistrate, during the hearing on 12/10/2025 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Special Magistrate on 01/14/2026 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 Jackson Concepcion, Code Enforcement Officer at (386) 506-5604.

DATED this 18 day of November, 2025

City of Port Orange, Florida
CODE ENFORCEMENT OFFICER

By: Jackson Concepcion
Jackson Concepcion, Code Enforcement Officer


Secretary, Special Magistrate
Acknowledgement of Receipt

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. 25-2796

Name	Activity	Activity_Date	Status	Cost
William Busi	Cost to mail Notice of Violation/Hearing	10/15/2025		\$11.18
PNC Bank	Cost to mail Notice of Violation/Hearing	10/15/2025		\$11.18
William Busi	Cost to mail Finding of Fact	12/10/2025	Green Card not Received	\$11.18
PNC Bank	Cost to mail Finding of Fact	12/10/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	12/10/2025		\$29.25

Total: \$73.97



**NOTICE OF VIOLATION
AND
NOTICE OF HEARINGS**

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2796

To: BUSI WILLIAM A
111 Abby Ln
Port Orange, FL 32127

Re: 111 Abby Ln
Port Orange, FL 32127
Parcel ID: 632101010670
LEGAL DESCRIPTION: LOT 67 CAMBRIDGE SUB UNIT 1 MB 32 PG 4 PER OR 2861 PG 0095
Volusia County Public Records
Volusia County, FL

An inspection of the premises on October 15, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by November 15, 2025** by doing the following: The property in question, which has been rendered unsafe and uninhabitable due to fire damage, requires demolition. 1) A demolition permit must be obtained through the City of Port Orange Building Department. 2) Additionally, the home must be secured to prevent unauthorized entry. This includes boarding up all garage doors, window openings, and doorways to ensure the structure remains inaccessible and safe until demolition is completed. Compliance with these requirements is mandatory and must be fulfilled by the stated deadline

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 Rachel Lippens, 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:

Chapter 1 Scope and Administration Sec 109 (Unsafe structures and equipment 109.1 (unsafe structure) of the 2024 IPMC as adopted per Chapter 14 Article II of the City of Port Orange Code of Ordinances-An unsafe structure is one that is found to be hazardous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is dangerous.

Chapter 1 Scope and Administration Sec 109 (Unsafe structures and equipment) 109.3 (Structure unfit for human occupancy) of the 2024 IPMC as adopted per Chapter 14 Article II of the City of Port Orange Code of Ordinances A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested,

contains filth and contamination or lacks ventilation, illumination, sanitary, or heating facilities or other essential equipment required by this code.

Chapter 3 General requirements, Sec 304 Exterior Structure of the 2024 IPMC as adopted per chapter 14 Article II of the City of Port Orange code of ordinances. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety and welfare.

The inspection of the property revealed the structure has been damaged by fire rendering it dangerous to life, safety, or public health and welfare. Interior walls and other structural elements have become so damaged or deteriorated that there is a likelihood of collapse structural failure. The structure is so unsafe that it is unfit for habitation and poses a risk of injury to the public welfare. The structure is vacant and unsecured, allowing easy access to trespassers or vagrants it poses a general hazard to surrounding persons or properties.

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 December 10, 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 \$22.36 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 **December 10, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on January 14, 2026 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) 506-5604**.

DATED this 15 day of October, 2025.

CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT OFFICER

By: Rachel Lippens
Rachel Lippens, 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: 111 Abby Ln Port Orange, FL 32127, RE: 111 Abby Ln Port Orange, FL 32127, Was

☒ Hand-delivered Recipient of hand delivered documents: _____
☒ Posted at the property 10-15-25 (date)
☒ Posted at City Hall 10-15-25 (date)

Rachel Lippens
Rachel Lippens, 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: 111 Abby Ln Port Orange, FL 32127, RE: 111 Abby Ln Port Orange, FL 32127, was sent via certified and regular mail this
15 day of October, 2025

Amadeo R. Sin
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: PNC Bank 2730 Liberty Ave. Pittsburg, PA 15222, RE: 111 Abby Ln Port Orange, FL 32127, was sent via certified and regular mail this
15 day of October, 2025

Amadeo R. Sin
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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CC: PNC Bank National Association 2730 Liberty Ave. Pittsburg, PA 15222

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	12/10/2025		\$11.18
Clerk of Court	Cost to record Order Imposing Fine/Lien	12/10/2025		\$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 2nd **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:

