



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

**Meeting Date:** Wednesday, July 27, 2016

**Time:** 9:00 AM

**Type of Meeting:** Regular

**Location:** Council Chambers  
City Hall, 1000 City Center Circle

**A. CALL TO ORDER**

1. Attorney Overview of Special Magistrate Code Enforcement Process
2. Consideration of Minutes - July 13, 2016

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

3. **CEB Case No.:** 15-1481 (Continued from June 8, 2016 & July 13, 2016)

**Respondent:** Judith Anderson

**Address of Violation:** 156 Sand Pebble Circle, Port Orange, FL 32129

**Code Officer:** Dena Joseph

**First Notified:** 07/15/2016

Compliance: No

**Cited for violation(s)** - Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.5 (Dangerous Structure or Premises, (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.3 of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances,

Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 3 (Abatement of Unsafe Structures), Section 42-108 (Unsafe Conditions; Nuisance), (a) and (b) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

4. **CEB Case No.:** 16-292 (Continued from June 22, 2016)

**Respondent:** Charles & Peggy Collins

**Address of Violation:** 5481 Pineland Ave., Port Orange, FL 32127

**Code Officer:** Deborah Faircloth

**First Notified:** 05/10/2016

Compliance: No

**Cited for violation(s)** - 1. Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(d) Maintenance of improved residential lots;

2. Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(f) Garbage, waste, trash, etc. prohibited; and

3. Code Violation Section(s) City of Port Orange Code of Ordinances, Article II, Section 42-32 Storage of vehicles, furniture, etc.

5. **CEB Case No.:** 16-290

**Respondent:** Denise G. Nadeau

**Address of Violation:** 768 Greenfield Drive, Port Orange, FL 32129

**Code Officer:** Scott Allman

**First Notified:** 06/15/2016

Compliance: No

**Cited for violation(s)** - Fifth Edition (2014) Florida Building Code, Section 105.1 (Permits Required) as adopted by Chapter 8, Article 1 of the City of Port Orange Land Development Code.

**C. ORDER IMPOSING FINE/LIEN**

6. **CEB Case No.:** 16-276 (Continued from June 8, 2016 & July 13, 2016)

**Respondent:** Vicki L. Bassett

**Address of Violation:** 909 Tree Garden Drive, Port Orange, FL 32127

**Code Officer:** Scott Allman

**First Notified:** 03/11/2016

Compliance: Yes

**Cited for violation(s)** - Chapter 42 (Nuisances) of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, Etc.)

**D. PUBLIC COMMENTS**

**E. ADJOURNMENT**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE **CODE ENFORCEMENT SPECIAL MAGISTRATE** WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED. NOTE: 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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.

PORT ORANGE CODE ENFORCEMENT  
SPECIAL MAGISTRATE MINUTES  
COUNCIL CHAMBERS  
1000 CITY CENTER CIRCLE  
JULY 13, 2016

THE SPECIAL MAGISTRATE HEARING of the City of Port Orange was called to order by Special Magistrate Branch at 9:20 a.m.

PRESENT: Raymond Branch, Special Magistrate

ALSO PRESENT: Debbie Faircloth, Code Compliance Inspector  
Dena Joseph, Code Compliance Inspector  
Chris Hutchison, Code Enforcement Manager  
Robin Fenwick, City Clerk

Consideration of Minutes

Special Magistrate Branch approved the June 22, 2016 meeting minutes as presented.

Oaths

Code Compliance Inspectors Debbie Faircloth and Dena Joseph, as well as Chris Hutchison, Code Enforcement Supervisor, were sworn in by Special Magistrate Branch.

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

3. **CEB Case No.:** 16-593  
**Respondent:** John Sylvester  
**Address of Violation:** 5404 Isabelle Ave., Port Orange, FL 32127  
**Code Officer:** Deborah Faircloth  
**First Notified:** 05/19/2016

Compliance: Yes

**Cited for violation(s)** - City of Port Orange Code of Ordinances, Chapter 42, Section 42-26(d) Maintenance of improved residential lots and Chapter 42, Section 42-26 (f) Garbage, waste, trash, etc., prohibited.

*Ms. Faircloth was sworn in by Special Magistrate Branch and requested a dismissal due to compliance with the notice. Special Magistrate Branch granted the dismissal request.*

## **ORDER IMPOSING FINE/LIEN**

4. **CEB Case No.:** 16-276 (Continued from June 8, 2016)  
**Respondent:** Vicki L. Bassett  
**Address of Violation:** 909 Tree Garden Dr., Port Orange, FL 32127  
**Code Officer:** Scott Allman  
**First Notified:** 03/11/2016

Compliance: Yes

**Cited for violation(s)** - Chapter 42 (Nuisances), of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, Etc.)

*Mr. Hutchison, representing Scott Allman, Code Compliance Inspector, requested an Order Setting Fine/Lien. Special Magistrate Branch requested an Affidavit of Non-Compliance be filed prior to the granting of the Order Setting Fine/Lien, which was not available at the time of the hearing. This case was continued until July 27, 2016. City Clerk will provide proper notice.*

5. **CEB Case No.:** 15-1481 (Continued from June 8, 2016)  
**Respondent:** Judith Anderson  
**Address of Violation:** 156 Sand Pebble Circle, Port Orange, FL 32129  
**Code Officer:** Dena Joseph  
**First Notified:** 03/14/2016

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), (f) Garbage, Waste, Trash, etc. Prohibited of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.5 (Dangerous Structure or Premises), (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures), 108.6 (Abatement methods) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances;

Chapter 1 (Scope and Administration), Section 109 (Emergency Measures), 109.1 (Imminent Danger) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.1 (Sanitation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1 (General) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1.1 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.13 (Window, skylight and door frames) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.15 (Doors) ) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 3 (General Requirements), Section 305 (Interior Structure), 305.1 (General) ), of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances;

Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), 604.1 (Facilities Required) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances; and

Chapter 6 (Mechanical and Electrical Requirements), Section 605 (Electrical

Equipment), 605.1 (Installation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

*Ms. Joseph was sworn in by Special Magistrate Branch and testified as to the notice provided to the property owner, as well as the mortgage company for the property. Citifinancial signed for the mailing on June 16, 2016. Ms. Joseph requested authority from the Special Magistrate to demolish the property due to the violations.*

*Discussion was held as to proper notice to the lienholder. Special Magistrate Branch said the Lienholder needs to be notified that the City is seeking demolition of the property.*

*Mr. Ciocchetti requested a fine against the property regarding the high weeds and grass and violations other than the demolish violation. Ms. Joseph said that was not included in the notice.*

*Mr. Ciocchetti agreed that a new Notice of Violation/Notice of Hearing needs to be issued as to Citifinancial to allow corrective action.*

*Discussion was held as to whether or not there was previous testimony regarding the health, safety and welfare conditions of the property.*

*Recessed at 9:57 a.m. for the Clerk to check the record. Reconvened at 10:10 am*

*Robin Fenwick, City Clerk, advised that testimony was relating to unsafe structure and not a health, safety, welfare violation.*

*Special Magistrate Branch continued the case until July 27<sup>th</sup> as to the demolition only so that bank can be notified properly. The same case number will be used to preserve the newspaper publication that was addressed to all interested parties.*

**PUBLIC COMMENTS** – There were no public comments.

**ADJOURNMENT** – 10:13 a.m.

---

Special Magistrate Raymond Branch

### Case Cost Sheet Log

**Case No.** 15-1481 (Continued from June 8, 2016 & July 13, 2016)

| Name                                                               | Activity                                                                                                               | Activity_Date | Status                                                              | Cost     |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------|----------|
| Judith Anderson                                                    | Mailing Notice of Violations/Notice of Hearing to 101 Aloha Terrace, Port Orange, FL 32129                             | 03/17/2016    | Green card signed for and returned to the Clerk's Office on 3/22/16 | \$9.75   |
| Daytona Beach News-Journal                                         | Publication for demolition                                                                                             | 04/08/2016    | Published on April 8 & 15, 2016                                     | \$664.47 |
| Clerk of Court                                                     | Recording Fees - Finding of Fact/Conclusion of Law & Order                                                             | 05/11/2016    |                                                                     | \$27.00  |
| CitiFinancial Servicing, LLC                                       | Mailing Finding of Fact, Conclusion of Law and Order to 300 St. Paul Place, Legal Dept 17th Floor, Baltimore, MD 21202 | 06/06/2016    | Green card signed on June 16, 2016 by Robin Erickson                | \$6.46   |
| Judith Anderson                                                    | Mailing Notice of Violations/Notice of Hearing to 101 Aloha Terrace, Port Orange, FL 32129                             | 07/14/2016    | Returned unclaimed                                                  | \$7.34   |
| CitiFinancial Servicing, LLC c/o The Corporation Trust Company, RA | Federal Express - Mailing Notice of Violations/Notice of Hearing to 1209 Orange Street, Wilmington, DE 19801           | 07/15/2016    | Signed for on July 18, 2016 at 9:23 a.m.                            | \$11.70  |

**Total: 726.72**



NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS

CITY OF PORT ORANGE, FLORIDA

SPECIAL MAGISTRATE

CITY OF PORT ORANGE,

Petitioner

CASE NO. 15-1481

To: Judith Anderson  
Property Owner  
101 Aloha Terrace  
Port Orange, FL 32129

Re: 156 Sand Pebble Circle  
Port Orange, FL 32129  
Parcel ID: 6305-03-00-1700

LEGAL DESCRIPTION: LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER OR 7128 PG 0843

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on **August 24, 2015** indicates that certain violation(s) of the City of Port Orange Code exists. 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 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.

**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.

**Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code 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 dangerous 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 so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.5 (Dangerous Structure or Premises), (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances:** The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

**Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures), 108.6 (Abatement methods) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances:** The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

**Chapter 1 (Scope and Administration), Section 109 (Emergency Measures), 109.1 (Imminent Danger) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

**Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.1 (Sanitation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

**Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1 (General) of the 2015 International Property Maintenance Code 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 or welfare.

**Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.1.1 (Unsafe Conditions) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

**Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.13 (Window, skylight and door frames) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.15 (Doors) ) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**Chapter 3 (General Requirements), Section 305 (Interior Structure), 305.1 (General) ), of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

**Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), 604.1 (Facilities Required) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605 (Electrical Equipment).

**Chapter 6 (Mechanical and Electrical Requirements), Section 605 (Electrical Equipment), 605.1 (Installation) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:** Electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner.

Initial inspection conducted on **August 24, 2015** after receiving a complaint from several neighbors stating that the structure partially burnt down, and that they are very concerned. They stated that it is bringing their property values down and the smell and rodents are a big concern. Inspection revealed that the fire affected the rear of the structure. Home is not occupied. I am unsure whether or not the structure can be salvaged. In addition to the fire damage, there is a substantial amount of outside storage and garbage, trash and debris. The grass and weeds are very high and there is an unregistered/abandoned truck in the driveway. I left a 30 day door hanger informing residents that they must mow the entire property to include weeds in landscaped areas, remove or properly store all outside storage, remove all trash and debris, properly register, store, or cover inoperable/abandoned vehicle in the driveway, and properly secure the structure. I also asked that I be notified regarding whether or not the structure is due to be demolished. A re-inspection was conducted on **October 15, 2015** and none of the violations have been corrected and I have not been contacted by the owner of the property.

Attachments:    ☒ Copy of code                      ☒ Copy of Deed                      ☒ Copy of Tax Roll

**This correspondence will serve as official notification that the above stated violation(s) must be corrected by April 14, 2016 by mowing entire property to include weeds in landscaped beds and around exterior of home and fence, removing all outside storage, and removing all garbage, trash and debris. The mobile home shall be demolished or repaired. A permit is required from the City of Port Orange Building Department before commencing repairs to the structure. A permit will also be required for demolition of the structure. Demolition of the structure will follow the criteria of City of Port Orange Code of Ordinances, Chapter 42, Article V, Division 3 relating to the abatement of unsafe structures.**

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 code enforcement board or 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 specified time for correction by the Code Compliance Inspector, 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.

**NOTE:**

THE BURDEN SHALL REST UPON THE RESPONDENT TO REQUEST A RE-INSPECTION BY THE CODE COMPLIANCE INSPECTOR TO DETERMINE WHETHER THE PROPERTY IS IN COMPLIANCE. IF YOU DO NOT REQUEST A RE-INSPECTION, IT WILL BE ASSUMED THAT THE PROPERTY IS STILL IN VIOLATION AND THE CASE WILL CONTINUE TO BE HEARD AT THE SPECIAL MAGISTRATE MEETING ON THE DATE LISTED IN THIS NOTICE.

**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 **Code Enforcement Special Magistrate on April 27, 2016 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 below, 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 Inspector. 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.

's 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 \$ 7.39 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 **April 27, 2016** enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the **Code Enforcement Special Magistrate on June 8, 2016, 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 Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

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

DATED this 14th day of March, 2016.

CITY OF PORT ORANGE, FLORIDA  
**SPECIAL MAGISTRATE**

By: Dena Joseph  
**Dena Joseph, Code Compliance Inspector**

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to **Judith Anderson, Property Owner, 101 Aloha Terrace Port Orange, FL 32129**, was

☐ Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_

☒ Posted at the property

this 14th day of March, 2016.

