



City of Deltona

**SPECIAL MAGISTRATE CODE ENFORCEMENT
HEARING**

Wednesday, April 22, 2015 @ 5:30PM

**DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA**

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SPECIAL MAGISTRATE STATEMENT
4. DISCLOSURE OF EX PARTE COMMUNICATIONS
5. APPROVAL OF MINUTES
 - A. Minutes: Meeting – March 25, 2015
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS

A. DEL-15-053

Sandra A. Agoo

1901 Greenview Dr., Deltona, Florida 32725

Property Address: 1901 Greenview Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-08-39-0240

Violation of City of Deltona Ordinance, Section 38-73. - Loud, disturbing or unnecessary noises. (c) Thus, the following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of this article; but this enumeration shall not be deemed to be exclusive: (5) The using, operating or permitting to be played, used or operated of any radio, television, tape or record player, amplifier, musical instrument or other machine or device used for the production, reproduction or emission of sound. (Enforcement Services Officer Danny Ron)

B. DEL-15-066

Lawrence A. Kent TR

235 River Village Dr., Debary, Florida 32713

Property Address: 840 Deltona Blvd. F1, Deltona, Florida 32725

Parcel No.: 36-18-30-14-00-0030

Violation of City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, 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 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 – permit for partition wall. (Enforcement Services Officer Dennis Mues)

C. DEL-15-069

Tracy Cochran

1444 Falmouth Ave., Deltona, Florida 32725

Property Address: 1444 Falmouth Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-30-06-0070

Violation of City of Deltona Ordinance, Section 38-114, which states that storage of building materials, commercial and industrial equipment, materials, objects or waste relating to commercial or industrial uses, or any equipment, materials or objects that are not incidental to a residential use, shall be prohibited. (Enforcement Services Officer Lonnie Wilson)

- D. DEL-15-073**
Diana M. Lowery
94 Heather Ln., Deltona, Florida 32738
Property Address: 94 Heather Ln., Deltona, Florida 32738
Parcel No.: 30-18-31-60-02-0140

Violation of City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.13, which states that every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. (Enforcement Services Officer Shanna Hogan)

- E. DEL-15-075**
Marinilda Alicea ETAL
1671 NE 177th St., N. Miami Beach, Florida 33160
Property Address: 877 Halstead St., Deltona, Florida 32725
Parcel No.: 30-18-31-28-16-0080

Violation of City of Deltona Ordinance, Section 18-5, reference to 304.6, adopting the latest edition of the International Property Maintenance Code, which states that exterior walls shall be free from holes, breaks, loose or rotting surfaces and the surface properly coated where required to prevent deterioration. (Enforcement Services Officer Lonnie Wilson)

- F. DEL-15-078**
Kenneth D. & Patricia Fry
1076 Shady Hollow Dr., Deland, Florida 32724
Property Address: 908 Rockhill St., Deltona, Florida 32725
Parcel No.: 30-18-31-24-04-0170

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Lonnie Wilson)

- G. DEL-15-080**
Thomas Michael Barnett, Jr.
524 Battersea Ave., Deltona, Florida 32738
Property Address: 524 Battersea Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-21-07-0040

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Tray Black)

H. DEL-15-087

**Richard D., Sr., & Betty Moreland
1419 E. Hancock Dr., Deltona, Florida 32725
Property Address: 1419 E. Hancock Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-30-19-0100**

Violation of City of Deltona Ordinance, Section 66-56, which prohibits all vehicles that are inoperable, wrecked, partially dismantled or otherwise mechanically incapable of being operated in their present condition, or are without a current state license tag if required, unless parked in a fully enclosed garage. (Enforcement Services Officer Heather Murray)

I. DEL-15-088

**Rabindar K. Mangat
2743 Marsh Wren Cir., Longwood, Fl., 32779
Property Address: 1240 Wheeling Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-07-43-0220**

Violation of City of Deltona Ordinance, Section 66-56, which prohibits all vehicles that are inoperable, wrecked, partially dismantled or otherwise mechanically incapable of being operated in their present condition, or are without a current state license tag if required, unless parked in a fully enclosed garage. (Enforcement Services Officer Heather Murray)

J. DEL-15-091

**Elaine Diplacido EST
1768 E. Chapel Dr., Deltona, Florida 32725
Property Address: 2781 E. Canal Rd., Deltona, Florida 32738
Parcel No.: 30-18-31-74-54-0360**

