



City of Deltona

Special Magistrate
Charles Cino

Director, Building &
Enforcement Services
Dale Baker, CEP

Hearing Clerk
Sonja Kihmira

Administrative Support

**SPECIAL MAGISTRATE CODE ENFORCEMENT
HEARING
WEDNESDAY, October 24, 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 – September 26, 2012
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS:

A. DEL-12-107

Honorio Hernandez & Nilda Rodriguez
930 Radcliff St., Deltona, Florida 32725
Property Address: 930 Radcliff St., Deltona, Florida 32725
Parcel No.: 30-18-31-30-17-0090

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 materials 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 Tray Black)

B. DEL-12-164

Laurie D. Johnson
1195 Acorn Court, Deltona, Florida 32725
Property Address: 1195 Acorn Court, Deltona, Florida 32725
Parcel No.: 30-18-31-02-20-0260

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 Tray Black)

C. DEL-12-169

Miguel Alvarez Quiles
3193 Newmark Dr., Deltona, Florida 32738
Property Address: 3193 Newmark Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-73-14-0060

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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. {damaged/missing door} (Enforcement Services Officer Danny Ron)

D. DEL-12-170

**Gary A. Gentile and Karen Sue E. Benson
2811 Conyers Court, Deltona, Florida 32738
Property Address: 2811 Conyers Court, Deltona, Florida 32738
Parcel No.: 30-18-31-43-40-0010**

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 materials 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 Danny Ron)

E. DEL-11-069, Repeat of DEL-10-024

**Dorothy Haggerty EST
2925 Keesler St., Deltona, Florida 32738
Property Address: 2925 Keesler St., Deltona, Florida 32738
Parcel No.: 30-18-31-32-11-0250**

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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. {exterior walls} (Enforcement Services Officer Danny Ron)

9. New Business:

A. DEL-12-165

**Finel J. Banks
942 Wilmington Dr., Deltona, Florida 32725
Property Address: 942 Wilmington Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-05-76-0060**

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 roof. (Enforcement Services Officer Tray Black)

B. DEL-12-177

Richard W. and Linda M. Rea

404 Swan Creek Road East, Fort Washington, MD 20744-6148

Property Address: 2852 Sweet Springs St., Deltona, Florida 32738

Parcel No.: 30-18-31-32-58-0150

Violation City of Deltona Ordinance No. 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 Richard Lovett)

C. DEL-12-178

Denise D. Engle

2419 Haulover Blvd., Deltona, Florida, 32738

Property Address: 2419 Haulover Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-33-27-0180

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 that all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Enforcement Services Officer Richard Lovett)

D. DEL-12-179

Denise D. Engle

2419 Haulover Blvd., Deltona, Florida, 32738

Property Address: 2419 Haulover Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-33-27-0180

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 304.3, which states that all buildings will 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 be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. (Enforcement Services Officer Richard Lovett)

E. DEL-12-180

Rickey P. and Linda S. Singh

190-02 Woodhull Ave., Hollis, NY 11423

Property Address: 3221 Courtland Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-34-17-0110

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 that all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Enforcement Services Officer Richard Lovett)

F. DEL-12-181

Christine D. Scrudder

2081 Swanson Dr., Deltona, Florida 32738

Property Address: 2081 Swanson Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-17-21-0090

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.

Violation: City of Deltona Ordinance, Section 14-141(f) It is the responsibility of any owner, keeper or possessor of a domesticated dog or cat kept as a household pet within the city to cause such animal to wear at all times a metal tag bearing the legible number of a current license issued for such animal as provided for in this section.

Violation: City of Deltona Ordinance, Section Sec. 14-201(a)

Every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times. (Enforcement Services Officer Steve Braukhoff)

G. DEL-12-184

Carmen T. Reid

2691 Fair Oaks Dr., Deltona, Florida 32738

Property Address: 2691 Fair Oaks Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-54-07-0070

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 drivers 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 Richard Lovett)

H. DEL-12-185

Cristino Arriaga, % Garcia

1830 Tripoli Ave., Deltona, Florida 32725

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

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

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

I. DEL-12-186

Cristino Arriaga, % Garcia

1830 Tripoli Ave., Deltona, Florida 32725

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 302.7, which states that all accessory structures, including detached garages, fences and walls, shall be maintained and kept in good repair and sound structural condition. (Enforcement Services Officer Shanna Hogan)