Time: approx. 12:08 PM

Dena Joseph  
**Dena Joseph, Code Compliance Inspector**

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to **Judith Anderson, Property Owner, 101 Aloha Terrace, Port Orange, FL 32129**, was

☐ Posted at City Hall

☒ Sent via certified regular mail

this 17 day of March, 2016.

[Signature]  
**Secretary, Special Magistrate**

**RIGHT TO APPEAL**

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**ACCOMMODATIONS**

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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



**Volusia County**  
**Property Appraiser**

**Morgan B. Gilreath Jr.**  
**M.A., C.F.A.**



---

[Home](#)
[Search](#)
[Downloads](#)
[Exemptions](#)
[Agriculture](#)
[Maps](#)
[Tangible](#)
[Links](#)
[Contact](#)

---

[Home](#)
[Search Choices](#)
[Search By Location Address](#)
[Property Information](#)

Parcel Information: 6305-03-00-1700 2016 Working Tax Roll Last Updated: 03-13-2016

### Owner Name and Address

|                       |                                       |                      |                             |
|-----------------------|---------------------------------------|----------------------|-----------------------------|
| Alternate Key         | 3585674                               | Parcel Status        | Active Parcel (Real Estate) |
| Short Parcel ID       | 6305-03-00-1700                       | Mill Group           | 402 Port Orange             |
| Full Parcel ID        | 05-16-33-03-00-1700                   | 2015 Final Mill Rate | 20.86510                    |
| Created Date          | 30 DEC 1981                           |                      |                             |
| Property Class        | 02 Mobile Homes                       |                      |                             |
| Ownership Type        | Fee Simple                            | Ownership Percent    | 100                         |
| Owner Name            | ANDERSON JUDITH A                     |                      |                             |
| Owner Name/Address 1  |                                       |                      |                             |
| Owner Address 2       | 101 ALOHA TERRACE                     |                      |                             |
| Owner Address 3       | PORT ORANGE FL                        |                      |                             |
| Owner Zip/Postal Code | 32129-3605                            |                      |                             |
| Situs Address         | 156 SAND PEBBLE CIR PORT ORANGE 32129 |                      |                             |

### Legal Description

LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER OR 7128 PG 0843

### Sales History

| Book | Page | Sale Date | Sale Instrument | Qualified Unqualified | Improved | Sale Price |
|------|------|-----------|-----------------|-----------------------|----------|------------|
| 7128 | 0843 | 06/2015   | Quit Claim Deed | Unqualified Sale      | Yes      | 100        |
| 3397 | 0786 | 12/1989   | Quit Claim Deed | Affiliated Parties    | Yes      | 100        |
| 1860 | 1838 | 10/1976   | Warranty Deed   | Qualified Sale        | Yes      | 8,000      |

### History of Values

| Year | Land   | Bldg(s) | Misc. Impr. | Just Value | School Assessed | Non-School Assessed | School Exemption | School Taxable | Non-School Exemption | Non-School Taxable |
|------|--------|---------|-------------|------------|-----------------|---------------------|------------------|----------------|----------------------|--------------------|
| 2015 | 19,750 | 19,428  | 1,137       | 40,315     | 40,315          | 35,457              | 0                | 40,315         | 0                    | 35,457             |
| 2014 | 19,750 | 16,975  | 843         | 37,568     | 37,568          | 32,234              | 0                | 37,568         | 0                    | 32,234             |

Display Value History

### Land Data

| Code                                            | Land Use Type     | Frontage | Depth | No. Units | Unit Type | Rate     | Depth | Loc | Shp | Phy | Just Value            |        |
|-------------------------------------------------|-------------------|----------|-------|-----------|-----------|----------|-------|-----|-----|-----|-----------------------|--------|
| 0202                                            | MH ON MH SITE PVD | 62.0     | 113.0 | 1.00      | LOT       | 19750.00 | 100   | 100 | 100 | 100 | 19,750                |        |
| Neighborhood 5984 BAREFOOT PARK M-H MB 31 PG 62 |                   |          |       |           |           |          |       |     |     |     | Total Land Classified | 0      |
|                                                 |                   |          |       |           |           |          |       |     |     |     | Total Land Just       | 19,750 |

### Building Characteristics

Building Number: 111585 (Building 1 of 1)

| Bldg. No.  | Improvement Type | Base Perimeter | Year Built    | Quality Grade  | Architecture | Phys. Depr.    | Func. Obs. | Loc. Obs. | Next Review |
|------------|------------------|----------------|---------------|----------------|--------------|----------------|------------|-----------|-------------|
| 111585     | Mobile Home      | 124            | 1974          | 200            | Mobile Home  | 65%            | 0%         | 0%        | 2999        |
| Roof Type  | GABLE            | Floors         | Carpet        | Bedrooms       | 2            | 4 Fixture Bath |            |           | 0           |
| Roof Cover | METAL            | Wall Type      | Plywood Panel | X Fixture Bath | 0            | 5 Fixture Bath |            |           | 0           |
| Heat Type1 | Forced Ducted    | Heat Source1   | Electricity   | 2 Fixture Bath | 0            | 6 Fixture Bath |            |           | 0           |
| Heat Type2 |                  | Heat Source2   |               | 3 Fixture Bath | 2            | 7 Fixture Bath |            |           | 0           |
| Foundation | Wd Conc Piers    | Year Remodeled |               | Fireplaces     | 0            | A/C            |            |           | Yes         |

| Section Number | Area Type                       | Exterior Wall Type | Number Stories | Year Built | Attic Finish | Bsmt Area | Bsmt Finish | Floor Area   |
|----------------|---------------------------------|--------------------|----------------|------------|--------------|-----------|-------------|--------------|
| 006            | Res BASE Area (BAS)             | VINYL SIDING       | 1.0            | 1974       | N            | 0%        | 0%          | 880 Sq. Feet |
| 007            | Unfinished Enclosed Porch (UEP) | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 190 Sq. Feet |
| 008            | Unfinished Enclosed Porch (UEP) | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 242 Sq. Feet |
| 009            | Unfinished Utility (UST)        | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 35 Sq. Feet  |
| 010            | Carport, Unfinished (UCP)       | Non-Applicable     | 1.0            | 2000       | N            | 0%        | 0%          | 121 Sq. Feet |

# QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 10<sup>th</sup> day of June, 2016 (year),

by first party, Grantor, SARAH P. PIPPEN  
whose post office address is 10624 Millbrook Dr. Chester town, MD 21620  
to second party, Grantee, Judith A. Anderson  
whose post office address is 101 Aloha Terrace Ft. Orange FL 32129

WITNESSETH, That the said first party, for good consideration and for the sum of  
Ten Dollars (\$ 10.00 ) paid by the said second  
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim  
unto the said second party forever, all the right, title, interest and claim which the said first party  
has in and to the following described parcel of land, and improvements and appurtenances there-  
to in the County of Volusia, State of Florida to wit:

Lot 170 BAREFOOT PARK MB 31 Pg P 662 PER OR  
3397. PG 0786 PER OR 5221 PG 0742  
Parcel # 6306-03-00-1700

KNOWN as 156 SAND Pebble Circle, Ft Orange FL 32129



Signature of Witness

Myles Loller

Print name of Witness

Marcia Clendaniel

Signature of Witness

Marcia Clendaniel

Print name of Witness

Signature of First Party

Sarah P Phippen

Print name of First Party

Signature of First Party

SARAH P Phippen

Print name of First Party

State of Maryland }

County of Kent

On June 10, 2015 before me,

appeared Sarah P Phippen

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karen J Zottarelli

Signature of Notary

Affiant ☒ Known

Type of ID

Produced ID

CO

(Seal)

State of

County of

On

before me,

appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID

Type of ID

(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

Unique ID CF[REDACTED]CB  
 Official Unique Id CF[REDACTED]3

## ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, WHOSE ADDRESS IS 300 ST. PAUL PLACE, LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD, 21202, (ASSIGNOR), by these presents does convey, grant, assign, transfer and set over the described Mortgage with all interest secured thereby, all liens, and any rights due or to become due thereon to CITIFINANCIAL SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY, WHOSE ADDRESS IS 300 ST. PAUL PLACE LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD 21202 (800)249-2181, ITS SUCCESSORS AND ASSIGNS, (ASSIGNEE).

Said Mortgage was made by JUDITH A. ANDERSON AND JUDITH A. ANDERSON and recorded in Official Records of the Clerk of the Circuit Court of VOLUSIA County, Florida, in Book 5964, Page 269 and Instrument # 2006-299632, upon the property situated in said State and County as more fully described in said Mortgage.

Dated on 10/13/2015 (MM/DD/YYYY)

CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION

By: [Signature]

Nadine Homan  
 VICE PRESIDENT

All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

Witnesses:

[Signature]  
 Danielle Burns

[Signature]  
 Susan Schotsch

(Seal)



STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me on 10/13/2015 (MM/DD/YYYY), by Nadine Homan as VICE PRESIDENT of CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

[Signature]  
 Nicole Baldwin  
 Notary Public - State of FLORIDA  
 Commission expires: 08/05/2016



Nicole Baldwin  
 Notary Public State of Florida  
 My Commission # EE 222285  
 Expires August 5, 2016

Document Prepared By: E.Lance/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152

CF001 [REDACTED] \*C\* -- DEFAULT DOCR [REDACTED] [C-1] FRMFL1



\*D0012982291\*

Sec. 42-26. - Cleanliness of property generally—Duty of owner.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Improved lot* means any lot which improvements have been made, including, but not limited to, change of grade through filling or excavation, installation of water or sewer line, clearing of property to begin construction, or any other physical alteration which has significantly disturbed the natural vegetation on the site.

*Undergrowth* means herbaceous plants, plants and grasses with stems that wither away annually as distinguished from trees or shrubs with woody stems that live from year to year.

*Unimproved lot* means any lot which remains undisturbed and in a natural vegetative state.

- (b) *Purpose and intent.* The city recognizes the need to protect the health, safety and welfare of the citizens of the city through control and elimination of aesthetically displeasing and potentially dangerous accumulations of garbage, waste, trash, debris, junk and undergrowth. It is, therefore, the purpose and intent of this section to reduce or eliminate such conditions within reasonable limits by hereby establishing a duty and responsibility on the part of the owner of designated lots located within the city to keep such lot free and clear of garbage, waste, trash, debris, junk and undergrowth.
- (c) *Maintenance of commercial and industrial zoned lots.* The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone within the city shall keep each such lot, piece or parcel of land free and clear of all fallen trees and limbs and undergrowth exceeding 12 inches in height. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than 12 inches within such natural areas. Owners of unimproved vacant parcels in such zones shall similarly maintain such portion of their property as lies within ten feet of any improved property, any sidewalk, roadway or bicycle path.
- (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.
- (e) *Maintenance of unimproved residential lots.* The owner of an unimproved lot in a residential zone with lot sizes of one acre or less shall keep that portion of his property abutting and within ten feet of any improved lot, sidewalk, street or bicycle path free and clear of all fallen trees and limbs, and all weeds, grass and undergrowth therein shall be cut to a height not exceeding 12 inches within such area.
- (f) *Garbage, waste, trash, etc., prohibited.* 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.
- (g) *No property maintenance permit required; other restrictions and requirements applicable.* No permit



Click here for  
PAID Subscriptions

[International Property Maintenance Code  
\[ 2012 \(Second Printing\) \]](#)

[Chapter 1 - Scope and Administration](#)

▪ [SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT](#)

[\[A\] 108.1 General.](#)

[\[A\] 108.2 Closing of vacant structures.](#)

[\[A\] 108.3 Notice.](#)

[\[A\] 108.4 Placarding.](#)

[\[A\] 108.5 Prohibited occupancy.](#)

[\[A\] 108.6 Abatement methods.](#)

[\[A\] 108.7 Record.](#)

[\[A\] 108.1 General.](#)

[\[A\] 108.2 Closing of vacant structures.](#)

[\[A\] 108.3 Notice.](#)

[\[A\] 108.4 Placarding.](#)

[\[A\] 108.5 Prohibited occupancy.](#)

[\[A\] 108.6 Abatement methods.](#)

[\[A\] 108.7 Record.](#)

[Top](#) [Previous Section](#) [Next Section](#) To view the next subsection please select the Next Section option.

## SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

### [A] 108.1 General.

When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

#### [A] 108.1.1 Unsafe structures.

An unsafe structure is one that is found to be dangerous 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 so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

#### [A] 108.1.2 Unsafe equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

#### [A] 108.1.3 Structure unfit for human occupancy.

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, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

**[A] 108.1.4 Unlawful structure.**

An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

**[A] 108.1.5 Dangerous structure or premises.**

For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**[A] 108.2 Closing of vacant structures.**

If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

**[A] 108.2.1 Authority to disconnect service utilities.**

The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

**[A] 108.3 Notice.**

Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.

**[A] 108.4 Placarding.**

Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

**[A] 108.4.1 Placard removal.**

The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

**[A] 108.5 Prohibited occupancy.**

Any occupied structure *condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

**[A] 108.6 Abatement methods.**

The *owner*, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

**[A] 108.7 Record.**

The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

[Top Previous Section Next Section](#) To view the next subsection please select the Next Section option.

