



City of Deltona

**SPECIAL MAGISTRATE CODE ENFORCEMENT
HEARING
WEDNESDAY, October 23, 2013**

**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 25, 2013
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS:

DEPARTMENT OF ENFORCEMENT SERVICES
2345 Providence Boulevard, Deltona, Florida 32725
Phone (386) 878-8100 Fax (386) 789-7237
Webpage: www.deltonafl.gov

A. DEL-13-149

Gabriel M. & Yokasta Fernandez

206 Via Tuscany Loop, Lake Mary, Florida 32746

Property Address: 1870 Providence Blvd. STE D-J, Deltona, FL,32725

Parcel No.: 30-18-31-65-16-0010

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. A permit is required for the freezer/coolers that was installed and also for the Type II heat hood that was permitted, but has since expired, without a final inspection. (Enforcement Services Officer Dennis Mues)

B. DEL-13-171

Francis R. Burke

1475 Daroca Dr., Deltona, Florida 32725

Property Address: 1475 Daroca Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-72-18-0110

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 Danita Thompson)

C. DEL-13-172

Francis R. Burke

1475 Daroca Dr., Deltona, Florida 32725

Property Address: 1475 Daroca Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-72-18-0110

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 Danita Thompson)

- D. DEL-13-180**
US Bank NA
4801 Frederica St., Owensboro, KY 42301
Property Address: 1635 Weybridge St., Deltona, Florida 32725
Parcel No.: 30-18-31-55-24-0050

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 – previous permit from 2007 expired. (Enforcement Services Officer Danny Ron)

- E. DEL-13-188**
Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-72-12-0070

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 Danita Thompson)

- F. DEL-13-189**
Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-72-12-0070

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 Danita Thompson)

- G. DEL-13-190**
Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-72-12-0070

Violation of 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 Danita Thompson)

H. DEL-13-201

Kenia L. Vazquez

802 Yellowbird Ave., Deltona, Florida 32725

Property Address: 802 Yellowbird Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-05-67-0110

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 – Shed. (Enforcement Services Officer Shanna Hogan)

I. DEL-13-207

Cheryl Y. Becker

1170 E. Fowler Dr., Deltona, Florida 32725

Property Address: 1170 E. Fowler Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-10-19-0310

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 is required for the garage enclosure, windows, and doors. (Enforcement Services Officer Julie Hughes)

J. DEL-13-212

Lindsay A. Brinkmann & Frank Perkowski

2870 Valmont Ln., Deltona, Florida 32738

Property Address: 2870 Valmont Ln., Deltona, Florida 32738

Parcel No.: 30-18-31-43-42-0010

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 – obtain fence permit (Enforcement Services Officer Jonathan Hogan)

K. DEL-13-220

Eduardo Astudillo

1371 Hayward Ave., Deltona, Florida 32738

Property Address: 1371 Hayward Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-38-33-0260

Violation of City of Deltona Ordinance No 11-2007, Chapter 22, Section 22-4, which states no person shall engage in, manage, transact, or carry on any business, occupation or profession within the City for which there is a local business tax required by this article or any other provisions of this Code unless such person shall first procure a local business receipt ("receipt") to conduct the same from the City. It shall be no defense of nonpayment of any local business tax required by this article that the licensee did not receive any bill or notice that the same was due from the city. (Enforcement Services Officer Julie Hughes)

9. New Business:

A. DEL-13-213

Norma Maldonado

2780 India Blvd., Deltona, Florida 32738

Property Address: 2780 India Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-40-46-0180

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. (Obtain Fence Permit). (Enforcement Services Officer Jonathan Hogan)

B. DEL-13-222

LCG Deltona Homes LLC

2205 Rustic Pine Trl., Oviedo, Florida 32765

Property Address: 1570 N. Page Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-55-16-0130

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 Danita Thompson)

C. DEL-13-223

James Gary Hallman

3350 Majestic Ct., Rocklin, CA 95765

Property Address: 1237 Sacramento St., Deltona, Florida 32725

Parcel No.: 30-18-31-05-45-0310

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

D. DEL-13-225

Marsha J. Wilkes

P.O. Box 4051, Enterprise, Florida 32725-0051

Property Address: 793 Jutland St., Deltona, Florida, 32725

Parcel No.: 30-18-31-66-13-0160

Violation of 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 Shanna Hogan)

