



City of Deltona

Special Magistrate
Charles Cino

Director, Building &
Enforcement Services
Dale Baker, CEP

Hearing Clerk
Sonjia Kihmire

Administrative Support

**SPECIAL MAGISTRATE CODE ENFORCEMENT
HEARING
WEDNESDAY, March 27, 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 – February 27, 2013
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-12-160

Michael Ingrao

116 East Citrus St., Altamonte Springs, Florida 32701

Property Address: 2940 Surf Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-33-11-0260

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 is properly coated where required to prevent deterioration. (Enforcement Services Officer Danny Ron)

B. 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 the pool and deck. (Enforcement Services Officer Danny Ron)

C. DEL-13-011

Byron A., Henry P. and Donna Knibbs

1468 Eden Dr., Deltona, Florida 32725-3766

Property Address: 1468 Eden Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-09-33-0180

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 Shanna Hogan)

D. DEL-13-020

**Thomas and Christina Redington
2975 Windsor Heights, Deltona, Florida 32738-2604
Property Address: 2975 Windsor Heights St., Deltona, Florida 32738
Parcel No.: 30-18-31-32-27-0270**

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 (stray cats) (Enforcement Services Officer Danny Ron)

E. DEL-13-025

**Randy Lee and Susan Bergman
1194 Gage Ave., Deltona, Florida 32738
Property Address: 1194 Gage Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-38-14-0120**

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 Steve Braukhoff)

F. DEL-13-026

**Randy Lee and Susan Bergman
1194 Gage Ave., Deltona, Florida 32738
Property Address: 1194 Gage Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-38-14-0120**

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 Steve Braukhoff)

G. DEL-13-027

**Randy Lee and Susan Bergman
1194 Gage Ave., Deltona, Florida 32738
Property Address: 1194 Gage Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-38-14-0120**

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 Steve Braukhoff)

H. DEL-13-028

Randy Lee and Susan Bergman
1194 Gage Ave., Deltona, Florida 32738
Property Address: 1194 Gage Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-38-14-0120

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.

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.

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)

I. DEL-13-029

Mark E. Shukwit
2776 Fayson Circle, Deltona, Florida 32738
Property Address: 2776 Fayson Circle, Deltona, Florida 32738
Parcel No.: 30-18-31-43-35-0080

Violation City of Deltona Ordinance, Section 66-56, abandoned vehicles prohibited; which states that all abandoned vehicles described in Section 66-54 or vehicles without a current state license tag, if required, shall be prohibited on any public right of way under any circumstances, or on private property except within a completely enclosed garage or when such vehicles are a permitted principal use or special exception in any zoning classification.

Sec. 66-54. – Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicles means vehicles that are inoperative, wrecked, partially dismantled or otherwise mechanically incapable of being operated in their present condition or without current state license tag if required.

Sec. 66-56. - Abandoned vehicles prohibited

All abandoned vehicles as described in section 66-54 or vehicles without a current state license tag, if required, shall be prohibited on any public right-of-way under any circumstances, or on private property except within a completely enclosed garage or when such vehicles are a permitted principal use or special exception in any zoning classification. (Enforcement Services Officer Steve Braukhoff)

J. DEL-13-039

**Norman C. Grenier TTEE, % 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 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)

9. New Business:

A. DEL-13-043

**Richard and Bonita Drapeau
361 Corral Rd., Osteen, Florida 32764
Property Address: 343 Medford Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-12-14-0130**

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 Tray Black)

B. DEL-13-044

Aileen Ingraio

1616 Hastings Dr., Deltona, Florida 32725

Property Address: 1616 Hastings Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-55-25-0270

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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 Tray Black)

C. DEL-13-045

Aileen Ingraio

1616 Hastings Dr., Deltona, Florida 32725

Property Address: 1616 Hastings Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-55-25-0270

Violation of City of Deltona Ordinance, Section 18-5, which 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 Tray Black)

D. DEL-13-049

Robert C. Hill II TR % Hill & Hurst Trust

P.O. Box 1060, Winter Park, Florida 32790-1060

Property Address: 2909 Monarch Ave., Deltona, Florida 32738

Parcel No: 30-18-31-32-97-0220

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 Richard Lovett)

E. DEL-13-050

Tammy Decosta

2982 Portsmouth Dr., Deltona, Florida 32738

Property Address: 2982 Portsmouth Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-32-22-0090

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

F. DEL-13-051

John Sullivan

14800 South West Fern St., Tigard, OR 97223

Property Address: 1707 Landfair Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-36-24-0050

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 Richard Lovett)

G. DEL-13-052

John Sullivan

14800 South West Fern St., Tigard, OR 97223

Property Address: 1707 Landfair Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-36-24-0050

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 Richard Lovett)

H. DEL-13-053

Wells Fargo Home Mortgage

4101 Wiseman Blvd., San Antonio, Texas 78251

Property Address: 2937 Beckwith St., Deltona, Florida 32738

Parcel No.: 30-18-31-34-34-0210

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 Richard Lovett)

I. DEL-13-054

**Wells Fargo Home Mortgage
4101 Wiseman Blvd., San Antonio, Texas 78251
Property Address: 2937 Beckwith St., Deltona, Florida 32738
Parcel No.: 30-18-31-34-34-0210**

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)

J. DEL-13-055

**Kenneth M. and Danielle N. Schoeneberg
2008 West Barlington Dr., Deltona, Florida 32725
Property Address: 2008 West Barlington Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-08-39-0420**

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 Shanna Hogan)

K. DEL-13-056

**Richard and Cynthia Lantz
1137 Algoma St., Deltona, Florida 32725
Property Address: 1137 Algoma St., Deltona, Florida 32725
Parcel No.: 30-18-31-27-07-0080**

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.

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 Julie Hughes)

L. DEL-13-057

James A. Todd

PO Box 402, Osteen, Florida 32764

Property Address: 2333 Essex Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-74-27-0050

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 roof. (Enforcement Services Officer Richard Lovett)

M. DEL-13-058

Rafael Morales

1242 Buccaneer Ave., Deltona, Florida 32725

Property Address: 1242 Buccaneer Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-06-09-0260

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 the window replacement(s). (Enforcement Services Officer Tray Black)

N. DEL-13-059

Richard L. and Shirley A. Fruth

2011 Prescott Blvd., Deltona, Florida 32738

Property Address: 925 Shorecrest Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-11-42-0070

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 the window replacement. (Enforcement Services Officer Tray Black)

O. DEL-13-060

Leon Frances

60 First Ave., Apt. 10C, New York, NY 10009

Property Address: 970 Shorecrest Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-11-44-0200

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 Tray Black)

10. OTHER and REPEAT BUSINESS:

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.