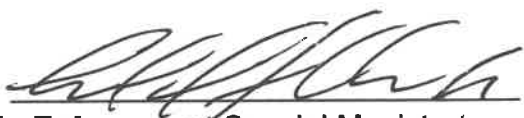
A. Respondent(s) shall correct the aforesaid violation by removing the commercial vehicles and equipment immediately and then repairing existing for sale signs, replacing missing fence panels, removing and replacing all dead trees and shrubs, restoring the irrigation system to full working order, on 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

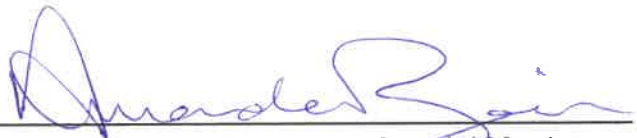
Imposing Fine and Lien. The Order Imposing Fine and Lien shall not constitute a lien until a certified copy of said Order is recorded pursuant to Section 162.09(3), Florida Statutes.

DONE AND ORDERED this 23 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. 25-2798

Name	Activity	Activity_Date	Status	Cost
William Busi	Cost to mail Notice of Violation/Hearing	10/15/2025		\$11.18
PNC Bank	Cost to Mail Notice of violation/hearing	10/15/2025	Signed by Steven Fishma on 11/3/2025	\$11.18
William Busi	Cost to mail Finding of Fact	11/12/2025	Green Card not Received	\$11.18
PNC Bank	Cost to mail Finding of Fact	11/12/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	11/12/2025		\$29.25
William Busi	Cost to mail Order Imposing Fine/Lien	12/10/2025		\$11.18
Clerk of Court	Cost to record Order Imposing Fine/Lien	12/10/2025		\$46.25

Total: \$131.40



**NOTICE OF VIOLATION
AND
NOTICE OF HEARINGS**

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2798

To: BUSI WILLIAM A
111 ABBY LN,
PORT ORANGE 32127

Re: 111 ABBY LN,
PORT ORANGE 32127

Parcel ID: 632101010670

LEGAL DESCRIPTION: LOT 67 CAMBRIDGE SUB UNIT 1 MB 32 PG 4 PER OR 2861 PG 0095

Volusia County Public Records
Volusia County, FL

An inspection of the premises on October 15, 2025, indicates that certain violation(s) of the City of Port Orange Code exists.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by October 31, 2025**, by doing the following: 1) Remove all outdoor stored items household or structural in yard and driveway. 2) Mow and trim entire property. 3) Remove overgrowth

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 Rachel Lippens, 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:

CH 42, ART.2, SEC. 42-26 (D). Code of Ordinances. High Weeds and Grass Residential (d) Maintenance of improved residential lots. 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. 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.

CH 42, ART.2, SEC. 42-32 Code of Ordinances. Outside Storage 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 revealed that the home had been severely damaged by fire and deemed uninhabitable. During fire suppression efforts, the fire department removed various structural components—including the garage door—as

well as personal belongings from inside the dwelling, which were subsequently found scattered throughout the yard. The property also had grass that exceed 10 inches and an excess of overgrowth on home.

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 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 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 \$ 22.30 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 **November 12, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on December 10, 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) 506-5604**.

DATED this 15 day of October, 2025

CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT OFFICER

By: Rachel Lippens
Rachel Lippens, 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: 111 Abby Ln Port Orange, FL 32127, RE: 111 Abby Ln Port Orange, FL 32127, was

☐ Hand-delivered Recipient of hand delivered documents: _____

☒ Posted at the property 10/15/25 (date)

☒ Posted at City Hall 10/15/25 (date)

Rachel Lippens
Rachel Lippens, 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: 111 Abby Ln Port Orange, FL 32127, RE: 111 Abby Ln Port Orange, FL 32127, was sent via certified and regular mail this 15 day of October, 2025

Amador S. [Signature]
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: PNC Bank 2730 Liberty Ave. Pittsburg, PA 15222, RE: 111 Abby Ln Port Orange, FL 32127, was sent via certified and regular mail this 15 day of October, 2025

Amador S. [Signature]
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.