J. DEL-12-188

Frederick M. Antonia

822 Superior St., Deltona, Florida 32725

Property Address: 882 Yellowbird Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-05-67-0190

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

K. DEL-12-189

Robin H. Warren Est

1456 Hartley Ave., Deltona, Florida 32725

Property Address: 1456 Hartley Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-01-12-0500

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 Julie Hughes)

L. DEL-12-190

Paul L. and Arleen Swarts

1655 Nantucket St., Deltona, Florida 32725

Property Address: 1655 Nantucket St., Deltona, Florida 32725

Parcel No.: 30-18-31-11-24-0160

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 a garage enclosure. (Enforcement Services Officer Dennis Mues)

M. DEL-12-191

Kathy A. Menard

1710 Twin Oaks St., Deltona, Florida 32725

Property Address: 1710 Twin Oaks St., Deltona, Florida 32725

Parcel No.: 30-18-31-72-13-0020

Violation of City of Deltona Ordinance, Section 14-141©, which states that it is 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 Tray Black)

N. DEL-12-192

Kathy A. Menard

1710 Twin Oaks St., Deltona, Florida 32725

Property Address: 1710 Twin Oaks St., Deltona, Florida 32725

Parcel No.: 30-18-31-72-13-0020

Violation of City of Deltona Ordinance, Section Sec. 14-201(a) - Every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times.(Enforcement Services Officer Tray Black)

O. DEL-12-193

Donna Martin

3071 Snow Dr., Deltona, Florida 32738

Property Address: 3071 Snow Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-33-03-0080

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 a deck and pool. (Enforcement Services Officer Danny Ron)

P. DEL-12-194

Donna Martin

3071 Snow Dr., Deltona, Florida 32738

Property Address: 3071 Snow Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-33-03-0080

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 materials 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 Danny Ron)

Q. DEL-12-195

Jacob J. Rice and Robert J. Rice

1725 Haverhill Dr., Deltona, Florida 32725

Property Address: 1725 Haverhill Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-72-14-0140

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 Julie Hughes)

R. DEL-12-196

Robert V. and Amanda Reynolds

1612 North Merrick Dr., Deltona, Florida 32725

Property Address: 1612 North Merrick Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-16-08-0040

Violation 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 Shanna Hogan)

S. DEL-12-196

Robert V. and Amanda Reynolds
1612 North Merrick Dr., Deltona, Florida 32725
Property Address: 1612 North Merrick Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-16-08-0040

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

10. OTHER and REPEAT BUSINESS:

A. DEL-12-183, REPEAT OF CASE NO.: DEL-12-122

Cecilia Gregory
PO Box 3475, Deland, Florida 32721
Property Address: 2489 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-12-0010

Violation City of Deltona Ordinance No. 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 Richard Lovett)

B. DEL-12-136

German I. and Keira Espada
1033 Country Club Park, Deland Florida 32724
Property Address: 1516 Coronet Dr., Deltona Florida 32725
Parcel No.: 30-18-31-11-46-0210

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 water heater. (Enforcement Services Officer Julie Hughes)

An Order imposing Fine/Lien was entered August 22, 2012, by the Special Magistrate, ordering German and Keira Espada to pay \$100.00 a day, beginning August 22, 2012 and to continue for each and every day the violation(s) exists or a cap of \$20,000.00 is reached. The respondent failed to come into compliance until October 02, 2012, The Code Officer, Julie Hughes, did an inspection on October 02, 2012 and issued an Affidavit of Compliance for this property. As of that date the fine of \$4,200.00, has not been paid and the owners are requesting a recommendation for a reduction in fine.

C. DEL-12-119

Laurie D. Johnson

1195 Acorn Court, Deltona, Florida 32725-5745

Property Address: 1195 Acorn Court, Deltona, Florida 32725

Parcel No.: 30-18-31-02-20-0260

Violation 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)

A request was made, by the owners, at the September 16, 2012 Code Hearing for Mr. Cino to hear the case details from the Respondent. He stated that he would hear the case remarks after this case was put back on the Agenda, so we will add it for remarks only, as it already has an Order on it.

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.