E. DEL-13-226

Marsha J. Wilkes

P.O. Box 4051, Enterprise, Florida 32725-0051

Property Address: 793 Jutland St., Deltona, Florida, 32725

Parcel No.: 30-18-31-66-13-0160

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

F. DEL-13-232

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, 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 is required for the fence. (Enforcement Services Officer Steve Braukhoff)

G. DEL-13-233

Chassity Nicole Hogan

1735 Courtland Blvd., Deltona, Florida 32738

Property Address: 1735 Courtland Blvd., Deltona, Florida 32738

Parcel No.: 30-18-31-36-18-0050

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 is required for the garage enclosure, windows, and doors. (Enforcement Services Officer Steve Braukhoff)

H. DEL-13-235

Preferred Trust Co Custodian

FBO Francis Chen IRA

2471 W. Horizon Pkwy Ste. 100, Henderson, NV 89052

Property Address: 964 Roberts Blvd, Deltona, Florida 32725

Parcel No.: 30-18-31-28-18-0110

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 – reroof permit. (Enforcement Services Officer Shanna Hogan)

I. DEL-13-236

MaryAnn A. Peterson

583 Antelope Dr., Deltona, Florida 32725

Property Address: 583 Antelope Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-04-16-0440

Violation of 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. (Enforcement Services Officer Richard Lovett)

J. DEL-13-237

Jason & Natalie Torbert

2883 Arbour Trail Ct., Deltona, Florida 32725

Property Address: 2883 Arbour Trail Ct., Deltona, Florida 32725

Parcel No.: 05-18-31-18-00-0380

Violation of City of Deltona Ordinance, Section 18-5, reference to 108.1.5 (3), adopting the latest edition of the International Property Maintenance Code, which states that 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 a extent that it is likely to partially or completely collapse, or to become detached or dislodged – Replace missing pillar on front porch. (Enforcement Services Officer Richard Lovett)

K. DEL-13-238

TRSTE LLC TR

924 W. Colonial Dr., Orlando, Florida 32804

Property Address: 2098 Galveston Ave., Deltona, Florida 32725

Parcel No.: 13-18-31-03-15-0010

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 Richard Lovett)

L. DEL-13-239

Marisol Mendez

789 Merrimac St., Deltona, Florida 32725

Property Address: 789 Merrimac St., Deltona, Florida 32725

Parcel No.: 30-18-31-30-09-0010

Violation of 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 Richard Lovett)

M. DEL-13-240

Marisol Mendez

789 Merrimac St., Deltona, Florida 32725

Property Address: 789 Merrimac St., Deltona, Florida 32725

Parcel No.: 30-18-31-30-09-0010

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 Richard Lovett)

N. DEL-13-241

NV Acquisitions Management LLC

2295 S. Hiawassee Rd. Ste 201, Orlando, Florida 32835

Property Address: 1362 Dandelion Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-07-12-0190

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 - Structure attached to the rear of the house. (Enforcement Services Officer Shanna Hogan)

O. DEL-13-242

Peter & Providencia Kici

784 Mills Estate Pl., Chuluota, Fl. 32766

Property Address: 426 Rockford St., Deltona, Florida 32725

Parcel No.: 30-18-31-70-09-0100

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 Danny Ron)

P. DEL-13-243

Celso & Deridiana Concepcion

9224 Great Sound Dr., Orlando, Florida, 32827-5110

Property Address: 799 Trumbull St., Deltona, Florida 32725

Parcel No.: 30-18-31-03-42-0220

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. 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 next to the rear wall of the home. (Enforcement Services Officer Danny Ron)

10. OTHER and REPEAT BUSINESS:

A. DEL-13-231 Repeat of 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, 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 pool project. (Enforcement Services Officer Steve Braukhoff)

- B. DEL-13-249 Repeat of DEL-13-036 and DEL-09-120**
Norman C. Grenier TTEE
C/O Ronald N. & Lisa Grenier PUC
1593 Rockwell Heights Dr., Deland, Florida 32724
Property Address: 1007 Davenport Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-11-50-0010

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 Shanna Hogan)

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.