COPYRIGHT 2007 by INTERNATIONAL CODE COUNCIL



[International Property Maintenance Code](#)  
[\[ 2012 \(Second Printing\) \]](#)

[Chapter 1 - Scope and Administration](#)

■ [SECTION 109 EMERGENCY MEASURES](#)

[\[A\] 109.1 Imminent danger.](#)

[\[A\] 109.2 Temporary safeguards.](#)

[\[A\] 109.3 Closing streets.](#)

[\[A\] 109.4 Emergency repairs.](#)

[\[A\] 109.5 Costs of emergency repairs.](#)

[\[A\] 109.6 Hearing.](#)

[\[A\] 109.1 Imminent danger.](#)

[\[A\] 109.2 Temporary safeguards.](#)

[\[A\] 109.3 Closing streets.](#)

[\[A\] 109.4 Emergency repairs.](#)

[\[A\] 109.5 Costs of emergency repairs.](#)

[\[A\] 109.6 Hearing.](#)

[Top Previous Section](#) [Next Section](#) To view the next subsection please select the Next Section option.

## SECTION 109 EMERGENCY MEASURES

### **[A] 109.1 Imminent danger.**

When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

### **[A] 109.2 Temporary safeguards.**

Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

### **[A] 109.3 Closing streets.**

When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

Click here for  
PAID Subscriptions

[International Property Maintenance Code](#)  
[ 2012 (Second Printing) ]  
[Chapter 3 - General Requirements](#)

- [SECTION 301 GENERAL](#)
- [SECTION 302 EXTERIOR PROPERTY AREAS](#)
- [SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS](#)
- [SECTION 304 EXTERIOR STRUCTURE](#)
- [SECTION 305 INTERIOR STRUCTURE](#)
- [SECTION 306 COMPONENT SERVICEABILITY](#)
- [SECTION 307 HANDRAILS AND GUARDRAILS](#)
- [SECTION 308 RUBBISH AND GARBAGE](#)
- [SECTION 309 PEST ELIMINATION](#)

[302.1 Sanitation.](#)

[302.2 Grading and drainage.](#)

[302.3 Sidewalks and driveways.](#)

[302.4 Weeds.](#)

[302.5 Rodent harborage.](#)

[302.6 Exhaust vents.](#)

[302.7 Accessory structures.](#)

[302.8 Motor vehicles.](#)

[302.9 Defacement of property.](#)

[302.1 Sanitation.](#)

[302.2 Grading and drainage.](#)

[302.3 Sidewalks and driveways.](#)

[302.4 Weeds.](#)

[302.5 Rodent harborage.](#)

[302.6 Exhaust vents.](#)

[302.7 Accessory structures.](#)

[302.8 Motor vehicles.](#)

[302.9 Defacement of property.](#)

[Top Previous Section](#) [Next Section](#)

option.

To view the next subsection please select the Next Section

### **302.1 Sanitation.**

All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

[Top Previous Section](#) [Next Section](#)

option.

To view the next subsection please select the Next Section

COPYRIGHT 2007 by INTERNATIONAL CODE COUNCIL

[304.13 Window, skylight and door frames.](#)

[304.14 Insect screens.](#)

[304.15 Doors.](#)

[304.16 Basement hatchways.](#)

[304.17 Guards for basement windows.](#)

[304.18 Building security.](#)

[304.19 Gates.](#)

[Top Previous Section Next Section](#) To view the next subsection please select the Next Section option.

**304.1 General.**

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 or welfare.

[Top Previous Section Next Section](#) To view the next subsection please select the Next Section option.

COPYRIGHT 2007 by INTERNATIONAL CODE COUNCIL

[304.13 Window, skylight and door frames.](#)

[304.14 Insect screens.](#)

[304.15 Doors.](#)

[304.16 Basement hatchways.](#)

[304.17 Guards for basement windows.](#)

[304.18 Building security.](#)

[304.19 Gates.](#)

[Top](#) [Previous Section](#) [Next Section](#) To view the next subsection please select the Next Section option.

## SECTION 304 EXTERIOR STRUCTURE

### 304.1 General.

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 or welfare.

#### 304.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

**Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**304.2 Protective treatment.**

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 304.3 Premises identification.**

Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

**304.4 Structural members.**

All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**304.5 Foundation walls.**

All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**304.6 Exterior walls.**

All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**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.

**304.8 Decorative features.**

All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**304.9 Overhang extensions.**

All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.10 Stairways, decks, porches and balconies.**

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**304.11 Chimneys and towers.**

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**304.12 Handrails and guards.**

Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**304.13 Window, skylight and door frames.**

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**304.13.1 Glazing.**

All glazing materials shall be maintained free from cracks and holes.

**304.13.2 Openable windows.**

Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**304.14 Insect screens.**

During the period from [DATE] to [DATE], every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**304.15 Doors.**

All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with [Section 702.3](#).

**304.16 Basement hatchways.**

Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**304.17 Guards for basement windows.**

Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**304.18 Building security.**

Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**304.18.1 Doors.**

Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**304.18.2 Windows.**

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

**304.18.3 Basement hatchways.**

*Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

Click here for  
PAID Subscriptions

[International Property Maintenance Code](#)  
[\[ 2012 \(Second Printing\) \]](#)

[Chapter 3 - General Requirements](#)

- [SECTION 301 GENERAL](#)
- [SECTION 302 EXTERIOR PROPERTY AREAS](#)
- [SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS](#)
- [SECTION 304 EXTERIOR STRUCTURE](#)
- [SECTION 305 INTERIOR STRUCTURE](#)
- [SECTION 306 COMPONENT SERVICEABILITY](#)
- [SECTION 307 HANDRAILS AND GUARDRAILS](#)
- [SECTION 308 RUBBISH AND GARBAGE](#)
- [SECTION 309 PEST ELIMINATION](#)

[305.1 General.](#)

[305.2 Structural members.](#)

[305.3 Interior surfaces.](#)

[305.4 Stairs and walking surfaces.](#)

[305.5 Handrails and guards.](#)

[305.6 Interior doors.](#)

[305.1 General.](#)

[305.2 Structural members.](#)

[305.3 Interior surfaces.](#)

[305.4 Stairs and walking surfaces.](#)

[305.5 Handrails and guards.](#)

[305.6 Interior doors.](#)

[Top](#) [Previous Section](#) [Next Section](#) To view the next subsection please select the Next Section option.

## SECTION 305 INTERIOR STRUCTURE

### 305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

#### 305.1.1 Unsafe conditions.

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

Click here for  
PAiD Subscriptions

[International Property Maintenance Code](#)  
[\[ 2012 \(Second Printing\) \]](#)

[Chapter 6 - Mechanical and Electrical](#)

[Requirements](#)

- [SECTION 601 GENERAL](#)
- [SECTION 602 HEATING FACILITIES](#)
- [SECTION 603 MECHANICAL EQUIPMENT](#)
- [SECTION 604 ELECTRICAL FACILITIES](#)
- [SECTION 605 ELECTRICAL EQUIPMENT](#)
- [SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS](#)
- [SECTION 607 DUCT SYSTEMS](#)

[604.1 Facilities required.](#)

[604.2 Service.](#)

[604.3 Electrical system hazards.](#)

[604.1 Facilities required.](#)

[604.2 Service.](#)

[604.3 Electrical system hazards.](#)

[Top](#) [Previous Section](#) [Next Section](#)

option.

To view the next subsection please select the Next Section

## SECTION 604 ELECTRICAL FACILITIES

### **604.1 Facilities required.**

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and [Section 605](#).

### **604.2 Service.**

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a minimum rating of 60 amperes.

### **604.3 Electrical system hazards.**

Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

#### **604.3.1 Abatement of electrical hazards associated with water exposure.**

The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

##### **604.3.1.1 Electrical equipment.**

Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable,

Click here for  
PAID Subscriptions

[International Property Maintenance Code  
\[ 2012 \(Second Printing\) \]](#)

[Chapter 6 - Mechanical and Electrical](#)

[Requirements](#)

- [SECTION 601 GENERAL](#)
- [SECTION 602 HEATING FACILITIES](#)
- [SECTION 603 MECHANICAL EQUIPMENT](#)
- [SECTION 604 ELECTRICAL FACILITIES](#)
- [SECTION 605 ELECTRICAL EQUIPMENT](#)
- [SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS](#)
- [SECTION 607 DUCT SYSTEMS](#)

[605.1 Installation.](#)

[605.2 Receptacles.](#)

[605.3 Luminaires.](#)

[605.4 Wiring.](#)

[605.1 Installation.](#)

[605.2 Receptacles.](#)

[605.3 Luminaires.](#)

[605.4 Wiring.](#)

[Top](#) [Previous Section](#) [Next Section](#) To view the next subsection please select the Next Section option.

## **SECTION 605 ELECTRICAL EQUIPMENT**

### **605.1 Installation.**

All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

### **605.2 Receptacles.**

Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain at least one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

### **605.3 Luminaires.**

Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaries over 15 V shall have ground fault circuit interrupter protection.

### **605.4 Wiring.**

Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

**CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
CASE NO. 15-1481**

CITY OF PORT ORANGE,  
a Florida municipal corporation,

**Petitioner,**

JUDITH ANDERSON  
156 SAND PEBBLE CIRCLE  
PORT ORANGE, FL 32129  
PARCEL ID: 6305-03-00-1700

**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 April 27, 2016, 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.** Respondent(s), Judith Anderson, whose mailing address is 101 Aloha Terrace, Port Orange, FL 32129, is/are the owner(s) of the property located at 156 Sand Pebble Circle, Port Orange, FL 32129, and more particularly described as:

LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742  
PER OR 7128 PG 0843

**B.** The structure partially burnt down, there is outside storage and garbage, trash and debris, as well as high weeds and grass and an unregistered/abandoned truck. This condition was first observed at the real property described above on August 24, 2015; re-inspections made on October 15, 2016 confirmed the condition as being the same. Respondent, Judith Anderson, received notice via regular and certified mail and posting at City Hall on March 17, 2016, as well as via posting on the property on March 14, 2016, that the aforesaid conditions constituted a violation of the City of Port Orange Code of Ordinances; Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth, Section 42-26 (d)(f). Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures), 108.1.5 (Dangerous Structure or Premises), 108.6 (Abatement methods), Section 109 (Emergency Measures), 109.1 (Imminent Danger). Chapter 3 (General Requirements), Section 302

(Exterior Property Areas), 302.1 (Sanitation), Section 304 (Exterior Structure), 304.1 (General), 304.1.1 (Unsafe Conditions). The following conditions were determined as unsafe and were to be repaired or replaced to comply with the International Building Code or the International Existing Building Code: Chapter 3 (General Requirements), Section 304 (Exterior Structure), Section 304.7 (Roofs and Drainage), 304.13 (Window, skylight and door frames), 304.15 (Doors), Section 305 (Interior Structure), 305.1 (General), Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities) 604.1 (Facilities Required), Section 605 (Electrical Equipment) 605.1 (Installation), and was to be corrected by April 14, 2016.

C. At the time of the hearing on April 27, 2016, the violations cited above: ☒ continue to exist, or ☐ remained noncompliant until \_\_\_\_\_ [Date].

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

#### **CONCLUSION OF LAW:**

Respondent(s), Judith Anderson, by reason of the foregoing, has/have violated the City of Port Orange Code of Ordinances; Chapter 42 (Nuisances), Article II (Garbage, Junk and Undergrowth, Section 42-26 (d)(f). Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures), 108.1.5 (Dangerous Structure or Premises), 108.6 (Abatement methods), Section 109 (Emergency Measures), Chapter 3 (General Requirements), Section 302 (Exterior Property Areas), 302.1 (Sanitation), Section 304 (Exterior Structure), 304.1 (General). The following conditions were determined as unsafe and were to be repaired or replaced to comply with the International Building Code or the International Existing Building Code: Chapter 3 (General Requirements), Section 304 (Exterior Structure), 304.13 (Window, skylight and door frames), Section 305 (Interior Structure), Chapter 6 (Mechanical and Electrical Requirements), Section 604 (Electrical Facilities), Section 605 (Electrical Equipment), in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions of the structure being partially burnt down, there being outside storage and garbage, trash and debris, as well as high weeds and grass and an unregistered/abandoned truck is therefore subject to the provisions of the City of Port Orange Municipal Code 2.207.

#### **ORDER:**

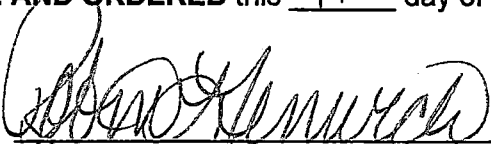
A. Respondent(s), JUDITH ANDERSON, shall correct the aforesaid violation by this ORDER on or before May 27, 2016. In the event that the property is not brought into compliance on or before May 27, 2016, and/or not maintained in a state of compliance, the City may, after submitting an Affidavit of Non-Compliance, abate the violations up to and including demolition with the costs being assessed as a lien against the property. 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 sub section (a)." The cost to date is \$707.68 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. 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.

C. 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. 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 11 day of May, 2016.

