



# City of Deltona

2345 Providence Blvd.  
Deltona, FL 32725

## Minutes

### Special Magistrate

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**Wednesday, October 28, 2015**

**5:30 PM**

**Council Chambers**

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#### **1. CALL TO ORDER:**

The meeting was called to order at 5:30 p.m. by Special Magistrate Cino.

#### **2. PLEDGE TO THE FLAG:**

#### **3. ROLL CALL:**

Special Magistrate Charles Cino present.

Hearing Clerk Dana Johnson present.

Enforcement Services Supervisors Mark Gibson and Richard Lovett present.

#### **4. SPECIAL MAGISTRATE STATEMENT:**

Presented by Charles Cino.

Mr. Cino has taken Judicial Notice of all City of Deltona Ordinances, State Statues, Florida Building and Fire Code and the International Property Maintenance Code.

#### **5. DISCLOSURE OF EX PARTE COMMUNICATIONS:**

None.

#### **6. APPROVAL OF AGENDA & MINUTES:**

The Minutes of the Special Magistrate Hearing for September 23, 2015 were approved by the Special Magistrate, Charles Cino.

#### **7. ANNOUNCEMENTS:**

The Supervisor of the Building and Enforcement Services Department stated that under Old Business, case(s) DEL-15-219 and DEL-15-220 are in compliance, and under New Business, case(s) DEL-15-259 is/was continued, and DEL-15-250 and DEL-15-261 are/were withdrawn, and DEL-15-248, DEL-15-249, and DEL-15-260 were found to be in non compliance at the time of violation, came into compliance and cases are/were dismissed.

**8. SWEARING IN OF OFFICERS AND WITNESSES:**

Special Magistrate Charles Cino swore in all that were present to testify.

**9. OLD BUSINESS:****A. DEL-15-072**

**John M. Watahovich & Carol M. Billings**

**1609 Gregory Dr., Deltona, Florida 32738-6152**

**Property Address: 1609 Gregory Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-31-06-0020**

**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 Tray Black)**

First Amended Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing. Tow Order was issued by the Special Magistrate effective November 28, 2015. Carol M. Billings was present.

**B. DEL-15-219**

**Thomas V. & Judy L. Bamundo**

**2970 Willow Bay Terrace, Casselberry, Florida 32707**

**Property Address: 2005 N. Parkton Dr., Deltona, Florida 32725**

**Parcel No.: 30-18-31-70-11-0040**

**Violation: City of Deltona Ordinance, Section 18-5, reference to 504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. (Officer Danny Ron)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**C. DEL-15-220****Thomas V. & Judy L. Bamundo****2970 Willow Bay Terrace, Casselberry, Florida 32707****Property Address: 2005 N. Parkton Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-70-11-0040**

**Violation: City of Deltona Ordinance, Section 18-5, reference to 605.1 All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner. (Officer Danny Ron)**

Affidavit of Compliance submitted by the officer and an Order of Compliance was signed by the Special Magistrate.

**D. DEL-15-224****Luxury Home Investment of CFL Inc.****19935 Villa Isle Dr. Apt. 204, Orlando, Florida 32821****Property Address: 2800 Derby Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-32-76-0100**

**Violation: 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 A/C Unit. (Officer Steve Braukhoff)**

Order Imposing Penalty/Lien was issued for \$100.00 a day effective November 25, 2015 until in compliance or the cap of \$20,000.00 is reached.

**E. DEL-15-237****Andrew Heller****2300 Carson Ln., Deltona, Florida 32738****Property Address: 2300 Carson Ln., Deltona, Florida 32738****Parcel No.: 30-18-31-45-15-0020**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. (Officer Tray Black)**

Order Imposing Penalty/Lien was issued for \$25.00 a day effective October 28, 2015 until in compliance or the cap of \$20,000.00 is reached.

**F. DEL-15-238****Andres Cruz****1608 Bavon Dr., Deltona, Florida 32725****Property Address: 1608 Bavon Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-65-08-0130**

**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.(Officer Tray Black)**

Order Imposing Penalty/Lien was issued for \$25.00 a day effective October 28, 2015 until in compliance or the cap of \$20,000.00 is reached.

**G. DEL-15-240**

**Robert C. & Marie Armstrong &**

**Krystal Shaun Overstreet**

**3121 Blaine Cir., Deltona, Florida 32738**

**Property Address: 3121 Blaine Cir., Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-65-0160**

**Violation: City of Deltona Ordinance, Section 37-10. - Public nuisance. All blighted and distressed real properties are hereby declared to be public nuisances, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the city. (Officer Shanna Hogan)**

Order Imposing Penalty/Lien was issued for \$25.00 a day effective October 28, 2015 until in compliance or the cap of \$20,000.00 is reached.

**10. NEW BUSINESS:**

**A. DEL-15-247**

**Kayli Hancock**

**2219 Howland Blvd., Deltona, Florida 32738**

**Property Address: 2219 Howland Blvd., Deltona, Florida 32738**

**Parcel No.: 30-18-31-74-59-0050**

**Violation: City of Deltona Ordinance, Section 66-18 (e), which states that no vehicles may be parked or stored in the front yard forward of the edge of the principal dwelling except on the approved driveway or driveway extension. (Officer Julie Hughes)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**B. DEL-15-248****Roger & Rogelio Marrero****1860 S. Tanner Ct., Deltona, Florida 32738****Property Address: 699 Comstock Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-21-17-0090**

**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. (Officer Tray Black)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**C. DEL-15-249****Deltona Health Care Assoc. LLC****P.O. Box 160488, Altamonte Springs, Florida 32716****Property Address: 1851 Elkcam Blvd., Deltona, Florida 32738****Parcel No.: 30-18-31-15-00-0030**

**Violation: 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. (Officer Tray Black)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**D. DEL-15-250****Christopher S. Larsen****2317 Holston St., Deltona, Florida 32738****Property Address: 2317 Holston St., Deltona, Florida 32738****Parcel No.: 30-18-31-48-04-0040**

**Violation: 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. (Officer Tray Black)**

Withdrawn.