CC: PNC Bank National Association 2730 Liberty Ave. Pittsburg, PA 15222

**CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CASE NO. 25 -2798**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

WILLIAM BUSI
111 ABBY LN
PORT ORANGE, FL 32127
PARCEL ID: 632101010670

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 November 12, 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, William Busi, whose mailing address is 111 ABBY LN, PORT ORANGE, FL 32127, is the owner of the property located at 111 ABBY LN, PORT ORANGE, FL 32127, and more particularly described as:

LOT 67 CAMBRIDGE SUB UNIT 1 MB 32 PG 4 PER OR 2861 PG 0095

- B.** The violations were to be corrected by removing all outdoor stored items household or structural in the yard and driveway, mowing and trimming the entire property, and removing overgrowth. This condition was first observed at the real property described above on October 15, 2025; re-inspection was conducted on November 3, 2025 and confirmed the condition as being the same. Respondent received notice via posting at City Hall and regular and certified mail on October 15, 2025, as well as posting of the property on October 15, 2025 that the aforesaid conditions constituted a violation of CH 42, ART.2, SEC. 42-26 (D). Code of Ordinances. High Weeds and Grass Residential and CH 42, ART.2, SEC. 42-32 Code of Ordinances. Outside Storage and was to be corrected by October 31, 2025.

C. At the time of the hearing, the violations cited above: ☒ continued to exist, or
☐ remained non-compliant until N/A .

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.

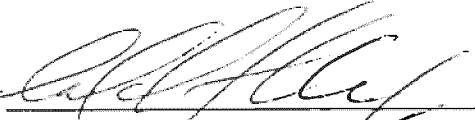
ORDER:

A. Respondent(s) shall correct the aforesaid violations by: removing all outdoor stored items household or structural in the yard and driveway, mowing and trimming the entire property, and removing overgrowth, on or before November 30, 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 \$50.00 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 has 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 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 \$73.97 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 12 day of November, 2025.

Attest: 
Secretary, Code Enforcement Special Magistrate

By: 
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), William Busi, 111 ABBY LN, PORT ORANGE, FL 32127 by Certified and Regular Mail this 12 day of November, 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.

CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document has/has not been redacted pursuant to Florida Law.
This 13 day of November, 2025
By: 

Case Cost Sheet Log

Case No. 25-2390

Name	Activity	Activity_Date	Status	Cost
Richard and Crystal Jones (mailing to each)	Cost to mail Notice of Violation/Hearing (certified and regular)	10/15/2025		\$44.72
Richard and Crystal Jones (mailing to each)	Cost to mail Finding of Fact	11/12/2025		\$22.36
Clerk of Court	Cost to record Finding of Fact	11/12/2025		\$29.25
Richard and Crystal Jones (mailing to each)	Cost to mail Order Imposing Fine/Lien	12/10/2025		\$22.36
Clerk of Court	Cost to record Order Imposing Fine/Lien	12/10/2025		\$46.25

Total: \$164.94



NOTICE OF VIOLATION AND NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2390

To: Richard Jones
Crystal Jones
Property Owners
112 Barefoot Trail
Port Orange, FL 32129

Re: 1237 Edna Drive
Port Orange, FL 32129
Parcel ID: 6307-04-00-0560
LEGAL DESCRIPTION: LOT 56 WILLOW RUN UNIT 3 MB 35 PG 185 PER OR 5216 PG 3592 PER OR 6038
PGS 0839-0840
Volusia County Public Records
Volusia County, FL

An inspection of the premises on August 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 10 days to correct. Re-inspection conducted on October 7, 2025 resulted in non-compliance.

This correspondence will serve as official notification that the below-stated violation(s) **must be corrected by October 26, 2025**, by doing the following: **1.) The entire property needs to be mowed, weed-eated, all undergrowth removed, and all debris blown back onto the property. 2.) All yard debris needs to be removed from the property. 3) Unsecured areas around the home must be properly secured with plywood.**

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:

- 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 weeds, grass, and undergrowth.
2. **Chapter 3 (General Requirements), Section 301 (General), 301.3 (Vacant Structures and Land) of the 2021 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** Vacant structures and premises thereof, or vacant land shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.
- The initial inspection of this property found areas on the home unsecured.

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 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 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 \$ 44,72 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.

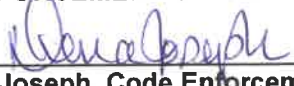
NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **November 12, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate on December 10, 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.

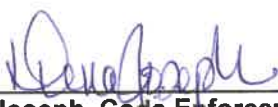
DATED this 13th day of October, 2025.

