



City of Deltona

Special Magistrate
Charles Cino

Director, Building &
Enforcement Services
Dale Baker, CEP

Hearing Clerk
Sonjia Kihlmire

Administrative Support

**SPECIAL MAGISTRATE CODE ENFORCEMENT
HEARING
WEDNESDAY, April 25, 2012
5:30 P.M.**

**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 28, 2012
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS:

Enforcement Services Department
2345 Providence Blvd. Deltona, FL 32726
(386) 878-8700; FAX: (386) 789-7237
City Webpage: www.deltonafl.gov

A. DEL-11-167

R.T. and Tara Hillery

1843 McCarthy Ave., Sanford, Florida 32771

Property Address: 1685 Brewton Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-43-64-0080

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for the whole second floor and the windows. (Enforcement Services Officer Steve Braukhoff)

B. DEL-12-014

Janet L., Rebecca A. and Daniel L. Shirley

3080 Blaine Circle, Deltona, Florida 32738

Property Address: 3080 Blaine Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-43-70-0090

Violation of City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance. An animal is declared a public nuisance animal if such animal is (1) repeatedly found at large. (Enforcement Services Officer Steve Braukhoff)

C. DEL-12-015

Janet L., Rebecca A. and Daniel L. Shirley

3080 Blaine Circle, Deltona, Florida 32738

Property Address: 3080 Blaine Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-43-70-0090

Violation of City of Deltona Ordinance, Section 14-3(a), which states it is unlawful for a person to keep, maintain or raise in the city the following animals: (5) Animals that have been declared "public nuisance animals" more than once. (Enforcement Services Officer Steve Braukhoff)

D. DEL-12-021

Jared C. Schmidt

2865 West Elston Dr., Deltona, Florida 32738

Property Address: 2865 West Elston Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-32-49-0050

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 302.2, grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. (Enforcement Services Officer Richard Lovett)

E. DEL-12-023

Derek and Cindy Villa

3101 Newmark Dr., Deltona, Florida 32738

Property Address: 3101 Newmark Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-73-09-0200.

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for a room in the garage. (Enforcement Services Officer Danny Ron)

F. DEL-12-025

Genaro & Maria Castillo Life Est

P.O. Box 336, Debarry, Florida 32713

Property Address: 767 West 9th St., Deltona, Florida 32725

Parcel No.: 30-18-31-20-12-0030

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 108.1.5(9), which states 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. (Enforcement Services Officer Julie Hughes)

G. DEL-12-035

Marva C. Hines and Kevin L. Horne

1098 Leeward Dr., Deltona, Florida 32738-6628

Property Address: 1098 Leeward Dr., Deltona, Florida 32738-6628

Parcel No.: 30-18-31-17-06-0190

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 Dave DeKruif)

H. DEL-12-036

Marva C. Hines and Kevin L. Horne
1098 Leeward Dr., Deltona, Florida 32738-6628
Property Address: 1098 Leeward Dr., Deltona, Florida 32738-6628
Parcel No.: 30-18-31-17-06-0190

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for a fence. (Enforcement Services Officer Dave DeKruif)

I. DEL-12-038

Ignatius K. and Cassandra L. Jones
3481 Clingman St., Deltona, Florida 32738
Property Address: 3481 Clingman St., Deltona, Florida 32738
Parcel No.: 30-18-31-34-42-0070

Violation of City of Deltona Ordinance, Section 38-110(1), which states that weeds, exceeding 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Danny Ron)

J. DEL-12-039

Ignatius K. and Cassandra L. Jones
3481 Clingman St., Deltona, Florida 32738
Property Address: 3481 Clingman St., Deltona, Florida 32738
Parcel No.: 30-18-31-34-42-0070

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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 Danny Ron)

K. DEL-12-053

Steven Wayne Miller

651 Lear Terrace, Deltona, Florida 32725

Property Address: 651 Lear Terrace, Deltona, Florida 32725

Parcel No.: 30-18-31-25-15-0050

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Julie Hughes)

L. DEL-12-054

Cristino Arriaga % Garcia

1830 Tripoli Ave., Deltona, Florida 32725-8413

Property Address: 1834 Tripoli Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-03-46-0230

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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 kept in good repair. (Enforcement Services Officer Shanna Hogan)

M. DEL-12-055

Cristino Arriaga % Garcia

1830 Tripoli Ave., Deltona, Florida 32725-8413

Property Address: 1834 Tripoli Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-03-46-0230

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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 Shanna Hogan)