**E. DEL-15-253****Griselda & Jesus X. Nunez****1411 E. Lombardy Dr., Deltona, Florida 32725****Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0110**

**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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**F. DEL-15-254****Griselda & Jesus X. Nunez****1411 E. Lombardy Dr., Deltona, Florida 32725****Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0110**

**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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**G. DEL-15-255****Joyce Reid Capital LLC****2816 Kilgore St., Orlando, Florida 32803****Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0120**

**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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**H. DEL-15-256****Joyce Reid Capital LLC****2816 Kilgore St., Orlando, Florida 32803****Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0120**

**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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

I. **DEL-15-257**

**Joyce Reid Capital LLC**

**2816 Kilgore St., Orlando, Florida 32803**

**Property Address: 1417 E. Lombardy Dr., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-12-0120**

**Violation: 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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

J. **DEL-15-258**

**Donald M. Jr., & Virginia Weimer**

**3536 Tabb Dr., Deltona, Florida 32738**

**Property Address: 3536 Tabb Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-62-03-0060**

**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. (Officer Thomas Ruddy)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**K. DEL-15-259****Miguel A. & Evan L. Cardi****1168 Snowden Ave., Deltona, Florida 32725****Property Address: 1168 Snowden Ave., Deltona, Florida 32725****Parcel No.: 30-18-31-55-22-0090**

**Violation: 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. (Officer Tray Black)**

Case was continued until the November 24, 2015 Code Hearing.

**L. DEL-15-260****Donald J & Stacy J. Stoner****1430 Arrowhead Trail, Enterprise, Florida 32725****Property Address: 2207 Lightfoot St., Deltona, Florida 32738****Parcel No.: 30-18-31-17-24-0050**

**Violation: 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 material 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. (Officer Tray Black)**

Found to be in Non-Compliance, executed actions to come into Compliance and case was Dismissed.

**M. DEL-15-261****Cleide & Jose Pablo Gomez****653 Sagamore Dr., Deltona, Florida 32738****Property Address: 653 Sagamore Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-21-16-0050**

**Violation: 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. (Officer Tray Black)**

Withdrawn.

**N. DEL-15-262****Deutsche Bank****1761 E. St. Andrew Pl., Santa Ana, CA 92705****Property Address: 2487 Lackland Dr., Deltona, Florida 32738****Parcel No.: 30-18-31-32-18-0100**

**Violation: City of Deltona Ordinance, Section 37-8. - Security requirements. (c) If a distressed property shows evidence of vacancy, or the property is blighted, the property manager designated by the mortgagee shall perform the work necessary to bring the property into compliance with the applicable codes, and the property manager must perform regular exterior inspections, no less often than every 30 days, to verify compliance with the requirements of this chapter, and any other applicable laws. (Officer Steve Braukhoff)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**O. DEL-15-264**

**Michael J. Lapointe**

**3161 Crest Terr., Deltona, Florida 32738**

**Property Address: 3161 Crest Terr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-44-29-0320**

**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. (Officer Thomas Ruddy)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**P. DEL-15-265**

**JHR Investments LLC**

**1708 Cofield Dr., Deltona, Florida 32738**

**Property Address: 1708 Cofield Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-28-0110**

**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. (Officer Thomas Ruddy)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**Q. DEL-15-266****Freddy Dyer****1369 Woodbine Ave., Deltona, Florida 32725****Property Address: 1369 Woodbine Ave., Deltona, Florida 32725****Parcel No.: 30-18-31-07-75-0060**

**Violation: City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 604.3, which states; Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. (Officer Heather Murray)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**R. DEL-15-268****Wanda Hogancamp****2491 Greenbrier St., Deltona, Florida 32738****Property Address: 2491 Greenbrier St., Deltona, Florida 32738****Parcel No.: 30-18-31-41-20-0050**

**Violation: 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 for the pergola on your property. (Officer Wes Rigdon)**

Order of Non Compliance with a Hearing to Impose Fine at the January 27, 2016 Code Hearing. Wanda Hogancamp was present.

**S. DEL-15-269****Griselda & Jesus X. Nunez****1411 E. Lombardy Dr., Deltona, Florida 32725****Property Address: 1411 E. Lombardy Dr., Deltona, Florida 32725****Parcel No.: 30-18-31-30-12-0110**

**Violation: 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. (Officer Lonnie Wilson)**

Order of Non Compliance with a Hearing to Impose Fine at the November 24, 2015 Code Hearing.

**11. OTHER AND REPEAT BUSINESS:****A. DEL-15-263 Repeat of DEL-15-098****Brenda Wilson Estes****1395 Whitewood Dr., Deltona, Florida 32725****Property Address: 1297 Bakersfield Ave., Deltona, Florida 32725****Parcel No.: 30-18-31-07-48-0080**

**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. (Officer Heather Murray)**

Tow Order was issued by the Special Magistrate effective November 17, 2015. Brenda Wilson Estes was present.

**12. DISCUSSION:****13. ADJOURNMENT:**

6:16 p.m.