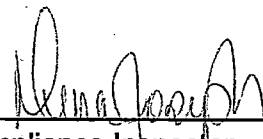
Attest:

  
Secretary, Code Enforcement Special Magistrate

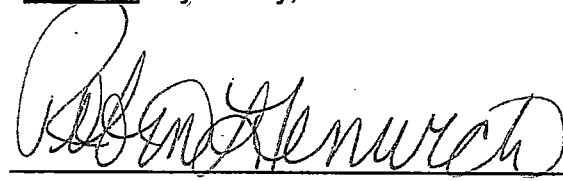
By:

  
Code Enforcement Special Magistrate

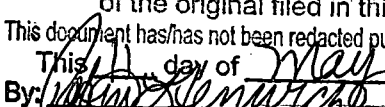
I HEREBY ACKNOWLEDGE AND AGREE that the foregoing findings are true and accurate to the best of my knowledge.

  
Code Compliance Inspector

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), Judith Anderson, 101 Aloha Terrace, Port Orange, FL 32129 by Certified and Regular Mail this 11 day of May, 2016.

  
Secretary, Code Enforcement Special Magistrate



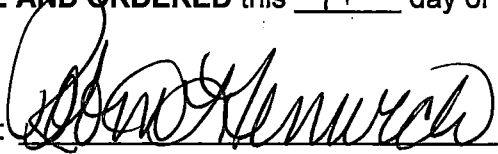
CITY OF PORT ORANGE, FLORIDA  
I HEREBY CERTIFY the foregoing is a true copy  
of the original filed in this office.  
This document has/has not been redacted pursuant to Florida Law.  
This 11 day of May, 2016.  
By:   
/s/ Robin L. Fenwick

**B.** 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.

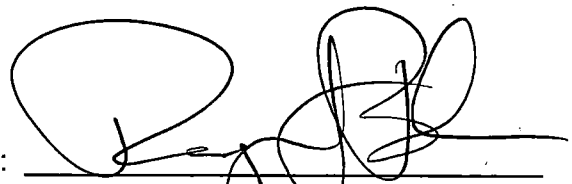
**C.** A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) 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. 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 11 day of May, 2016.

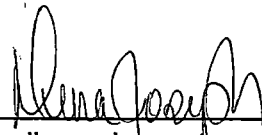
Attest:

  
Secretary, Code Enforcement Special Magistrate

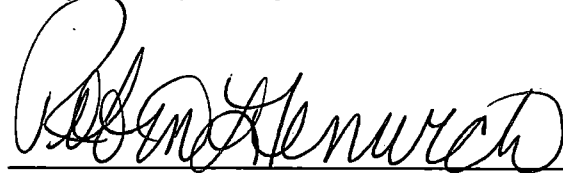
By:

  
Code Enforcement Special Magistrate

**I HEREBY ACKNOWLEDGE AND AGREE** that the foregoing findings are true and accurate to the best of my knowledge.

  
Code Compliance Inspector

**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), Judith Anderson, 101 Aloha Terrace, Port Orange, FL 32129 by Certified and Regular Mail this 11 day of May, 2016.

  
Secretary, Code Enforcement Special Magistrate



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

---

**CITY OF PORT ORANGE, FLORIDA**

**SPECIAL MAGISTRATE**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 15-1481

To: Judith Anderson  
Property Owner  
101 Aloha Terrace  
Port Orange, FL 32129

Citifinancial Servicing LLC  
Legal Department  
Attn: Robin Erickson  
300 St. Paul Place  
17<sup>th</sup> Floor  
Baltimore, MD 21202

CITIFINANCIAL SERVICING LLC  
C/O THE CORPORATION TRUST COMPANY, Registered Agent  
CORPORATION TRUST CENTER  
1209 ORANGE ST  
WILMINGTON, DE 19801

Re: 156 Sand Pebble  
Port Orange, FL 32129  
Parcel ID: 6305-03-00-1700

LEGAL DESCRIPTION: LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER  
OR 7128 PG 0843

Volusia County Public Records  
Volusia County, FL

**This property has been deemed an unsafe structure by the Building Official Kerry Leuzinger.  
The relief sought is demolition of the unsafe structure.**

An inspection of the premises on August 24, 2015 indicates that certain violation(s) of the City of Port Orange Code exists.

Property owner was notified of the violations on March 14, 2016 and given 30 days to correct. A re-inspection was done on April 25, 2016 resulting in non-compliance.

This correspondence will serve as official notification that the below stated violation(s) must be corrected by **July 25, 2016**. Due to the nature of the violations dealing with the unsafe mobile home structure that was destroyed in a fire, this case is to be considered a health and safety hazard. The structure must be demolished or repaired. A permit is required from the City of Port Orange Building Department before commencing repairs to the structure. A permit will also be required for demolition of the structure. Demolition of the structure will follow the criteria of the City of Port Orange Code of Ordinances, Chapter 42, Article V, Division 3 relating to the abatement of unsafe structures. If the violations are not corrected, the city reserves the right to demolish the structure and place a lien against the property for all costs of abatement.

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

1. Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1.1 (Unsafe Structures) of the 2015 International Property Maintenance Code 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 dangerous 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 so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.
2. Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.5 (Dangerous Structure or Premises), (7) of the 2015 International Property Maintenance Code as adopted per Chapter 14, Article II, of the City of Port Orange Code of Ordinances: The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
3. Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment, 108.1.3 of the International Property Maintenance Code 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 unsanitary, vermin or rat infested, contains filth and contamination or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.
4. Chapter 42 (Nuisances), Article V (Unsafe Conditions), Division 3 (Abatement of Unsafe Structures), Section 42-108 (Unsafe Conditions; Nuisance), (a) and (b) of the International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances:
  - (a) A structure is unsafe when any of the following conditions exist:
    - (1) The structure's interior walls or other structural members list, lean or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
    - (2) The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purposes used.
    - (3) The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety or the general health and welfare of people within or near the structure.
    - (4) The structure is so dilapidated, decayed, unsafe, insanitary or so utterly fails to provide the amenities essential to decent living that is unfit for human habitation or is likely to cause sickness or disease so as to injure the health, safety or general welfare.
    - (5) The structure has connected parts that have become so detached from one another that there is a reasonable likelihood they may fall and injure members of the public or cause property damage in general.
    - (6) The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property.
  - (b) A structure that is unsafe constitutes a nuisance. No person shall permit an unsafe structure to exist on property under his or her ownership or control.

Attachments:    ☒ Copy of code                      ☒ Copy of Deed                      ☒ Copy of Tax Roll

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 code enforcement board or 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 specified time for correction by the Code Compliance Inspector, 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 Compliance Inspector to determine whether the property is in compliance.

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

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

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate July 27, 2016, 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 below, 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 Inspector. Please govern yourself accordingly.

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

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

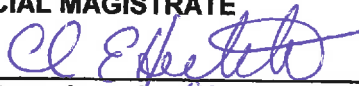
**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **July 27, 2016**, enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on **September 14, 2016, 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 Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

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

DATED this 15<sup>th</sup> day of July, 2016.

CITY OF PORT ORANGE, FLORIDA  
**SPECIAL MAGISTRATE**

By:   
~~Dena Joseph~~ Chris Hutchison

☐ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Judith Anderson, Property Owner, 156 Sand Pebble Circle, Port Orange, FL 32129 AND Citifinancial Servicing LLC, Legal Department, Attn: Robin Erickson, 300 St. Paul Place, 17<sup>th</sup> Floor, Baltimore, MD 21202, was

☐ Hand-delivered

Recipient of hand delivered documents: \_\_\_\_\_

☐ Posted at the property

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Time: approx. \_\_\_\_\_

\_\_\_\_\_  
**Dena Joseph**

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Judith Anderson, Property Owner, 156 Sand Pebble Circle, Port Orange, FL 32129 AND Citifinancial Servicing LLC, Legal Department, Attn: Robin Erickson, 300 St. Paul Place, 17<sup>th</sup> Floor, Baltimore, MD 21202 was

☒ Posted at City Hall

*FedEx*  
☒ Sent via ~~certified~~ and regular

this 15 day of July, 2016.

  
Secretary, Special Magistrate

RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ACCOMMODATIONS

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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



**Volusia County**  
**Property Appraiser**

**Morgan B. Gilreath Jr.**  
**M.A., C.F.A.**



[Home](#)
[Search](#)
[Downloads](#)
[Exemptions](#)
[Agriculture](#)
[Maps](#)
[Tangible](#)
[Links](#)
[Contact](#)

[Home](#)
[Search Choices](#)
[Search By Location Address](#)
[Property Information](#)

Parcel Information: 6305-03-00-1700    2016 Preliminary Tax Roll    Last Updated: 07-10-2016

### Owner Name and Address

|                       |                                       |                      |                             |
|-----------------------|---------------------------------------|----------------------|-----------------------------|
| Alternate Key         | 3585674                               | Parcel Status        | Active Parcel (Real Estate) |
| Short Parcel ID       | 6305-03-00-1700                       | Mill Group           | 402 Port Orange             |
| Full Parcel ID        | 05-16-33-03-00-1700                   | 2015 Final Mill Rate | 20.86510                    |
| Created Date          | 30 DEC 1981                           |                      |                             |
| Property Class        | 02 Mobile Homes                       |                      |                             |
| Ownership Type        | Estate                                |                      |                             |
| Owner Name            | ANDERSON JUDITH A                     | Ownership Percent    | 100                         |
| Owner Name/Address 1  |                                       |                      |                             |
| Owner Address 2       | 101 ALOHA TERRACE                     |                      |                             |
| Owner Address 3       | PORT ORANGE FL                        |                      |                             |
| Owner Zip/Postal Code | 32129-3605                            |                      |                             |
| Situs Address         | 156 SAND PEBBLE CIR PORT ORANGE 32129 |                      |                             |

### Legal Description

LOT 170 BAREFOOT PARK MB 31 PG 62 PER OR 3397 PG 0786 PER OR 5221 PG 0742 PER OR 7128 PG 0843

### Sales History

| Book Page | Sale Date | Sale Instrument | Qualified Unqualified | Improved | Sale Price |
|-----------|-----------|-----------------|-----------------------|----------|------------|
| 7128 0843 | 06/2015   | Quit Claim Deed | Unqualified Sale      | Yes      | 100        |
| 3397 0786 | 12/1989   | Quit Claim Deed | Affiliated Parties    | Yes      | 100        |
| 1860 1838 | 10/1976   | Warranty Deed   | Qualified Sale        | Yes      | 8,000      |

### History of Values

| Year | Land   | Bldg(s) | Misc. Impr. | Just Value | School Assessed | Non-School Assessed | School Exemption | School Taxable | Non-School Exemption | Non-School Taxable |
|------|--------|---------|-------------|------------|-----------------|---------------------|------------------|----------------|----------------------|--------------------|
| 2015 | 19,750 | 19,428  | 1,137       | 40,315     | 40,315          | 35,457              | 0                | 40,315         | 0                    | 35,457             |
| 2014 | 19,750 | 16,975  | 843         | 37,568     | 37,568          | 32,234              | 0                | 37,568         | 0                    | 32,234             |

Display Value History

### Land Data

| Code                                            | Land Use Type     | Frontage | Depth | No. Units | Unit Type | Rate     | Depth | Loc | Shp | Phy | Just Value |
|-------------------------------------------------|-------------------|----------|-------|-----------|-----------|----------|-------|-----|-----|-----|------------|
| 0202                                            | MH ON MH SITE PVD | 62.0     | 113.0 | 1.00      | LOT       | 19750.00 | 100   | 100 | 100 | 100 | 19,750     |
| Neighborhood 5984 BAREFOOT PARK M-H MB 31 PG 62 |                   |          |       |           |           |          |       |     |     |     |            |
| Total Land Classified                           |                   |          |       |           |           |          |       |     |     |     | 0          |
| Total Land Just                                 |                   |          |       |           |           |          |       |     |     |     | 19,750     |

### Building Characteristics

Building Number: 111585 (Building 1 of 1)

| Bldg. No.  | Improvement Type | Base Perimeter | Year Built    | Quality Grade  | Architecture | Phys. Depr.    | Func. Obs. | Loc. Obs. | Next Review |
|------------|------------------|----------------|---------------|----------------|--------------|----------------|------------|-----------|-------------|
| 111585     | Mobile Home      | 124            | 1974          | 200            | Mobile Home  | 65%            | 0%         | 0%        | 2999        |
| Roof Type  | GABLE            | Floors         | Carpet        | Bedrooms       | 2            | 4 Fixture Bath |            |           | 0           |
| Roof Cover | METAL            | Wall Type      | Plywood Panel | X Fixture Bath | 0            | 5 Fixture Bath |            |           | 0           |
| Heat Type1 | Forced Ducted    | Heat Source1   | Electricity   | 2 Fixture Bath | 0            | 6 Fixture Bath |            |           | 0           |
| Heat Type2 |                  | Heat Source2   |               | 3 Fixture Bath | 2            | 7 Fixture Bath |            |           | 0           |
| Foundation | Wd Conc Piers    | Year Remodeled |               | Fireplaces     | 0            | A/C            |            |           | Yes         |

| Section Number                      | Area Type | Exterior Wall Type | Number Stories | Year Built | Attic Finish | Bsmt Area | Bsmt Finish | Floor Area   |
|-------------------------------------|-----------|--------------------|----------------|------------|--------------|-----------|-------------|--------------|
| 006 Res BASE Area (BAS)             |           | VINYL SIDING       | 1.0            | 1974       | N            | 0%        | 0%          | 880 Sq. Feet |
| 007 Unfinished Enclosed Porch (UEP) |           | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 190 Sq. Feet |
| 008 Unfinished Enclosed Porch (UEP) |           | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 242 Sq. Feet |
| 009 Unfinished Utility (UST)        |           | Non-Applicable     | 1.0            | 1974       | N            | 0%        | 0%          | 35 Sq. Feet  |
| 010 Carport, Unfinished (UCP)       |           | Non-Applicable     | 1.0            | 2000       | N            | 0%        | 0%          | 121 Sq. Feet |

# QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 10<sup>th</sup> day of June, 2016 (year),  
by first party, Grantor, SARAH P. PIPPEN  
whose post office address is 10624 Millbrook Dr. Chester town, MD 21620  
to second party, Grantee, Judith A. Anderson  
whose post office address is 101 Aloha Terrace Ft. Orange FL 32129

WITNESSETH, That the said first party, for good consideration and for the sum of  
Ten Dollars (\$ 10.00 ) paid by the said second  
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim  
unto the said second party forever, all the right, title, interest and claim which the said first party  
has in and to the following described parcel of land, and improvements and appurtenances there-  
to in the County of Volusia, State of Florida to wit:

Lot 170 Barefoot Park MB 31 Pg P 662 PER OR  
3397 PG 0786 PER OR 5221 PG 0742  
Parcel # 6305-03-00-1700

Known as 156 Sand Pebble Circle, Ft Orange FL 32129



Signature of Witness

Myles Liller

Print name of Witness

Marcia Clendaniel

Signature of Witness

Marcia Clendaniel

Print name of Witness

Signature of First Party

Sarah P. Phippen

Print name of First Party

Sarah P. Phippen

Signature of First Party

SARAH P. Phippen

Print name of First Party

State of Maryland

County of Kent

On June 10, 2015 before me,

appeared Sarah P. Phippen

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karen J. Zottarelli

Signature of Notary

Affiant ☒ Known ☐ Produced ID ☐  
Type of ID \_\_\_\_\_



State of \_\_\_\_\_

County of \_\_\_\_\_

On \_\_\_\_\_ before me,

appeared \_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID \_\_\_\_\_

Type of ID \_\_\_\_\_  
(Seal)

Signature of Preparer

Print Name of Preparer

Address of Preparer

(2)

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.

## ASSIGNMENT OF MORTGAGE

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency of which is hereby acknowledged, the undersigned, CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, WHOSE ADDRESS IS 300 ST. PAUL PLACE, LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD, 21202, (ASSIGNOR), by these presents does convey, grant, assign, transfer and set over the described Mortgage with all interest secured thereby, all liens, and any rights due or to become due thereon to CITIFINANCIAL SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY, WHOSE ADDRESS IS 300 ST. PAUL PLACE LEGAL DEPARTMENT- 17TH FLOOR, BALTIMORE, MD 21202 (800)249-2181, ITS SUCCESSORS AND ASSIGNS, (ASSIGNEE).

Said Mortgage was made by JUDITH A. ANDERSON AND JUDITH A. ANDERSON and recorded in Official Records of the Clerk of the Circuit Court of VOLUSIA County, Florida, in Book 5964, Page 269 and Instrument # 2006-299632, upon the property situated in said State and County as more fully described in said Mortgage.

Dated on 10/13/2015 (MM/DD/YYYY)

CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION

By: [Signature]

Nadine Homan  
VICE PRESIDENT

All persons whose signatures appear above have qualified authority to sign and have reviewed this document and supporting documentation prior to signing.

Witnesses:

[Signature]  
Danielle Burns

[Signature]  
Susan Schotsch

(Seal)



STATE OF FLORIDA COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me on 10/13/2015 (MM/DD/YYYY), by Nadine Homan as VICE PRESIDENT of CFNA RECEIVABLES (OK), INC. F/K/A CITIFINANCIAL SERVICES, INC. D/B/A CITIFINANCIAL EQUITY SERVICES, INC., AN OKLAHOMA CORPORATION, who, as such VICE PRESIDENT being authorized to do so, executed the foregoing instrument for the purposes therein contained. He/she/they is (are) personally known to me.

[Signature]  
Nicole Baldwin  
Notary Public - State of FLORIDA  
Commission expires: 08/05/2016



Nicole Baldwin  
Notary Public State of Florida  
My Commission # EE 222285  
Expires August 5, 2016

Document Prepared By: E.Lance/NTC, 2100 Alt. 19 North, Palm Harbor, FL 34683 (800)346-9152  
CF001 [REDACTED] \*C\* -- DEFAULT DOCR T [REDACTED] [C-1] FRMFL1



\*D0012982291\*

[A] **107.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

[A] **107.5 Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] **107.6 Transfer of ownership.** It shall be unlawful for the owner of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

## SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

[A] **108.1 General.** When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

 [A] **108.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous 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 so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

[A] **108.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

 [A] **108.1.3 Structure unfit for human occupancy.** 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, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] **108.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

 [A] **108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

## Sec. 42-108. - Unsafe conditions; nuisance.

(a) A structure is unsafe when any of the following conditions exist:

- (1) The structure's interior walls or other structural members list, lean, or buckle or the support for the structure has become damaged or deteriorated to such an extent that there is a reasonable likelihood that the walls or other structural members may fall or give way.
- (2) The structure has improperly distributed loads upon the floor or roof or the floor or roof is overloaded or has insufficient strength to be reasonably safe for the purpose used.
- (3) The structure has been damaged by fire, wind, or other causes and has become dangerous to life, safety, or the general health and welfare of people within or near the structure.
- (4) The structure is so dilapidated, decayed, unsafe, insanitary, or so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation or is likely to cause sickness or disease so as to injure the health, safety, or general welfare.
- (5) The structure has connected parts that have become so detached from one another that there is a reasonable likelihood they may fall and injure members of the public or cause property damage in general.
- (6) The structure is vacant and not sufficiently secured to prevent easy access to trespassers and vagrants or is otherwise untended or unkempt to the extent that it poses a general health or safety hazard for neighboring people or property.

(b) A structure that is unsafe constitutes a nuisance. No person shall permit an unsafe structure to exist on property under his or her ownership or control.

(Ord. No. 2015-37, § 1, 11-3-2015)

### Case Cost Sheet Log

**Case No.** 16-292 (Continued from June 22, 2016)

| Name                    | Activity                                                                                                                    | Activity_Date | Status                                                                        | Cost    |
|-------------------------|-----------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------|---------|
| Charles & Peggy Collins | Mailed Notice of Violation/Notice of Hearings to each Respondent at PO Box 768, Alpharetta, GA 30009 (regular & Certified)  | 05/10/2016    | All mailings returned "not deliverable as addressed" but address matches VCPA | \$14.68 |
| Clerk of Court          | Recording fees - Finding of Fact, Conclusion of Law & Order                                                                 | 07/27/2016    |                                                                               | \$27.00 |
| Charles & Peggy Collins | Mail Finding of Fact/Conclusion of Law & Order to each Respondent at PO Box 768, Alpharetta, GA 30009 (regular & Certified) | 07/27/2016    |                                                                               | \$14.68 |

Total: 56.36



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

---

**CITY OF PORT ORANGE, FLORIDA**

**SPECIAL MAGISTRATE**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 16-292

To:  
Charles & Peggy Collins  
PO Box 768  
Alpharetta, GA 30009

Re: 5481 Pineland Ave.  
Port Orange, FL 32127  
Parcel ID: 6315-04-08-0110

LEGAL DESCRIPTION: LOT 11 BLK 8 COMMONWEALTH MOBILE ESTATES FIRST ADD MB 29 PG 47 PER OR 4843 PG  
2088 PER OR 5461 PG 3459

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on March 4, 2016, indicates that certain violation(s) of the City of Port Orange Code exists. Resident was notified of the violations noted below and given three (3) days to correct. A reinspection of the property on April 22, 2016 and May 9, 2016, resulted in no compliance.

This correspondence will serve as official notification that the below stated violation(s) must be corrected by **May 21, 2016**.

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

1. Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(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.
  - I observed grass and weeds in excess of 12 inches. The entire property must be mowed and maintained and all high weeds and grass trimmed and edged from the sidewalk.
2. Code Violation Section(s) City of Port Orange Code of Ordinances, Chapter 42, Article II, Section 42-26(f) *Garbage, waste, trash, etc., prohibited*. 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.
  - I observed trash and debris on property. All trash and debris shall be removed and property kept free and clear of all garbage, waste, trash, debris and junk.
3. Code Violation Section(s) City of Port Orange Code of Ordinances, Article II, Section 42-32 *Storage of vehicles, furniture, etc.* 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.
  - Unregistered vehicles, frames, car parts, and other items shall be removed from property or stored in an enclosed building.

Attachments: ☒ Copy of code

☒ Copy of Deed

☒ Copy of Tax Roll

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 code enforcement board or 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 specified time for correction by the Code Compliance Inspector, 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 Compliance Inspector to determine whether the property is in compliance.

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

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

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate June 22, 2016, 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 below, 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 Inspector. 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 \$ 14.68 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

**NOTICE OF HEARING SETTING FINE AND LIEN**

In the event the **Special Magistrate**, during the hearing on **June 22, 2016**, enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on **July 27, 2016, 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 Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Compliance Inspector at (386) 506-5644.

DATED this 10<sup>th</sup> day of May, 2016.

CITY OF PORT ORANGE, FLORIDA  
**SPECIAL MAGISTRATE**

By: Deborah Faircloth  
**DEBORAH FAIRCLOTH**

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Charles & Peggy Collins, PO Box 768, Alpharetta GA 30009, was

☐ Hand-delivered Recipient of hand delivered documents: \_\_\_\_\_  
☒ Posted at the property 5481 Pineland Ave., Port Orange, FL 32129

Time: approx. 2:45 pm

this 10th day of May, 2016.

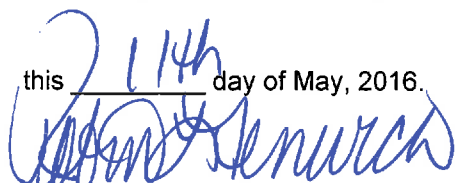


**DEBORAH FAIRCLOTH**

• ☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Charles & Peggy Collins, PO Box 768, Alpharetta, GA 30009, was

☒ Posted at City Hall  
☒ Sent via certified and regular

this 11th day of May, 2016.



**Secretary, Special Magistrate**

#### RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

#### ACCOMMODATIONS

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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



**Volusia County**  
**Property Appraiser**

**Morgan B. Gilreath Jr.**  
**M.A., C.F.A.**



---

[Home](#)
[Search](#)
[Downloads](#)
[Exemptions](#)
[Agriculture](#)
[Maps](#)
[Tangible](#)
[Links](#)
[Contact](#)

---

[Home](#)
[Search Choices](#)
[Search By Location Address](#)
[Property Information](#)

Parcel Information: 6315-04-08-0110 **2016 Working Tax Roll** Last Updated: 05-08-2016

### Owner Name and Address

|                              |                                    |                             |                             |
|------------------------------|------------------------------------|-----------------------------|-----------------------------|
| <b>Alternate Key</b>         | 3634519                            | <b>Parcel Status</b>        | Active Parcel (Real Estate) |
| <b>Short Parcel ID</b>       | 6315-04-08-0110                    | <b>Mill Group</b>           | 402 Port Orange             |
| <b>Full Parcel ID</b>        | 15-16-33-04-08-0110                | <b>2015 Final Mill Rate</b> | 20.86510                    |
| <b>Created Date</b>          | 31 DEC 1981                        |                             |                             |
| <b>Property Class</b>        | 02 Mobile Homes                    |                             |                             |
| <b>Ownership Type</b>        |                                    | <b>Ownership Percent</b>    | 100                         |
| <b>Owner Name</b>            | COLLINS CHARLES & PEGGY            |                             |                             |
| <b>Owner Name/Address 1</b>  |                                    |                             |                             |
| <b>Owner Address 2</b>       | PO BOX 768                         |                             |                             |
| <b>Owner Address 3</b>       | ALPHARETTA GA                      |                             |                             |
| <b>Owner Zip/Postal Code</b> | 30009                              |                             |                             |
| <b>Situs Address</b>         | 5481 PINELAND AV PORT ORANGE 32127 |                             |                             |

### Legal Description

LOT 11 BLK 8 COMMONWEALTH MOBILE ESTATES FIRST ADD MB 29 PG 47 PER OR 4843 PG 2088 PER OR 5461 PG 3459

### Sales History

| Book | Page | Sale Date | Sale Instrument | Qualified<br>Unqualified | Improved | Sale Price |
|------|------|-----------|-----------------|--------------------------|----------|------------|
| 5461 | 3459 | 12/2004   | Warranty Deed   | Qualified Sale           | Yes      | 45,000     |
| 4843 | 2088 | 03/2002   | Warranty Deed   | Qualified Sale           | Yes      | 35,000     |
| 1868 | 0627 | 11/1976   | Warranty Deed   | Qualified Sale           | Yes      | 19,500     |

### History of Values

| Year | Land   | Bldg(s) | Misc. Impr. | Just Value | School Assessed | Non-School Assessed | School Exemption | School Taxable | Non-School Exemption | Non-School Taxable |
|------|--------|---------|-------------|------------|-----------------|---------------------|------------------|----------------|----------------------|--------------------|
| 2015 | 13,260 | 18,679  | 0           | 31,939     | 31,939          | 28,968              | 0                | 31,939         | 0                    | 28,968             |
| 2014 | 13,260 | 18,035  | 0           | 31,295     | 31,295          | 26,335              | 0                | 31,295         | 0                    | 26,335             |

