



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, August 22, 2012
5:30 P.M.**

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

AMENDED 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 – July 25, 2012
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS:

Enforcement Services Department
2345 Providence Blvd. Deltona, FL 32725
(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 a second floor dwelling. (Enforcement Services Officer Steve Braukhoff)

B. DEL-12-025

Genaro & Maria Castillo L/E

PO 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, adopting 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)

C. 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)

D. 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)

E. DEL-12-124

Albertino and Maria Aviles Berrios

1225 Giovanni St., Deltona, Florida 32725

Property Address: 2202 Danforth Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-74-39-0140

Violation City of Deltona Ordinance, Section 18-5, reference to 108.1.5.9, adopting the latest edition of the International Property Maintenance Code, which states a building or structure, or any portion thereof, used or is 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 Dennis Mues)

F. DEL-12-129

Jane and Chester E. Giegold

3231 Glenmeadow Terrace, Deltona, Florida 32725-3059

Property Address: 3231 Glenmeadow Terrace, Deltona, Florida 32725

Parcel No.: 30-18-31-18-00-0660

Violation City of Deltona Ordinance, Section Sec. 4-2. 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:

6) Barks, chirps, howls, meows, or makes other such prolonged and disturbing noises which interfere with the peace and quietude of the neighboring property when such noises continue for periods longer than 15 minutes. (Enforcement Services Officer Shanna Hogan)

G. DEL-12-136

German I. and Keira Espada

1516 Coronet Dr., Deltona, Florida 32725

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)

H. DEL-12-137

German I. and Keira Espada

1516 Coronet Dr., Deltona, Florida 32725

Property Address: 1516 Coronet Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-11-46-0210

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 Julie Hughes)

I. DEL-12-138

Charles Allan Augliera ETAL

c/o 1133 E. Hancock Dr., Deltona, Florida 32725

Property Address: 1133 East Hancock Dr., Deltona, Florida 32725

Parcel no.: 30-18-31-05-74-0140

Violation City of Deltona Ordinance, Section 18-5, adopting 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 Julie Hughes)

J. DEL-12-140

Ludmils C. Antonos Sr. and Martine G. R. Colon

1505 Fort Clarke Blvd., Apt 5208, Gainesville, Florida 32606-7199

Property Address: 3130 Cabot Court, Deltona, Florida 32738

Parcel No.: 30-18-31-32-99-0410

Violation: City of Deltona Ordinance, Section 110-827.04(4), which states that one accessory driveway may connect across a side street yard on a single family residential corner lot to a low volume (0-1000 ADT) local street if all corner distance separation requirements of the Land Development Code, Chapter 96, can be met, there are no adverse stormwater impacts, no horizontal or vertical vision clearance issues, and a right-of-way use permit is obtained authorizing the connections in accordance with all applicable codes. (Enforcement Services Officer Danny Ron)

K. DEL-12-141

Jesse F. and Melody Mclean

2541 Candlewick Dr., Deltona, Florida 32738

Property Address: 2541 Candlewick Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-42-03-0030

Violation 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 Danny Ron)

9. New Business:

A. DEL-12-142

Heriberta Serranno

934 East Normandy Blvd., Deltona, Florida 32725

Property Address: 934 E. Normandy Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-02-20-0180

Violation 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 Mark Gibson)

B. DEL-12-144

Glendanes Lebron

2390 Idaho Rd., Deltona, Florida 32738

Property Address: 2390 Idaho Rd., Deltona, Florida 32738

Parcel No.: 30-18-31-74-17-0180

Violation City of Deltona Ordinance, Section Sec. 4-2. 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:

6) Barks, chirps, howls, meows, or makes other such prolonged and disturbing noises which interfere with the peace and quietude of the neighboring property when such noises continue for periods longer than 15 minutes. (Enforcement Services Officer Richard Lovett)

C. DEL-12-146

Robert C. and Vicki D. Amann

3001 Surf Dr., Deltona, Florida 32738-1840

Property Address: 3001 Surf Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-33-04-0020

Violation City of Deltona Ordinance, Section 66-19(3), which states 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 front most part of the principle structure. (Enforcement Services Officer Richard Lovett)

D. DEL-12-147

**Robert C. and Vicki D. Amann
3001 Surf Dr., Deltona, Florida 32738-1840
Property Address: 3001 Surf Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-33-04-0020**

Violation 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 Richard Lovett)

E. DEL-12-148

**Matilda Cobb
2686 Coachman Dr., Deltona, Florida 32738
Property Address: 2686 Coachman Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-54-08-0030**

Violation 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 Richard Lovett)

F. DEL-12-149

**Matilda Cobb
2686 Coachman Dr., Deltona, Florida 32738
Property Address: 2686 Coachman Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-54-08-0030**