N. DEL-12-057

Raymond K. Rautenstrauch

2607 South Woodland Blvd., Box 197, Deland Florida 32720

Property Address: 1458 Summit Hill Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-71-14-0060

Violation of City of Deltona Ordinance, Section 74-51(e), (prohibited structures), which states that any sporting equipment temporarily or permanently placed (e.g. basketball goals) or homemade or other non-conforming traffic control devices are strictly not permitted as a matter of safety. (Enforcement Services Officer Lonnie Wilson)

9. New Business:

A. DEL-12-049

**Home America LLC
8941 Atlanta Ave., Suite 345, Huntington Beach, CA 92646
Paul Ryan King
3254 Lake Helen Osteen Rd., Deltona, Florida 32738
Property Address: 2410 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-07-0140**

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 304.7, which states that 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. (Enforcement Services Officer Richard Lovett)

B. DEL-12-050

**Home America LLC
8941 Atlanta Ave., Suite 345, Huntington Beach, CA 92646
Paul Ryan King
3254 Lake Helen Osteen Rd., Deltona, Florida 32738
Property Address: 2410 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-07-0140**

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 304.6, 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 Richard Lovett)

C. DEL-12-070

**Ruth E. Brons L/E, % Beverly Wagner
101 Pond Rd., Mount Dora, Florida 32757
Property Address: 952 Halstead St., Deltona, Florida 32725
Parcel No.: 30-18-31-24-08-0060**

Violation of City of Deltona Ordinance, Section 66-20, which states that motor vehicles shall not be parked anywhere within that portion of the lot lying across the full width of the lot between the front most part of the principle structure, except on approved driveways or driveway extensions. (Enforcement Services Officer Tray Black)

D. DEL-12-071

Samuel J. and Guenet G. Roberts
850 Laurelcrest Dr., Orlando, Florida 32828
Property Address: 2679 Howland Blvd., Deltona, Florida 32738
Parcel No.: 30-18-31-53-35-0030

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Shanna Hogan)

E. DEL-12-072

Laurel R. And Stephen T. Martin
1231 Sherbrook Dr., Deltona, Florida 32725
Property Address: 1231 Sherbrook Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-08-49-0180

Violation of City of Deltona Ordinance, Section 38-110(1), which states that weeds, exceeding 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Shanna Hogan)

F. DEL-12-073

Michael and Mary Micelli
3072 North Covington Dr., Deltona, Florida 32738
Property Address: 2481 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-12-0020

Violation of City of Deltona Ordinance, Section 66-19(3), which states that boats/trailers/recreational vehicles shall not be parked or stored either within a public right of way or within that portion of a lot across the full width of the lot between the front lot line and the front most part of the principle structure. (Enforcement Services Officer Richard Lovett)

G. DEL-12-074

Randy J. Anselmo

2540 Academy Ave., Deltona, Florida 32738

Property Address: 2540 Academy Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-32-30-0360

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 Richard Lovett)

H. DEL-12-075

Randy J. Anselmo

2540 Academy Ave., Deltona, Florida 32738

Property Address: 2540 Academy Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-32-30-0360

Violation of City of Deltona Ordinance, Section 66-19(3), which states that boats/trailers/recreational vehicles shall not be parked or stored either within a public right of way or within that portion of a lot across the full width of the lot between the front lot line and the front most part of the principle structure. (Enforcement Services Officer Richard Lovett)

I. DEL-12-076

LUCA Property LLC

1471 Edison Terrace, Deltona, Florida 32725

Property Address: 1668 Brentlawn St., Deltona, Florida 32725

Parcel No.: 30-18-31-55-24-0170

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for a room enclosure. (Enforcement Services Officer Julie Hughes)

J. DEL-12-078

Parks Investment and Management

135 East Minnesota Ave., Orange City, Florida 32763

Property Address: 1215 Fountainhead Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-10-19-0160

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Julie Hughes)

K. DEL-12-079

Wendy A. Cochran

720 Outrigger Dr., Deltona, Florida 32738

Property Address: 720 Outrigger Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-41-51-0040

Violation of City of Deltona Ordinance, Section 14-9(e), which states that no person shall keep, maintain, raise or feed, in the city, any animal determined to be a public nuisance in accordance with section 14-2 thereof. Also City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance, an animal is declared a public nuisance if such animal: (10) has otherwise been determined to be a stray. (Enforcement Services Officer Steve Braukhoff)

L. DEL-12-080

Peter R. And Edgar Soto

602 Armadillo Dr., Deltona, Florida 32725

Property Address: 602 Armadillo Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-04-36-0160