CITY OF PORT ORANGE, FLORIDA
CODE ENFORCEMENT OFFICER

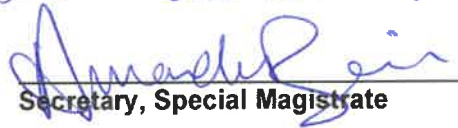
By: 
Dena Joseph, Code Enforcement Officer

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to: Richard Jones and Crystal Jones, 112 Barefoot Trail, Port Orange, FL 32129, RE: 1237 Edna Drive, Port Orange, FL 32129 was:

- ☐ Hand-delivered Recipient of hand delivered documents: _____
☒ Posted at the property October 13, 2025 (date)
☒ Posted at City Hall October 15, 2025 (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: Richard Jones and Crystal Jones, 112 Barefoot Trail, Port Orange, FL 32129, RE: 1237 Edna Drive, Port Orange, FL 32129 was sent via certified and regular mail this 15 day of October, 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: Richard Jones and Crystal Jones, 1237 Edna Drive, Port Orange, FL 32129, RE: 1237 Edna Drive, Port Orange, FL 32129, was sent via certified and regular mail this 15 day of October, 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. 25-2390**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

RICHARD JONES
CRYSTAL JONES
1237 EDNA DRIVE
PORT ORANGE, FL 32129
PARCEL ID: 6307-04-00-0560

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 November 12, 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, RICHARD JONES AND CRYSTAL JONES, whose mailing address is 1237 EDNA DRIVE, PORT ORANGE, FL 32129, are the owners of the property located at 1237 EDNA DRIVE, PORT ORANGE, FL 32129, and more particularly described as:

LOT 56 WILLOW RUN UNIT 3 MB 35 PG 185 PER OR 5216 PG 3592 PER OR 6038 PGS
0839-0840

B. The violations were to be corrected by doing the following: The entire property needs to be mowed, weed-eated, all undergrowth removed, and all debris blown back onto the property and all unsecured areas on the home must be properly secured with plywood. This condition was first observed at the real property described above on August 27, 2025; re-inspection was conducted on October 10, 2025, and confirmed the condition as being the same. Respondents received notice via posting at City Hall and regular and certified mail on October 15, 2025, as well as posted on the property on October 13, 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) and (h) Abutting property owner maintenance of parkages of the City of Port Orange Code of

Ordinances and Chapter 3 (General Requirements), Section 301 (General), 301.3 (Vacant Structures and Land) of the 2021 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances and were to be corrected by October 26, 2025.

C. At the time of the hearing, the violations cited above: ☒ continued to exist, or
☐ remained non-compliant until N/A.

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 violations by doing the following: The entire property needs to be mowed, weed-eated, all undergrowth removed, and all debris blown back onto the property and all unsecured areas on the home must be properly secured with plywood on or before November 19, 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 \$ 96.33 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.

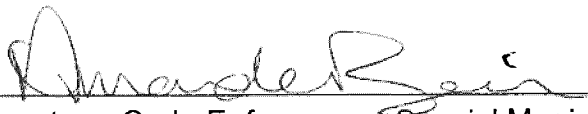
DONE AND ORDERED this 12 day of November, 2025.

Attest: 
Secretary, Code Enforcement Special Magistrate

By: 
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), RICHARD JONES AND CRYSTAL JONES, 1237 EDNA DRIVE, PORT ORANGE, FL 32129 by Certified and Regular Mail this 12 day of November 2025.

13


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.

CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document has not been redacted pursuant to Florida Law.
This 13 day of November, 2025
By: 

Case Cost Sheet Log

Case No. 25-2337

Name	Activity	Activity_Date	Status	Cost
Joseph A Fazzie & Kathleen A Fazzie	Cost to mail Notice of Violation/Hearing (1st class and Cert)	11/4/2025		\$22.36
Joseph A Fazzie & Kathleen A Fazzie	Cost to mail Finding of Fact (1st class and Cert)	11/12/2025		\$22.36
Clerk of Court	Cost to record Finding of Fact	11/12/2025		\$29.25
Joseph A Fazzie & Kathleen A Fazzie	Cost to mail Order Imposing Fine/Lien	12/10/2025		\$22.36
Clerk of Court	Cost to record Order Imposing Fine/Lien	12/10/2025		\$46.25

Total: \$142.58



NOTICE OF REPEAT VIOLATION AND NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2337