Violation 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 Richard Lovett)

G. DEL-12-150

**Fred Jones
2570 Coachman Dr., Deltona, Florida 32738
Property Address: 2570 Coachman Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-54-06-0210**

Violation 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 lot line and front most part of the principle structure, except on approved driveways or driveway extensions. (Enforcement Services Officer Richard Lovett)

H. DEL-12-151

Fred Jones

2570 Coachman Dr., Deltona, Florida 32738

Property Address: 2570 Coachman Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-54-06-0210

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 Richard Lovett)

I. DEL-12-152

Fred Jones

2570 Coachman Dr., Deltona, Florida 32738

Property Address: 2570 Coachman Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-54-06-0210

Violation 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 Richard Lovett)

J. DEL-12-153

Justin S. Shelton

1629 Providence Blvd., Deltona, Florida 32725

Property Address: 1629 Providence Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-72-12-0080

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 right of way use, concrete driveway and broken sidewalk. (Enforcement Services Officer Julie Hughes)

K. DEL-12-154

Alex R. and Susan J. Jagodinski

1338 Freeport Dr., Deltona, Florida 32725-4652

Property Address: 1338 Freeport Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-07-71-0060

Violation City of Deltona Ordinance, Section Sec. 4-2. 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:

(1) Is repeatedly found at large;

(4) Causes offensive odors, which disturb the comfort, peace or repose of any person residing in the vicinity;

(5) Is on property in such numbers as exceeds the number limits placed on animals in this chapter;

(9) Has been designated by the animal control officer to be a public nuisance animal, by virtue of being a menace to public health, welfare or safety; or

(10) Has otherwise been determined to be a stray.

(Enforcement Services Officer Julie Hughes)

L. DEL-12-157

Angelo and Pierina Reali

1390 Bristol Park Place, Lake Mary, Florida 32746

Property Address: 885 Vicksburg St., Deltona, Florida 32725

Parcel No.: 30-18-31-08-23-0300

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 Shanna Hogan)

M. DEL-12-158

Cassandra and Ismael Montanez

1623 Elkcam Blvd., Deltona, Florida 32725

Property Address: 1623 Elkcam Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-15-09-0220

Violation 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 Mark Gibson)

N. DEL-12-159

Felicia Edmands

1634 Monica St., Deltona, Florida 32725

Property Address: 1634 Monica St., Deltona, Florida 32725

Parcel No.: 30-18-31-15-03-0150

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 ac changeout. (Enforcement Services Officer Shanna Hogan)

10. OTHER and REPEAT BUSINESS:

A. DEL-12-155, REPEAT OF CASE NO.: DEL-11-127

Timothy P. Frew

1299 North Old Mill Dr., Deltona, Florida 32725

Property Address: 1299 North Old Mill Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-26-08-0090

Violation City of Deltona Ordinance, Section 66-19(a)1, which states recreational vehicles shall have a current license plate or validation sticker affixed. (Enforcement Services Shanna Hogan)

B. DEL-12-156, REPEAT OF CASE NO.: DEL-12-041

Joyce Howland, Sheila Folk and Julie Jones

203 Center Trace, Franklin, NC 28734

Property Address: 446 Sunburst St., Deltona Florida 32725

Parcel No.: 30-18-31-70-11-0130

Violation City of Deltona Ordinance, Section Sec. 14-3 (c) It shall be unlawful to keep, maintain or raise in the city more than five dogs and/or cats on one parcel of land of one acre or less. (Enforcement Services Officer Shanna Hogan)

C. DEL-07-132

Gloria R. Beaux

2 Azela Dr., Debary, Florida 32713

Property Address: 1113 Algoma St., Deltona, Florida 32725

Parcel No.: 30-18-31-27-07-0050

Violation Deltona City Code 18-5 reference to 304.6 International Property Maintenance Code: All exterior walls shall be free of holes, break, and loose or rotting material and maintained weatherproof and properly surface coated where required to prevent deterioration.

On July 16, 2012, this reduction in fine request, came before the Mayor and City Commission. Ms. Beaux paid this violation/Order in full, so that she could close on another property she owns and now wants a refund. An Order imposing Fine/Lien was entered November 28, 2007, by the Special Magistrate, ordering Gloria Beaux to pay \$100.00 a day, beginning November 28, 2007 and to continue for each and every day the violation(s) exists or a cap of \$5,000.00 is reached. The respondent failed to come into compliance for 54 days and the cap was met. On February 27, 2008, the Respondent's representative, Mitchell Green, appeared before the Special Magistrate to request a recommendation to reduce the fine. No further action was taken until July 16, 2012 and the Commission directed Ms. Beaux to go before the Special Magistrate for his recommendation, since the time period has been so long since the original request.

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.