Display Value History

### Land Data

| Code                                                   | Land Use Type     | Frontage | Depth | No. Units | Unit Type  | Rate   | Depth | Loc | Shp | Phy | Just Value |
|--------------------------------------------------------|-------------------|----------|-------|-----------|------------|--------|-------|-----|-----|-----|------------|
| 0202                                                   | MH ON MH SITE PVD | 51.0     | 100.0 | 51.00     | FRONT FEET | 260.00 | 100   | 100 | 100 | 100 | 13,260     |
| <b>Neighborhood</b> 5773 COMMONWEALTH M-H EST MB 26-PG |                   |          |       |           |            |        |       |     |     |     |            |
| <b>Total Land Classified</b>                           |                   |          |       |           |            |        |       |     |     |     | 0          |
| <b>Total Land Just</b>                                 |                   |          |       |           |            |        |       |     |     |     | 13,260     |

### Building Characteristics

Building Number: 201030 (Building 1 of 1)

| Bldg. No.         | Improvement Type | Base Perimeter        | Year Built | Quality Grade | Architecture          | Phys. Depr. | Func. Obs.              | Loc. Obs. | Next Review |
|-------------------|------------------|-----------------------|------------|---------------|-----------------------|-------------|-------------------------|-----------|-------------|
| 201030            | Mobile Home      | 140                   | 1992       | 200           | Mobile Home           | 49%         | 0%                      | 0%        | 2999        |
| <b>Roof Type</b>  | GABLE            | <b>Floors</b>         |            | Carpet        | <b>Bedrooms</b>       | 2           | <b>4 Fixture Bath</b> 0 |           |             |
| <b>Roof Cover</b> | METAL            | <b>Wall Type</b>      |            | Drywall       | <b>X Fixture Bath</b> | 0           | <b>5 Fixture Bath</b> 0 |           |             |
| <b>Heat Type1</b> | Forced Ducted    | <b>Heat Source1</b>   |            | Electricity   | <b>2 Fixture Bath</b> | 0           | <b>6 Fixture Bath</b> 0 |           |             |
| <b>Heat Type2</b> |                  | <b>Heat Source2</b>   |            |               | <b>3 Fixture Bath</b> | 1           | <b>7 Fixture Bath</b> 0 |           |             |
| <b>Foundation</b> | Wd Conc Piers    | <b>Year Remodeled</b> |            |               | <b>Fireplaces</b>     | 0           | <b>A/C</b> Yes          |           |             |

| Section Number | Area Type                      | Exterior Wall Type | Number Stories | Year Built | Attic Finish | Bsmt Area | Bsmt Finish | Floor Area   |
|----------------|--------------------------------|--------------------|----------------|------------|--------------|-----------|-------------|--------------|
| 001            | Res BASE Area (BAS)            | ALUMINUM SIDING    | 1.0            | 1992       | N            | 0%        | 0%          | 784 Sq. Feet |
| 004            | Patio (PTO)                    | Non-Applicable     | 1.0            | 1970       | N            | 0%        | 0%          | 420 Sq. Feet |
| 005            | Porch, Screen Unfinished (USP) | Non-Applicable     | 1.0            | 2006       | N            | 0%        | 0%          | 210 Sq. Feet |
| 006            | Unfinished Utility (UST)       | Non-Applicable     | 1.0            | 2006       | N            | 0%        | 0%          | 70 Sq. Feet  |
| 007            | Porch, Open Unfinished (UOP)   | Non-Applicable     | 1.0            | 2006       | N            | 0%        | 0%          | 70 Sq. Feet  |

Prepared by  
Mary Ralstin, an employee of  
Associated Land Title Group, Inc.  
733 Dunlawton Avenue, Suite 101  
Port Orange, Florida 32127  
(386) 761-7511

Return to: Grantee

File No.: 1019-681107

## **WARRANTY DEED**

This indenture made on **December 21, 2004 A.D.**, by

**Michelle Donley, a single woman**

whose address is: **4318 S. Atlantic Ave., , FL 32127**  
hereinafter called the "grantor", to

**Charles Collins and Peggy Collins, husband and wife**

whose address is: **P. O. Box 446, New Smyrna Beach, FL 32170**  
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

**Witnesseth**, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Volusia** County, **Florida**, to-wit:

**Lot 11, Block 8, COMMONWEALTH MOBILE ESTATES, FIRST ADDITION, according to the plat thereof as recorded in Map Book 29, Page(s) 47, of the Public Records of Volusia County, Florida.**

Parcel Identification Number: **6315-04-08-0110**

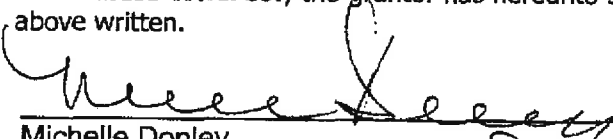
**Subject to** all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2004.

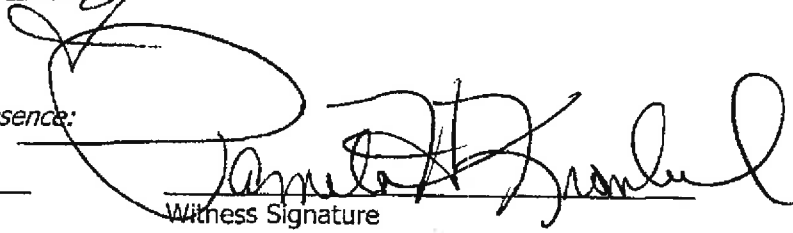
**In Witness Whereof**, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

  
Michelle Donley

Signed, sealed and delivered in our presence:

  
Witness Signature

Print Name: MARY W. RALSTIN

  
Witness Signature

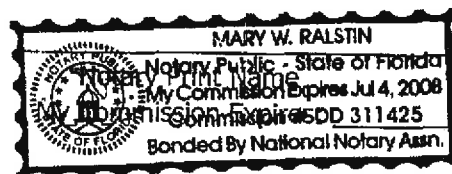
Print Name: Pamela H. Krombel

State of **Florida**

County of **Volusia**

**The Foregoing Instrument Was Acknowledged** before me on **December 21, 2004**, by **Michelle Donley, a single woman** who is/are personally known to me or who has/have produced a valid driver's license as identification.

  
NOTARY PUBLIC



**Sec. 42-26. Cleanliness of property generally—Duty of owner.**

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Improved lot* means any lot which improvements have been made, including, but not limited to, change of grade through filling or excavation, installation of water or sewer line, clearing of property to begin construction, or any other physical alteration which has significantly disturbed the natural vegetation on the site.

*Undergrowth* means herbaceous plants, plants and grasses with stems that wither away annually as distinguished from trees or shrubs with woody stems that live from year to year.

*Unimproved lot* means any lot which remains undisturbed and in a natural vegetative state.

- (b) *Purpose and intent.* The city recognizes the need to protect the health, safety and welfare of the citizens of the city through control and elimination of aesthetically displeasing and potentially dangerous accumulations of garbage, waste, trash, debris, junk and undergrowth. It is, therefore, the purpose and intent of this section to reduce or eliminate such conditions within reasonable limits by hereby establishing a duty and responsibility on the part of the owner of designated lots located within the city to keep such lot free and clear of garbage, waste, trash, debris, junk and undergrowth.
- (c) *Maintenance of commercial and industrial zoned lots.* The owner of every improved lot, piece and parcel of land located within a commercial or industrial zone within the city shall keep each such lot, piece or parcel of land free and clear of all fallen trees and limbs and undergrowth exceeding 12 inches in height. However, nothing in this subsection shall be construed to require natural areas located within larger improved lots to be cut to a height less than 12 inches within such natural areas. Owners of unimproved vacant parcels in such zones shall similarly maintain such portion of their property as lies within ten feet of any improved property, any sidewalk, roadway or bicycle path.
- (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.
- (e) *Maintenance of unimproved residential lots.* The owner of an unimproved lot in a residential zone with lot sizes of one acre or less shall keep that portion of his property abutting and within ten feet of any improved lot, sidewalk, street or bicycle path free and clear of all fallen trees and limbs, and all weeds, grass and undergrowth therein shall be cut to a height not exceeding 12 inches within such area.
- (f) *Garbage, waste, trash, etc., prohibited.* 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.
- (g) *No property maintenance permit required; other restrictions and requirements applicable.* No permit shall be required for the limited property maintenance required by this section; however, the requirements, restrictions and limitations imposed by other sections of this Code and applicable provisions of the land development code pertaining to environmental

**Sec. 42-32. - Storage of vehicles, furniture, etc.**

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.

*(Code 1981, § 10-7)*



# CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 07/27/2016

Consent item: No

---

**SUBJECT:** 16-290

**DEPARTMENT:** City Clerk

**GOAL:**

**OBJECTIVE:** Denise G. Nadeau

---

**RECOMMENDED MOTION:**

---

**SUMMARY:** Fifth Edition (2014) Florida Building Code, Section 105.1 (Permits Required) as adopted by Chapter 8, Article 1 of the City of Port Orange Land Development Code.

Project No.: Returned unclaimed Funding Account No.: 06/16/2016  
07/27/2016  
07/27/2016

---

**ATTACHMENTS:**

|    |                                        |             |
|----|----------------------------------------|-------------|
| 1. | Notice of Violation/Notice of Hearings | NOV-NOH.pdf |
|----|----------------------------------------|-------------|

---

Robin Fenwick

Created/Initiated - 07/22/2016

---



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

---

**CITY OF PORT ORANGE, FLORIDA**

**SPECIAL MAGISTRATE**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 16-290

To: Denise G. Nadeau  
Re: 768 Greenfield Dr  
Port Orange, FL 32129  
Parcel ID: 6305-05-03-0320

LEGAL DESCRIPTION: LOT 32 LAURELWOOD MOBILE EST UNIT 3 MB 35 PG 13 PER OR 4612 PG 4509 PER OR 6150 PG 3131 PER OR 6456 PG 4519 PER OR 6456 PG 4521

Volusia County Public Records  
Volusia County, FL

An inspection of the premises on March 30, 2016, indicates that certain violation(s) of the City of Port Orange Code exists.

Property owner was notified of the violations noted below and given ten days to correct. A re-inspection was done on June 15, 2016, resulting in non-compliance.

This correspondence will serve as official notification that the below stated violation(s) must be corrected by June 30, 2016.

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

- Fifth Edition (2014) Florida Building Code, Section 105.1 (Permits Required) as adopted by Chapter 8, Article 1 of the City of Port Orange Land Development Code.
- I observed an un-permitted concrete slab at the property. On March 30, 2016, a permit was applied for. To date; the permit has not been issued or paid for. To comply; the permit must be paid for, picked up and all necessary inspections conducted.

Attachments: ☒ Copy of code

☒ Copy of Deed

☒ Copy of Tax Roll

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 code enforcement board or 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 specified time for correction by the Code Compliance Inspector, 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 Compliance Inspector to determine whether the property is in compliance.

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

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

Pursuant to Chapter 2, Article V, Code of Ordinances and Section 162.06, Florida Statutes, you are hereby called upon to take notice that a PUBLIC HEARING will be conducted in the above-styled cause by the **Special Magistrate** July 27, 2016, 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 below, 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 Inspector. 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 \$ 7.24 as indicated on the cost sheet submitted into evidence. The respondent will be responsible for any additional costs incurred with follow-up inspections and other costs associated with this case until its conclusion.

#### NOTICE OF HEARING SETTING FINE AND LIEN

In the event the **Special Magistrate**, during the hearing on July 27, 2016, enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on September 14, 2016, 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 Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

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

DATED this 15<sup>th</sup> day of JUNE, 2016.

CITY OF PORT ORANGE, FLORIDA  
**SPECIAL MAGISTRATE**

By: J. Scott Allman  
J. Scott Allman

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Denise G. Nadeau, RE: 768 Greenfield Dr, Port Orange, FL 32129, was

☐ Hand-delivered

Recipient of hand delivered documents: \_\_\_\_\_

☒ Posted at the property

this 15<sup>th</sup> day of JUNE, 2016.

Time: approx. 10:45 Am

J. Scott Allman  
J. Scott Allman

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Denise G. Nadeau, RE: 768 Greenfield Dr, Port Orange, FL 32129, was

☒ Posted at City Hall

☒ Sent via certified and regular

this 16 day of June, 2016.

  
Secretary, Special Magistrate

#### RIGHT TO APPEAL

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

#### ACCOMMODATIONS

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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



# Volusia County Property Appraiser

Morgan B. Gilreath Jr.  
M.A., C.F.A.