To: Joseph A Fazzie
Kathleen A Fazzie
6604 Mansour Lane
Port Orange, FL 32128

Re: 6604 Mansour Lane
Port Orange, FL 32128
Parcel ID: 6331-14-00-4010
LEGAL DESCRIPTION: LOT 401 WATERS EDGE PHASE IV MB 47 PGS 113 THRU 116 INC PER
OR 4768 PG 1326
Volusia County Public Records
Volusia County, FL

An inspection of the premises on October 13, 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:

- 1.) The grass must be mowed to include weed eating all high weeds and removing all yard debris on the property.**
- 2.) All trash and debris must be removed from the property.**
- 3.) All items being stored outside, including those that are visible in the pool enclosure area must be removed and stored inside an enclosed building.**

You have previously (within the past five years) been found by the Special Magistrate to have violated the above-referenced code section(s) on November 13, 2024, under Case No. 24-1326.

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 areas of high weeds and grass on site along with yard debris on the ground.
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 trash, debris, and junk on the outside of the home (including items being stored under shrubbery), along with items in the pool enclosure.
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 this property found items being stored on the outside of the home (under shrubbery, on site of home by trash cans, in pool enclosure area, etc.).

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 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 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 \$ 22.36 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.

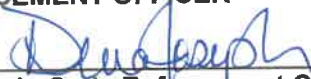
NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on **November 12, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Special Magistrate on **December 10, 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.

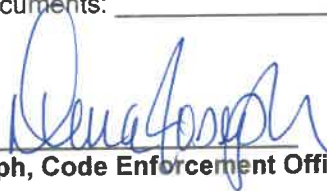
DATED this 31st day of October, 2024.

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 Joseph A. Fazzie & Kathleen A. Fazzie, Property Owners, 6604 Mansour Lane, Port Orange, FL 32128, RE: 6604 Mansour Lane, Port Orange, FL 32128, was

☐ Hand-delivered Recipient of hand delivered documents: _____
☒ Posted at the property October 31, 2024 (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 Joseph A. Fazzie, Property Owner, 6604 Mansour Lane, Port Orange, FL 32128, RE: 6604 Mansour Lane, Port Orange, FL 32128, was sent via certified and regular mail this 3 day of November, 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 Kathleen A. Fazzie, Property Owner, 6604 Mansour Lane, Port Orange, FL 32128, RE: 6604 Mansour Lane, Port Orange, FL 32128, was sent via certified and regular mail this 3 day of November, 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. 25-2337**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

JOSEPH A FAZZIE
KATHLEEN A FAZZIE
6604 MANSOUR LANE
PORT ORANGE, FL 32128
PARCEL ID: 6331-14-00-4010

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 November 12, 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, JOSEPH A FAZZIE & KATHLEEN A FAZZIE, whose mailing address is 6604 MANSOUR LANE, PORT ORANGE, FL, 32128, is the owner of the property located at 6604 MANSOUR LANE, PORT ORANGE, FL, 32128 and more particularly described as:

LOT 401 WATERS EDGE PHASE IV MB 47 PGS 113 THRU 116 INC PER
OR 4768 PG 1326

B. The violations were to be corrected by mowing the property to include weed eating all high weeds on site and removing all yard debris, by removing all trash and debris on the property, and by removing all items stored outside and properly storing them in an enclosed building. This condition was first observed at the real property described above on October 13, 2025. A re-inspection was conducted on October 30, 2025 and confirmed the condition as being the same. Respondent received notice via posting at City Hall and regular and certified mail on November 4, 2025, as well as posted on the property and hand delivery to Joseph A. Fazzie on October 31, 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) and (h) Abutting property owner maintenance of parkages 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 and Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of vehicles, furniture, etc.), of the City of Port Orange Code of Ordinances, and was to be corrected immediately as this is a repeat violation per Case 24-1326 that was originally heard by the special magistrate on November 13, 2024.

C. At the time of the hearing, the violations cited above: ☒ continued to exist, or ☐ remained non-compliant until N/A.

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

E. You have previously (within the past five years) been found by the Special Magistrate to have violated the above-referenced code section(s) on November 13, 2024 under Case No. 24-1326.

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.