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for concrete that has been poured. (Enforcement Services Officer Shanna Hogan)

M. DEL-12-081

Noah Markel

2578 Enterprise Rd., #355, Orange City, Florida 32763

Property Address: 1480 Malaluka St., Deltona, Florida 32725

Parcel No.: 30-18-31-07-29-0140

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Julie Hughes)

N. DEL-12-082

Rosa Graue

2862 Chapelwood Court, Oviedo, Florida 32763

Property Address: 1762 Mayhill St., Deltona, Florida 32738

Parcel No.: 30-18-31-43-11-0030

Violation of City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance, an animal is declared a public nuisance if such animal: (1) has otherwise been determined to be repeatedly found at large. (Enforcement Services Officer Richard Lovett)

O. DEL-12-083

Jennifer R. Huffman

3301 Shalimar Circle, Deltona, Florida 32738

Property Address: 3301 Shalimar Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-35-02-0010

Violation: City of Deltona Ordinance, Section Sec. 14-3(a) It shall be unlawful to keep, maintain or raise in the city the following animals:
(1) Any artiodactyla (even toed) or Perissodactyla (odd toed) ungulate, including but not limited to animals in the genus Bos (cows), all species; Ovis (sheep), all species; and Capra (goats), all species; and all other hoofed animals.
(2) Any animal belonging to the family Phasianidae or family Anatidae, all species, including but not limited to chickens, roosters, turkeys, peacocks, geese and ducks. (Enforcement Services Officer Richard Lovett)

P. DEL-12-084

**Michael and Norma Soto
PO Box 5938**

**Property Address: 2965 Foxboro Circle, Deltona, Florida 32738
Parcel No.: 30-18-31-39-06-0150**

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Shanna Hogan)

Q. DEL-12-085

**Michael and Norma Soto
PO Box 5938, Deltona, Florida 32728**

**Property Address: 3237 London Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-35-15-0090**

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Shanna Hogan)

R. DEL-12-087

**Michael and Norma Soto
3051 Norlina St., Deltona, Florida 32738**

**Property Address: 3076 Norlina St., Deltona, Florida 32738
Parcel No.: 30-18-31-68-03-0090**

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Shanna Hogan)

S. DEL-12-089

**Fandango 51 LLC (Sam Jarvis)
PO Box 1198, Altoona, Florida 32702**

**Property Address: 610 Deltona Blvd., Suite A, Deltona, Florida 32725
Parcel No.: 36-18-30-05-01-0120**

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for a connecting doorway between Unit A and Unit B, that was removed and a wall was installed. (Enforcement Services Officer Dennis Mues)

T. DEL-12-090

Dennis Bragg and Ashley Robinson
2821 Bahia St., Deltona, Florida 32738
Property Address: 2821 Bahia St., Deltona, Florida 32738
Parcel No.: 30-18-31-74-26-0070

Violation of City of Deltona Ordinance, Section 18-3, which adopts 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(s) for shed. (Enforcement Services Officer Richard Lovett)

U. DEL-12-091

Jeffrey Gilman
671 Outrigger Dr., Deltona, Florida 32738
Property Address: 1811 Springwood Lane, Deltona, Florida 32725
Parcel No.: 20-18-31-01-04-0040

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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, tight condition, good repair and weather tight. (Enforcement Services Officer Shanna Hogan)

10. OTHER BUSINESS:

A. DEL-11-099 and DEL-11-101

Ralph J. Lucchese and Hipolito Davila

1911 Piper Terrace, Deltona, Florida 32738

Property Address: 1235 Myra Court, Deltona, Florida 32738

Parcel No.: 30-18-31-38-28-0130

Violation of City of Deltona Ordinance, Section 38-110 (1)(2) and Section 38-114, which states that nuisance weeds/grass on the lot exceeds 12 inches in height are prohibited, accumulations of waste, yard trash or rubble and debris that may harbor rats or snakes or may contain pools of water that may serve as breeding grounds for insects or other disease transmitters are also prohibited. All storage of building materials, commercial and industrial equipment, materials, objects or waste relating to commercial or industrial uses, or any equipment, materials, objects that are not incidental to a residential use, shall be prohibited. (Enforcement Services Officer Dave DeKruif)

Ralph Lucchese and Hipolito Davilla, has/have submitted the proper paperwork to appear before the Special Magistrate and request a recommendation for a reduction in the current fine of \$20,000.00, per each case.

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 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, at least three (3) working days in advance of the meeting date and time at (386) 878-8100.