Home Search Downloads Exemptions Agriculture Maps Tangible Links Contact

Home Search Choices Search By Location Address Property Information

Parcel Information: 6305-05-03-0320 **2018 Working Tax Roll** Last Updated: 06-12-2016

## Owner Name and Address

|                       |                                     |                      |                             |
|-----------------------|-------------------------------------|----------------------|-----------------------------|
| Alternate Key         | 3587502                             | Parcel Status        | Active Parcel (Real Estate) |
| Short Parcel ID       | 6305-05-03-0320                     | Mill Group           | 402 Port Orange             |
| Full Parcel ID        | 05-16-33-05-03-0320                 | 2015 Final Mill Rate | 20.86510                    |
| Created Date          | 30 DEC 1981                         |                      |                             |
| Property Class        | 02 Mobile Homes                     |                      |                             |
| Ownership Type        |                                     | Ownership Percent    | 100                         |
| Owner Name            | NADEAU DENISE G                     |                      |                             |
| Owner Name/Address 1  |                                     |                      |                             |
| Owner Address 2       | 768 GREENFIELD DR                   |                      |                             |
| Owner Address 3       | PORT ORANGE FL                      |                      |                             |
| Owner Zip/Postal Code | 32119                               |                      |                             |
| Situs Address         | 768 GREENFIELD DR PORT ORANGE 32129 |                      |                             |

## Legal Description

LOT 32 LAURELWOOD MOBILE EST UNIT 3 MB 35 PG 13 PER OR 4612 PG 4509 PER OR 6150 PG 3131 PER OR 6456 PG 4519 PER OR 6456 PG 4521

## Sales History

| Book Page | Sale Date | Sale Instrument | Qualified Unqualified | Improved | Sale Price |
|-----------|-----------|-----------------|-----------------------|----------|------------|
| 6456 4521 | 03/2010   | Warranty Deed   | Qualified Sale        | No       | 30,000     |
| 6456 4519 | 02/2010   | Warranty Deed   | Unqualified Sale      | No       | 100        |
| 6150 3131 | 11/2007   | Warranty Deed   | Qualified Sale        | Yes      | 95,000     |
| 4612 4509 | 11/2000   | Warranty Deed   | Multi parcel sale     | Yes      | 80,000     |
| 4276 0617 | 11/1996   | Quit Claim Deed | Unqualified Sale      | Yes      | 10         |
| 3948 4925 | 08/1994   | Warranty Deed   | Affiliated Parties    | Yes      | 100        |
| 2080 1858 | 06/1979   | Warranty Deed   | Qualified Sale        | Yes      | 7,000      |

## History of Values

| Year | Land   | Bldg(s) | Misc. Impr. | Just Value | School Assessed | Non-School Assessed | School Exemption | School Taxable | Non-School Exemption | Non-School Taxable |
|------|--------|---------|-------------|------------|-----------------|---------------------|------------------|----------------|----------------------|--------------------|
| 2015 | 16,150 | 119,138 | 0           | 135,288    | 112,508         | 112,508             | 25,000           | 87,508         | 25,000               | 62,508             |
| 2014 | 20,000 | 91,615  | 0           | 111,615    | 111,615         | 111,615             | 25,000           | 86,615         | 25,000               | 61,615             |

Display Value History

## Land Data

| Code         | Land Use Type                   | Frontage | Depth | No. Units | Unit Type | Rate     | Depth | Loc | Shp | Phy | Just Value              |
|--------------|---------------------------------|----------|-------|-----------|-----------|----------|-------|-----|-----|-----|-------------------------|
| 0202         | MH ON MH SITE PVD               | 0.0      | 0.0   | 1.00      | LOT       | 16150.00 | 100   | 100 | 100 | 100 | 16,150                  |
| Neighborhood | 5986 LAURELWOOD ESTATES M-H SUB |          |       |           |           |          |       |     |     |     |                         |
|              |                                 |          |       |           |           |          |       |     |     |     | Total Land Classified 0 |
|              |                                 |          |       |           |           |          |       |     |     |     | Total Land Just 16,150  |

## Building Characteristics

Building Number: 240439 (Building 1 of 1)

| Bldg. No.      | Improvement Type           | Base Perimeter     | Year Built     | Quality Grade | Architecture   | Phys. Depr. | Func. Obs.     | Loc. Obs.     | Next Review |
|----------------|----------------------------|--------------------|----------------|---------------|----------------|-------------|----------------|---------------|-------------|
| 240439         | Mobile Home                | 176                | 2010           | 300           | Mobile Home    | 3%          | 0%             | 0%            | 2999        |
| Roof Type      | GABLE                      | Floors             |                | Carpet        | Bedrooms       | 3           | 4 Fixture Bath |               | 0           |
| Roof Cover     | ASPHALT SHINGL             | Wall Type          |                | Plywood Panel | X Fixture Bath | 0           | 5 Fixture Bath |               | 0           |
| Heat Type1     | Forced Ducted              | Heat Source1       |                | Electricity   | 2 Fixture Bath | 0           | 6 Fixture Bath |               | 0           |
| Heat Type2     |                            | Heat Source2       |                |               | 3 Fixture Bath | 2           | 7 Fixture Bath |               | 0           |
| Foundation     | Wd Conc Piers              | Year Remodeled     |                |               | Fireplaces     | 0           | A/C            |               | Yes         |
| Section Number | Area Type                  | Exterior Wall Type | Number Stories | Year Built    | Attic Finish   | Bsmt Area   | Bsmt Finish    | Floor Area    |             |
| 000            | Res BASE Area (BAS)        | VINYL SIDING       | 1.0            | 2010          | N              | 0%          | 0%             | 1647 Sq. Feet |             |
| 001            | Porch, Open Finished (FOP) | Non-Applicable     | 1.0            | 2010          | N              | 0%          | 0%             | 80 Sq. Feet   |             |
| 002            | Carport, Unfinished (UCP)  | Non-Applicable     | 1.0            | 2011          | N              | 0%          | 0%             | 592 Sq. Feet  |             |
| 003            | Unfinished Utility (UST)   | Non-Applicable     | 1.0            | 2011          | N              | 0%          | 0%             | 140 Sq. Feet  |             |

03/19/2010 02:37 PM  
Doc stamps 210.00  
(Transfer Amt \$ 30000)  
Instrument# 2010-049456 # 1  
Book : 6456  
Page : 4521  
Diane M. Matousek  
Volusia County, Clerk of Court

This Document Prepared By and Return to:  
Tami Jo Chinn  
WATERSIDE TITLE CO.  
640 Dunlawton Avenue  
Port Orange, FL 32127

Parcel ID Number: 6305-05-03-0320

## Warranty Deed

This Indenture, Made this 18th day of March, 2010 A.D., Between  
Lisa M. Benson a/k/a Lisa Marie Benson, a single woman

of the County of Volusia, State of Florida, grantor, and  
Denise G. Nadeau, a single woman

whose address is: P.O. Box 9838, Daytona Beach, FL 32120

of the County of Volusia, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Volusia State of Florida to wit:

Lot 32, LAURELWOOD MOBILE ESTATES UNIT III, according to the map or  
plat thereof, as recorded in Map Book 35, Page 13, of the Public  
Records of Volusia County, Florida.

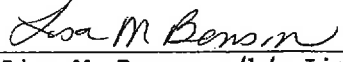
Subject to restrictions, reservations and easements of record, if  
any, the mention of which shall not serve to reimpose the same, and  
taxes subsequent to 2009.

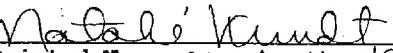
and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set her hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

  
Tami Jo Chinn  
Witness

  
Lisa M. Benson a/k/a Lisa Marie Benson (Seal)  
P.O. Address: 458 Merrimac Drive, Port Orange, FL 32129

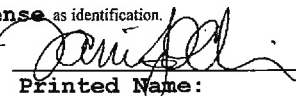
  
Printed Name: Natalie Klindt  
Witness

STATE OF Florida  
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 18th day of March, 2010 by  
Lisa M. Benson a/k/a Lisa Marie Benson

she is personally known to me or she has produced her driver license as identification.



  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. When alternate life safety systems are designed, the *SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings*, or other methods approved by the building official may be used. The building official shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternative.

**104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

**104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

**104.11.3 Accessibility.** Alternate designs and technologies for providing access to and usability of a facility for persons with disabilities shall be in accordance with Section 11-2.2.

**104.12 Requirements not covered by code.** Any requirements necessary for the strength, stability or proper operation of an existing or proposed building structure, electrical, gas, mechanical or plumbing system, or for the public safety, health and general welfare, not specifically covered by this or the other

technical codes, shall be determined by the building official.

## SECTION 105 PERMITS

**105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any required impact-resistant coverings, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

**105.1.1 Annual facility permit.** In lieu of an individual permit for each alteration to an existing electrical, gas, mechanical, plumbing or interior nonstructural office system(s), the building official is authorized to issue an annual permit for any occupancy to facilitate routine or emergency service, repair, refurbishing, minor renovations of service systems or manufacturing equipment installations/relocations. The building official shall be notified of major changes and shall retain the right to make inspections at the facility site as deemed necessary. A annual facility permit shall be assessed an annual fee and shall be valid for one year from date of issuance. A separate permit shall be obtained for each facility and for each construction trade, as applicable. The permit application shall contain a general description of the parameters of work intended to be performed during the year.

**105.1.2 Annual permit records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

**105.1.3 Food permit.** As per §500.12, Florida Statutes, a food permit from the Department of Agriculture and Consumer Services is required of any person who operates a food establishment or retail store.

**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code. Permits shall not be required for the following:

### Case Cost Sheet Log

**Case No.** 16-276 (Continued from June 8, 2016 & July 13, 2016)

| Name             | Activity                                                                                                  | Activity_Date | Status | Cost    |
|------------------|-----------------------------------------------------------------------------------------------------------|---------------|--------|---------|
| Clerk of Court   | Recording Fees - Finding of Fact/Conclusion of Law & Order                                                | 04/27/2016    |        | \$27.00 |
| Vicki L. Bassett | Mailing costs - Finding of Fact/Conclusion of Law & Order to 909 Tree Garden Drive, Port Orange, FL 32127 | 04/27/2016    |        | \$6.46  |

Total: 33.46



**NOTICE OF VIOLATION  
AND  
NOTICE OF HEARINGS**

---

**CITY OF PORT ORANGE, FLORIDA**

**SPECIAL MAGISTRATE**

CITY OF PORT ORANGE,

Petitioner

CASE NO. 16-276

To: Vicki L. Bassett  
909 Tree Garden Dr  
Port Orange, FL 32127

Re: 909 Tree Garden Dr  
Port Orange, FL 32127  
Parcel ID: 6316-03-01-0050

LEGAL DESCRIPTION: LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156  
Volusia County Public Records  
Volusia County, FL

An inspection of the premises on March 3, 2016 indicates that certain violation(s) of the City of Port Orange Code exists. Briefly stated, the property is in violation of the following:

**Chapter 42 (Nuisances), of the City of Port Orange Code of Ordinances, Article II (Garbage, Junk and Undergrowth), Section 42-32 (Storage of Vehicles, Furniture, Etc.)** 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.

An inspection of the property was conducted on March 3, 2016. Upon inspection, I observed stored items in the driveway and in front of the home. A re-inspection was conducted on March 10, 2016 and I again viewed multiple stored items in the driveway and in front of the home. I took photos of the stored items and notified the owner that I would be issuing a Notice of Hearing. To correct the violation, all stored items must be removed from in front of the home and driveway and properly stored.

Attachments: ☒ Copy of code ☒ Copy of Deed ☒ Copy of Tax Roll

This correspondence will serve as official notification that the above stated violation(s) must be corrected by **March 20, 2016**.

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 code enforcement board or 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 specified time for correction by the Code Compliance Inspector, 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 Compliance Inspector to determine whether the property is in compliance.

**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 April 27, 2016 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 below, 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 Inspector. 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 \$ 6.95 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 **April 27, 2016** enters a Final Order finding a violation as alleged, pursuant to Chapter 7, Code of Ordinances, City of Port Orange, Florida, you are hereby called upon to take notice that a 2<sup>nd</sup> PUBLIC HEARING will be conducted in the above-styled cause by the Code Enforcement Special Magistrate on **June 8, 2016, 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 Code Enforcement Special Magistrate will consider setting fine lien on the above referenced case at said PUBLIC HEARING. Please govern yourself accordingly.

For further information regarding this matter, you may contact the undersigned Code Compliance Inspector at (386) 506- J. Scott Allman.

DATED this 11 day of March, 2016.

CITY OF PORT ORANGE, FLORIDA  
**SPECIAL MAGISTRATE**

By: J. Scott Allman  
J. Scott Allman

☒ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Vicki L. Bassett, 909 Tree Garden Dr, Port Orange, FL 32127, was

☒ Hand-delivered

Recipient of hand delivered documents: Mrs Bassett

☐ Posted at the property

this 11 day of March, 2016.

Time: approx. 3:00 pm

J. Scott Allman  
J. Scott Allman

☐ I HEREBY CERTIFY that a true and correct copy of the above and foregoing Notice of Violation and Notice of Hearing to Vicki L. Bassett, 909 Tree Garden Dr, Port Orange, FL 32127, was

☐ Posted at City Hall

☐ Sent via certified

this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

**RIGHT TO APPEAL**

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE **SPECIAL MAGISTRATE** WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

**ACCOMMODATIONS**

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, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.