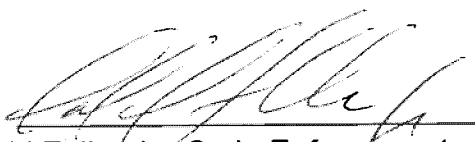
ORDER:

A. Respondent(s) shall correct the aforesaid violations by mowing the property to include weed eating all high weeds on site and removing all yard debris, by removing all trash and debris on the property, and by removing all items stored outside, and by properly storing them in an enclosed building, immediately as this is a repeat violation case ("Compliance Date"). A fine of \$250.00 per day be imposed beginning on October 13, 2025 (the day of the property posting). The fine will continue to run each day until the property is brought into compliance. 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 \$73.97 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.

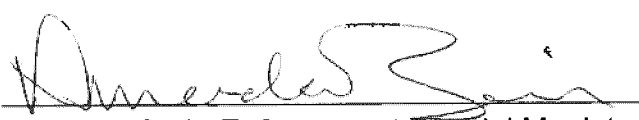
B. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) 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 12 day of November 2025.

Attest: 
Secretary, Code Enforcement Special Magistrate

By: 
David Fuller Jr., 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), JOSEPH A FAZZIE & KATHLEEN A FAZZIE, 6604 MANSOUR LANE, PORT ORANGE, FL, 32128, by Certified and Regular Mail this 13 day of November 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.

CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document is being recorded pursuant to Florida Law.
This 13 day of November, 2025
By: 

Case Cost Sheet Log

Case No. 25-2821

Name	Activity	Activity_Date	Status	Cost
Fair Value Homebuyers LLC	Cost to mail Notice of Violation/Hearing (1st class and Cert)	10/23/2025		\$11.18
Fair Value Homebuyers LLC (Boynton Beach)	Cost to mail Notice of Violation/Hearing (1st class and Cert)	10/23/2025		\$11.18
Fair Value Homebuyers LLC (Boynton Beach)	Cost to mail Finding of Fact (1st class and Cert)	11/12/2025		\$11.18
Fair Value Homebuyers LLC	Cost to mail Finding of Fact (1st class and Cert)	11/12/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	11/12/2025		\$29.25
Fair Value Homebuyers LLC	Cost to mail Order Imposing Fine/Lien	12/10/2025		\$11.18
Fair Value Homebuyers LLC (Boynton Beach)	Cost to mail Order Imposing Fine/Lien	12/10/2025		\$11.18
Clerk of Court	Cost to record Order Imposing Fine/Lien	12/10/2025		\$46.25

Total: \$142.58



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

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2821

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 October 21, 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: Mow the entire property, trim all high weeds and blow all 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 August 13, 2025, under Case No. 25-1589.

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 J. Scott Allman to determine whether the property is in compliance.

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

- **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. To correct the violation, the entire property needs to be mowed, all high weeds trimmed, and all debris blown 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 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 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 \$ 22.36 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 **November 12, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Special Magistrate on **December 10, 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 22 day of October, 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 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 10-22-25 (date)
☒ Posted at City Hall 10-22-25 (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 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 23 day of October, 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 830 Sugar house Blvd, Port Orange, FL 32129, RE: 830 Sugar house Blvd, Port Orange, FL 32129, was sent via certified and regular mail this 23 day of October, 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. 25-2817

Name	Activity	Activity_Date	Status	Cost
James V. Kloos	Hand Delivery	10/22/2025		\$0.00
James V. Kloos	Cost to mail Finding of Fact	11/12/2025		\$11.18
James V. Kloos	Cost to mail Finding of Fact (Palm Pl. W)	11/12/2025		\$11.18
Clerk of Court	Cost to record Finding of Fact	11/12/2025		\$29.25

Total: \$51.61



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

CITY OF PORT ORANGE, FLORIDA

CITY OF PORT ORANGE,

Petitioner

CASE NO. 25-2817

To: James V. Kloos
552 Palm Pl W
Port Orange, FL 32127-4889

Re: 828 Sugar House Blvd
Port Orange, FL 32129

Parcel ID: 6337-08-01-0080

LEGAL DESCRIPTION: LOT 8 SUGAR FOREST PHASE I PER OR 1885 PGS 910 TO 942 INC MB 34 PG 123 PER OR 4362 PG 3898 Volusia County Public Records Volusia County, FL

An inspection of the premises on October 21, 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: Remove all outdoor stored items from the property including but not limited to; (boxes, chairs, fencing, garbage cans, a wheelchair and a car jack).