Violation of City of Deltona Ordinance, Section 66-18 (e), which states that no vehicles may be parked or stored in the front yard forward of the edge of the principal dwelling except on the approved driveway or driveway extension. (Enforcement Services Officer Steve Braukhoff)

9. NEW BUSINESS:

A. DEL-15-096

**Gregory & Marion S. Villecco
1179 Fountainhead Dr., Deltona, Florida 32725-6353
Property Address: 1179 Fountainhead Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-10-19-0200**

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Shawn Riggins)

B. DEL-15-097

Gregory & Marion S. Villecco
1179 Fountainhead Dr., Deltona, Florida 32725-6353
Property Address: 1179 Fountainhead Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-10-19-0200

Violation of City of Deltona Ordinance, Section 18-5, which adopting the latest edition of the International Property Maintenance Code, Section 302.7, which states all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Enforcement Services Officer Shawn Riggins)

C. DEL-15-098

Brenda Wilson Estes
1395 Whitewood Dr., Deltona, Florida 32725
Property Address: 1297 Bakersfield Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-07-48-0080

Violation of City of Deltona Ordinance, Section 66-56, which prohibits all vehicles that are inoperable, wrecked, partially dismantled or otherwise mechanically incapable of being operated in their present condition, or are without a current state license tag if required, unless parked in a fully enclosed garage. (Enforcement Services Officer Lonnie Wilson)

D. DEL-15-099

Brenda Wilson Estes
1395 Whitewood Dr., Deltona, Florida 32725
Property Address: 1297 Bakersfield Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-07-48-0080

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Lonnie Wilson)

E. DEL-15-100

Michael J. Chimento
955 S. Dean Cir., Deltona, Florida 32738
Property Address: 955 S. Dean Cir., Deltona, Florida 32738
Parcel No.: 30-18-31-40-44-0120

Violation of City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, 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 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 – permit for awning attached to shed. (Enforcement Services Officer Shanna Hogan)

F. DEL-15-102

Elier Carvajal

26529 Old Bellamy Rd., High Springs, Fl. 32643

Property Address: 1077 E. Lombardy Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-02-33-0300

Violation of City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, 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 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 – permit for room addition. (Enforcement Services Officer Heather Murray)

G. DEL-15-103

Armando & Rosalba Hechavarria and Christabolina Marrero JTWRs

1423 Hartley Ave., Deltona, Florida 32725-5677

Property Address: 1423 Hartley Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-01-13-0160

Violation of City of Deltona Ordinance, Section 18-3, adopting the latest edition of the Florida Building Code, Section 105.1, which states that any owner, 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 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 – permit for bathroom addition. (Enforcement Services Officer Heather Murray)

H. DEL-15-104

Sally A. Schweitzer-Haynes
816 Crawford St., Deltona, Florida 32725
Property Address: 816 Crawford St., Deltona, Florida 32725
Parcel No.: 30-18-31-28-11-0190

Violation of City of Deltona Ordinance, Section 14-2 (5). It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal: 5) Is on property in such numbers as exceeds the number limits placed on animals in this chapter. (Enforcement Services Officer Heather Murray)

I. DEL-15-105

Sally A. Schweitzer-Haynes
816 Crawford St., Deltona, Florida 32725
Property Address: 816 Crawford St., Deltona, Florida 32725
Parcel No.: 30-18-31-28-11-0190

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Heather Murray)

J. DEL-15-106

Sally A. Schweitzer-Haynes
816 Crawford St., Deltona, Florida 32725
Property Address: 816 Crawford St., Deltona, Florida 32725
Parcel No.: 30-18-31-28-11-0190

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first. (Enforcement Services Officer Heather Murray)

K. DEL-15-107

John J. Mosso TR
John J. Mosso Living Trust
1918 Greenview Dr., Deltona, Florida 32725
Property Address: 1411 Independence Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-30-15-0110

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this

division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first.. (Enforcement Services Officer Heather Murray)

L. DEL-15-109

**Hometown Community Development Corp.
8711 Monroe Ct. Ste. A, Rancho Cucamonga, CA 91730
Property Address: 1424 Meadowlark Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-07-52-0170**

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Dennis Mues)