## Volusia County Property Appraiser

**Morgan B. Gilreath Jr.**  
M.A., C.F.A.



[Home](#)
[Search](#)
[Downloads](#)
[Exemptions](#)
[Agriculture](#)
[Maps](#)
[Tangible](#)
[Links](#)
[Contact](#)

[Home](#)
[Search Choices](#)
[Search By Location Address](#)
[Property Information](#)

Parcel Information: 6316-03-01-0050 2015 Working Tax Roll Last Updated: 02-28-2016

**Owner Name and Address**

|                       |                                      |                      |                             |
|-----------------------|--------------------------------------|----------------------|-----------------------------|
| Alternate Key         | 3642082                              | Parcel Status        | Active Parcel (Real Estate) |
| Short Parcel ID       | 6316-03-01-0050                      | Mill Group           | 402 Port Orange             |
| Full Parcel ID        | 16-16-33-03-01-0050                  | 2015 Final Mill Rate | 20.86510                    |
| Created Date          | 31 DEC 1981                          |                      |                             |
| Property Class        | 01 Single Family                     |                      |                             |
| Ownership Type        |                                      | Ownership Percent    | 100                         |
| Owner Name            | BASSETT VICKI L                      |                      |                             |
| Owner Name/Address 1  |                                      |                      |                             |
| Owner Address 2       | 909 TREE GARDEN DR                   |                      |                             |
| Owner Address 3       | PORT ORANGE FL                       |                      |                             |
| Owner Zip/Postal Code | 32127                                |                      |                             |
| Situs Address         | 909 TREE GARDEN DR PORT ORANGE 32127 |                      |                             |

**Legal Description**

LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156

**Sales History**

| Book Page | Sale Date | Sale Instrument | Qualified<br>Unqualified | Improved | Sale Price |
|-----------|-----------|-----------------|--------------------------|----------|------------|
| 4120 2156 | 07/1996   | Warranty Deed   | Qualified Sale           | Yes      | 80,000     |
| 3915 2904 | 04/1994   | Warranty Deed   | Qualified Sale           | Yes      | 72,500     |
| 3444 1452 | 03/1990   | Quit Claim Deed | Affiliated Parties       | Yes      | 100        |
| 2714 0417 | 08/1985   | Warranty Deed   | Qualified Sale           | Yes      | 73,000     |
| 2284 0580 | 07/1981   | Warranty Deed   | Qualified Sale           | Yes      | 66,000     |

**History of Values**

| Year | Land   | Bldg(s) | Misc. Impr. | Just Value | School Assessed | Non-School Assessed | School Exemption | School Taxable | Non-School Exemption | Non-School Taxable |
|------|--------|---------|-------------|------------|-----------------|---------------------|------------------|----------------|----------------------|--------------------|
| 2015 | 24,659 | 84,820  | 0           | 109,479    | 99,213          | 99,213              | 25,000           | 74,213         | 25,000               | 49,213             |
| 2014 | 24,659 | 78,104  | 0           | 102,763    | 98,426          | 98,426              | 25,000           | 73,426         | 25,000               | 48,426             |

[Display Value History](#)

**Land Data**

| Code                                                  | Land Use Type       | Frontage | Depth | No. Units | Unit Type  | Rate   | Depth | Loc | Shp | Phy | Just Value |
|-------------------------------------------------------|---------------------|----------|-------|-----------|------------|--------|-------|-----|-----|-----|------------|
| 0101                                                  | IMP PVD THRU .49 AC | 90.0     | 197.0 | 90.00     | FRONT FEET | 230.00 | 119   | 100 | 100 | 100 | 24,659     |
| <b>Neighborhood</b> 5744 DEEP FOREST VILLAGE SUB MB33 |                     |          |       |           |            |        |       |     |     |     |            |
| <b>Total Land Classified</b>                          |                     |          |       |           |            |        |       |     |     |     | 0          |
| <b>Total Land Just</b>                                |                     |          |       |           |            |        |       |     |     |     | 24,659     |

**Building Characteristics**

Building Number: 116625 (Building 1 of 1)

| Bldg. No.         | Improvement Type           | Base Perimeter        | Year Built     | Quality Grade         | Architecture | Phys. Depr.             | Func. Obs.  | Loc. Obs.     | Next Review |
|-------------------|----------------------------|-----------------------|----------------|-----------------------|--------------|-------------------------|-------------|---------------|-------------|
| 116625            | Single Family              | 204                   | 1977           | 300                   |              | 30%                     | 0%          | 0%            | 2999        |
| <b>Roof Type</b>  | GABLE                      | <b>Floors</b>         | Carpet         | <b>Bedrooms</b>       | 3            | <b>4 Fixture Bath</b> 0 |             |               |             |
| <b>Roof Cover</b> | ASPHALT SHINGL             | <b>Wall Type</b>      | Drywall        | <b>X Fixture Bath</b> | 0            | <b>5 Fixture Bath</b> 0 |             |               |             |
| <b>Heat Type1</b> | Forced Ducted              | <b>Heat Source1</b>   | Electricity    | <b>2 Fixture Bath</b> | 0            | <b>6 Fixture Bath</b> 0 |             |               |             |
| <b>Heat Type2</b> |                            | <b>Heat Source2</b>   |                | <b>3 Fixture Bath</b> | 2            | <b>7 Fixture Bath</b> 0 |             |               |             |
| <b>Foundation</b> |                            | <b>Year Remodeled</b> |                | <b>Fireplaces</b>     | 0            | <b>A/C</b> Yes          |             |               |             |
| Section Number    | Area Type                  | Exterior Wall Type    | Number Stories | Year Built            | Attic Finish | Bsmt Area               | Bsmt Finish | Floor Area    |             |
| 001               | Res BASE Area (BAS)        | VINYL SIDING          | 1.0            | 1977                  | N            | 0%                      | 0%          | 1676 Sq. Feet |             |
| 002               | Patio (PTO)                | Non-Applicable        | 1.0            | 1977                  | N            | 0%                      | 0%          | 156 Sq. Feet  |             |
| 003               | Finished Garage (FGR)      | Non-Applicable        | 1.0            | 1977                  | N            | 0%                      | 0%          | 420 Sq. Feet  |             |
| 004               | Porch, Open Finished (FOP) | Non-Applicable        | 1.0            | 1977                  | N            | 0%                      | 0%          | 45 Sq. Feet   |             |

This Instrument Prepared by: Debra Price,  
An Officer of Associated Land Title Group, Inc. (357),  
632 Dunlawton, Suite C, Port Orange, FL 32127,  
For Purposes of Title Ins.  
File # 357-1956  
Parcel ID # 6316-03-01-0050

07/09/1996 08:29  
Doc stamps 560.00  
(Transfer Amt \$ 80000)  
Instrument # 96116419  
**Book: 4120**  
**Page: 2156**

## Warranty Deed

*(The terms "grantor" and grantee" herein shall be construed to include all genders and singular or plural as the context indicates.)*

Made July 3, 1996, BETWEEN

Douglas Creech and Anne Creech, husband and wife  
whose post office address is 967 Tall Pine Drive Port Orange, Florida 32127 of the County of Volusia, State of Florida, grantor, and

Vicki L. Bassett, a married woman  
whose post office address is 909 Tree Garden Port Orange, Florida 32127 of the County of Volusia, State of Florida, grantee,

WITNESSETH: That the said grantor, for and in consideration of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in Volusia County, Florida to-wit:

Lot 5, Block 1, Deep Forest Village Subdivision, as per Map 33, page 99, Public Records of Volusia County, Florida.

Subject to easements and restrictions of record, if any, which are specifically not extended or reimposed hereby. Subject to 1996 taxes and assessments.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

Susan Borich  
Witness Signature

Douglas Creech  
Douglas Creech

Susan Borich  
PLEASE PRINT OR TYPE NAME AS IT APPEARS

Anne Creech  
Anne Creech

Debra Price  
Witness Signature

Debra Price  
PLEASE PRINT OR TYPE NAME AS IT APPEARS

STATE OF Florida

COUNTY OF Volusia

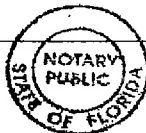
I HEREBY CERTIFY, that on July 1, 1996, before me personally appeared Douglas Creech and Anne Creech, husband and wife who are personally known to me or have produced the identification identified below, who are the persons described in and who executed the foregoing instrument, and who after being duly sworn say that the execution hereof is their free act and deed for the uses and purposes herein mentioned.

SWORN TO AND SUBSCRIBED before me the undersigned Notary Public by my hand and official seal, the day and year last aforesaid.

( ) To me personally known (X) Identified by Driver's License ( ) Identified by \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Commission No.: \_\_\_\_\_



DEBRA PRICE  
My Comm Exp. 3/01/98  
Bonded By Service Ins  
No. CC351743  
☐ Personally Known ☒ Other I.D.

Debra Price  
Notary Public  
Debra Price  
PLEASE PRINT OR TYPE NAME AS IT APPEARS

Sec. 42-32. - Storage of vehicles, furniture, etc.

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.

(Code 1981, § 10-7)

**CITY OF PORT ORANGE, FLORIDA  
CODE ENFORCEMENT SPECIAL MAGISTRATE  
CASE NO. 16-276**

CITY OF PORT ORANGE,  
a Florida municipal corporation,

**Petitioner,**

VICKI L. BASSETT  
909 TREE GARDEN DRIVE  
PORT ORANGE, FL 32127  
PARCEL ID: 6316-03-01-0050

**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 April 27, 2016 and June 8, 2016, after due notice to the Respondent(s), Vicki L. Bassett 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. Respondent(s), Vicki L. Bassett, whose mailing address is 909 Tree Garden Drive, Port Orange, FL 32129, is/are the owner(s) of the property located at 909 Tree Garden Drive, Port Orange, FL 32129, and more particularly described as:

LOT 5 BLK 1 DEEP FOREST VILLAGE MB 33 PGS 98 TO 100 INC PER OR 4120 PG 2156

B. There were items in the driveway and in front of the home. This condition was first observed at the real property described above on March 3, 2016; re-inspections made on March 10, 2016 confirmed the condition as being the same. Respondent, Vicki L. Bassett, via hand delivery to the property on March 11, 2016, and posting at City Hall on March 14, 2016, that the aforesaid conditions constituted a violation 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. and was to be corrected by March 20, 2016.

C. At the time of the hearings on April 27, 2016 and June 8, 2016, the violations cited above: ☒ continue to exist, or ☐ remained noncompliant until \_\_\_\_\_ [Date].

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

**CONCLUSION OF LAW:**

Respondent(s), Vicki L. Bassett, by reason of the foregoing, has/have violated 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.) in that the Respondent(s) failed, on or before the date set in the notice of violation, to remedy the conditions stated above is therefore subject to the provisions of the City of Port Orange Municipal Code 2.207.

**ORDER:**

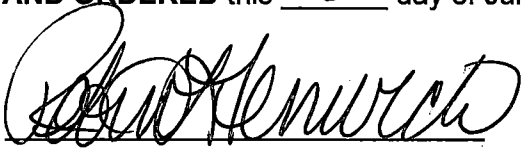
A. Respondent(s), Vicki L. Bassett, shall correct the aforesaid violation by this ORDER on or before **June 20, 2016**. In the event that the property is not brought into compliance on or before **June 20, 2016**, and/or not maintained in a state of compliance, a fine in the amount of \$100.00 per day will be imposed plus costs in the amount of \$33.46. The Order Setting Fine/Lien hearing is hereby continued until **July 13, 2016**. 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 sub section. 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. 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.

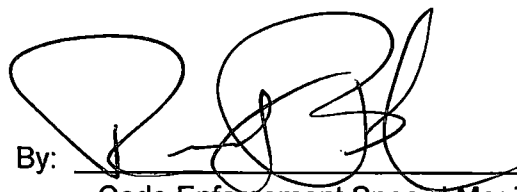
C. A certified copy of this Order may be recorded in the public records of Volusia County, Florida, and shall thereafter constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property. The findings in this Order shall be binding upon Respondent(s) 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. 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 8 day of June, 2016.

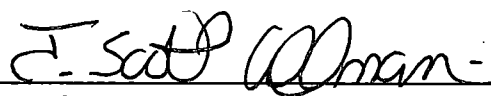
Attest:

  
Secretary, Code Enforcement Special Magistrate

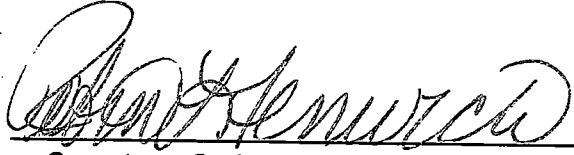
By:

  
Code Enforcement Special Magistrate

I HEREBY ACKNOWLEDGE AND AGREE that the foregoing findings are true and accurate to the best of my knowledge.

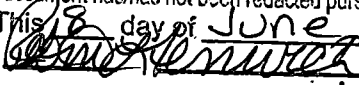
  
Code Compliance Inspector

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), Vicki L. Bassett, 909 Tree Garden Dr., Port Orange, FL 32127 by Certified and Regular Mail this 8 day of June, 2016.

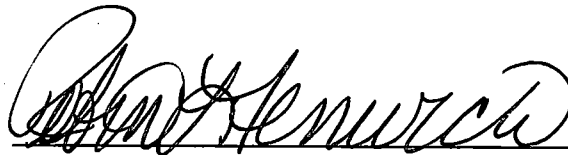


Secretary, Code Enforcement Special Magistrate



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 8 day of June, 2016.  
By:   
/s/ Robin L. Fenwick

**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), Vicki L. Bassett, 909 Tree Garden Dr., Port Orange, FL 32127 by Certified and Regular Mail this 8 day of June, 2016.



Secretary, Code Enforcement Special Magistrate