You have previously (within the past five years) been found by the Special Magistrate to have violated the below-referenced code section(s) on January 8, 2025, under Case No. 24-1448.

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 J. Scott Allman to determine whether the property is in compliance.

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

- **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 this property found outdoor stored items on the property. To correct the violation, all outdoor stored items must be removed from the property, including but not limited to; (boxes, chairs, fencing, garbage cans, a wheelchair and a car jack).

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 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 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 \$ 0 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 **November 12, 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 2nd PUBLIC HEARING will be conducted in the above-styled cause by the Special Magistrate on **December 10, 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 22 day of October, 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 James Kloos 552 Palm Pl W, Port Orange, FL 32127-4889, RE: 828 Sugar House Blvd, Port Orange, FL 32129, was

☒ Hand-delivered Recipient of hand delivered documents: James Kloos 10-22-25
☐ Posted at the property _____ (date)
☒ Posted at City Hall 10-22-25 (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 James Kloos 552 Palm Pl W, Port Orange, FL 32127-4889, RE: 828 Sugar House Blvd, Port Orange, FL 32129, was sent via certified and regular mail this N/A day of _____, 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 James Kloos, 828 Sugar House Blvd, Port Orange, FL 32129 RE: 828 Sugar House Blvd, Port Orange, FL 32129, was sent via certified and regular mail this N/A day of _____, 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. 25-2817**

CITY OF PORT ORANGE,
a Florida municipal corporation,

Petitioner,

JAMES V. KLOOS
828 SUGARHOUSE BLVD
PORT ORANGE, FL 32129
PARCEL ID: 633708010080

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 November 12, 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, James V Kloos, whose mailing address is 828 SUGAR HOUSE BLVD, PORT ORANGE, FL 32129 is the owner of the property located at 828 SUGARHOUSE BLVD, PORT ORANGE, FL 32129, and more particularly described as:

LOT 8 SUGAR FOREST PHASE I PER OR 1885 PGS 910 TO 942 INC MB
34 PG 123 PER OR 4362 PG 3898 PER OR 8719 PG 2391 SCRIPTION

B. The violation was to be corrected by removing all outdoor stored items from the property including but not limited to; (boxes, chairs, fencing, garbage cans, a wheelchair and a car jack. This condition was first observed at the real property described above on October 21, 2025; re-inspection was conducted on November 7, 2025 and confirmed the condition as being the same. Respondent received notice via posting at City Hall and regular and certified mail on October 23, 2025, as well as Hand Delivered on October 22, 2025 that the aforesaid conditions constituted a violation of Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of vehicles, furniture, etc.), of the City of Port Orange Code of Ordinances and was to be corrected immediately.

C. At the time of the hearing, the violations cited above: ☒ continued to exist, or
☐ remained non-compliant until N/A.

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

E. You have previously (within the past five years) been found by the Special Magistrate to have violated the above-referenced code section(s) on January 8, 2025, under Case No. 24-1448.

CONCLUSION OF LAW:

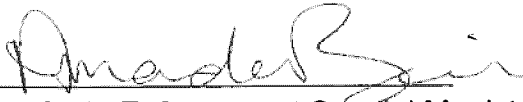
Respondent(s), by reason of the foregoing, has/have violated the above-referenced code(s) in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions as stated in the notice of violation is/are therefore subject to the provisions of the City of Port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

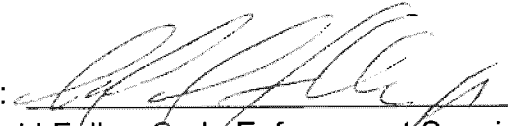
ORDER:

A. Respondent(s) shall correct the aforesaid violation by removing all outdoor stored items from the property including but not limited to; (boxes, chairs, fencing, garbage cans, a wheelchair and a car jack, on or before October 21, 2025, F.S. 162.09 ("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 one-time fine of \$500.00 will be assessed. 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 \$51.61 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 12 day of November, 2025.

Attest: 
Secretary, Code Enforcement Special Magistrate

By: 
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 JAMES V. KLOOS Respondent(s), 828 SUGAR HOUSE BLVD, PORT ORANGE, FL 32129, by Certified and Regular Mail this 13 day of November 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.

CITY OF PORT ORANGE, FLORIDA
I HEREBY CERTIFY the foregoing is a true copy
of the original filed in this office.
This document has not been redacted pursuant to Florida Law.
This 13 day of November, 2025
By: 