M. DEL-15-110

**Hometown Community Development Corp.
8711 Monroe Ct. Ste. A, Rancho Cucamonga, CA 91730
Property Address: 1424 Meadowlark Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-07-52-0170**

Violation of City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.2, which states that all exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, and shall be kept in sound working condition and maintained in good repair. (Enforcement Services Officer Dennis Mues)

N. DEL-15-111

**Bank of New York Mellon TR
3815 South West Temple, Salt Lake City, UT 84115
Property Address: 1168 Briarwood Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-55-21-0100**

Violation of City of Deltona Ordinance, Section 18-5 adopting the latest edition of the International Property Maintenance Code, Section 303.1, which states that swimming pools shall be maintained in a clean and sanitary condition, and in good repair. (Enforcement Services Officer Dennis Mues)

O. DEL-15-112

**Bank of New York Mellon TR
3815 South West Temple, Salt Lake City, UT 84115
Property Address: 1168 Briarwood Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-55-21-0100**

Violation of City of Deltona Ordinance, Section 18-5 adopting the latest edition of the International Property Maintenance Code, Section 303.2, which states that all private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barriers away from the pool. (Enforcement Services Officer Dennis Mues)

P. DEL-15-113

Brian K. Bromagen

1195 Acorn Ct., Deltona, Florida 32725

Property Address: 1197 Acorn Ct., Deltona, Florida 32725

Parcel No.: 30-18-31-02-20-0270

Violation of City of Deltona Ordinance, Section 66-18(h), "Restrictions on trucks and other vehicles" which states that a maximum of (2) vehicles (trailers) may be parked in the side or rear yard. (Enforcement Services Officer Lonnie Wilson)

Q. DEL-15-114

Brian K. Bromagen

1195 Acorn Ct., Deltona, Florida 32725

Property Address: 1197 Acorn Ct., Deltona, Florida 32725

Parcel No.: 30-18-31-02-20-0270

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety.. (Enforcement Services Officer Lonnie Wilson)

R. DEL-15-115

Jesse Barral

1279 Howland Blvd., Deltona, Florida 32738

Property Address: 1279 Howland Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-38-07-0070

Violation of City of Deltona Ordinance, Section 38-110 (2), which states that accumulations of waste, yard trash, rubble and/or debris are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Julie Hughes)

10. OTHER and REPEAT BUSINESS:

A. DEL-15-101 Repeat of Citation C2309

Navado A. Edwards & Merequa C. Mamwell

PO Box 390568, Deltona, Florida 32739

Property Address: 2835 Brighton Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-32-79-0050

Violation of City of Deltona Ordinance, Section 66-18(a), which states that no vehicle greater than 10,000 pounds manufacturer's gross vehicle weight or designed to carry 16 or more passengers, or requiring a commercial driver's license (CDL) of any endorsement to operate shall be parked or stored in any residential or agricultural zoning district except in agricultural areas on lots of five acres or more. (Enforcement Services Officer Steve Braukhoff)

B. DEL-15-094 REPEAT OF DEL-11-123

Margaret B. Gumbs

1495 Elkcam Blvd., Deltona, Florida 32725-3733

Property Address: 1495 Elkcam Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-09-32-0110

Violation of City of Deltona Ordinance, Section 38-114, which states that furniture outside must be designed to be placed outdoors or stored inside a covered structure. In addition, storage of materials relating to residential use, children's play toys, firewood, brush, logs or any other material intended to be used in fireplaces or other permitted burning facilities, shall be permitted only in the rear yard to the rear wall of the home. (Enforcement Services Officer Julie Hughes)

C. CE-2015-01564

**Request for Hearing by Attorney Herbert Zischkau III,
Representing Nick O'Brien**

Preferred Trust CO, FBO Keith J. Boyd IRA

2471 W. Horizon Ridge Pkwy #100, Henderson, NV 89052

Property Address: 2588 Fair Oaks Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-54-05-0030

Violation of City of Deltona Ordinance, Section 66-63 - Abandoned, untagged, wrecked, discarded, junked, inoperative, or partially dismantled vehicle(s) or vessel(s) and/or part(s) thereof on private residential property. (Enforcement Services Officer Dave DeKruif)

11. DISCUSSION:

A. By the Special Magistrate

B. By the Enforcement Services Director

12. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the Code Enforcement Special Magistrate with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.