

**CITY OF DELTONA, FLORIDA
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES
Wednesday, February 22, 2012**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, February 22, 2012 in the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

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

2. ROLL CALL:

Special Magistrate	Charles Cino	Present
Hearing Clerk	Sonjia Kihlmire	Present
Director	Dale Baker	Present

Also present were: Enforcement Services Officers; Steve Braukhoff, Shanna Hogan, Lonnie Wilson, Julie Hughes and Tray Black.

3. STATEMENT BY SPECIAL MAGISTRATE:

Presented by Charles Cino.

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

4. PLEDGE OF ALLEGIANCE:

5. DISCLOSURE OF EX PARTE COMMUNICATIONS: None

6. APPROVAL OF MINUTES:

The Minutes of the Special Magistrate Hearing for January 25, 2012 were approved, by Special Magistrate, Charles Cino.

7. ANNOUNCEMENTS: - The Director, Dale Baker, states that under, Old Business, case DEL-12-019, has complied and under New Business, DEL-12-028 and DEL-12-033, are withdrawn. Cases DEL-12-030 and DEL-12-031 were continued until the March 28, 2012 Code Hearing.

8. SWEARING IN OF OFFICERS AND WITNESSES:

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

9. OLD BUSINESS:

A. DEL-11-146

**US Bank National Assoc TR
Teresa Arlene Graham
1100 Virginia Dr., Fort Washington, PA 19034
Property Address: 1105 Gerona Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-25-07-0060**

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 for a window replacement. (Enforcement Services Officer Tray Black)

Second Amended Order of Non Compliance with a Hearing to impose fine scheduled for the March 28, 2012 Code Hearing. US Bank to be noticed again to allow them another 30 days to comply.

B. DEL-11-149

**David J. Beagle
2270 Matthew Circle, Deltona, Florida 32738
Property Address: 1090 East Normandy Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-05-72-0140**

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)

Fine of \$50.00 a day levied, with a cap of \$10,000.00, effective immediately and to continue until violation is corrected or cap is met.

C. DEL-11-153

**Michael R. and Patricia G. Blomn
708 Ibis Ave., Deltona, Florida 32738
Property Address: 708 Ibis Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-62-33-0090**

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 an expired pool and addition permits. (Enforcement Services Officer Steve Braukhoff)

Second Amended Order of Non Compliance issued, Hearing to impose fine at the March 28, 2012 Code Hearing.

D. DEL-11-154

Michael R. and Patricia G. Blomn
708 Ibis Ave., Deltona, Florida 32738
Property Address: 708 Ibis Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-62-33-0090

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 an expired pool and addition permits. (Enforcement Services Officer Steve Braukhoff)

Second Amended Order of Non Compliance issued, Hearing to impose fine at the March 28, 2012 Code Hearing.

E. DEL-12-003

Thomas Coleman
1357 Pacific Court, Deltona, Florida 32725-1585
Property Address: 1357 Pacific Court, Deltona, Florida 32725
Parcel No.: 30-18-31-75-03-0050

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 Julie Hughes)

Mr. Coleman was not present and was found to be in Non Compliance and a Hearing to impose fine will be held March 28, 2012. Second Amended Order of Non Compliance was issued by the Special Magistrate and he did not impose a fine at this time.

F. DEL-12-004

Thomas Coleman

1357 Pacific Court, Deltona, Florida 32725-1585

Property Address: 1357 Pacific Court, Deltona, Florida 32725

Parcel No.: 30-18-31-75-03-0050

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 a nuisance and must be abated in their entirety. (Enforcement Services Officer Julie Hughes)

Mr. Coleman was not present and was found to be in Non Compliance and a Hearing to impose fine will be held March 28, 2012. Second Amended Order of Non Compliance was issued by the Special Magistrate and he did not impose a fine at this time.

G. DEL-12-006

Robert Groesbeck

3031 Mallard Dr., Deltona, Florida 32738

Property Address: 943 Halstead St., Deltona, Florida 32738

Parcel No.: 30-18-31-28-18-0070

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 Julie Hughes)

Fine of \$50.00 a day levied, with a cap of \$10,000.00, effective immediately and to continue until violation is corrected or cap is met.

H. DEL-12-012

Jeffery Burroughs

1556 Monticello St., Deltona, Florida 32725-4837

Property Address: 1556 Monticello St., Deltona, Florida 32725-4837

Parcel Address: 30-18-31-16-01-0110

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 Lonnie Wilson)

Fine of \$50.00 a day levied, with a cap of \$10,000.00, effective immediately and to continue until violation is corrected or cap is met.

I. DEL-12-019

Cathy A. Clark and Alice Keffer

1591 Providence Blvd., Deltona, Florida 32725

Property Address: 1591 Providence Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-55-16-0140

Violation of 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 Dennis Mues)

Order of Compliance.

9. New Business:

A. DEL-12-005

Estela Ortega

1974 Greenview Dr., Deltona, Florida 32725

Property Address: 1974 Greenview Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-08-38-0390

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)

Mr. Perez was present and found to be in Non Compliance. A Hearing to impose fine will be held March 28, 2012, if he is still in violation.

B. DEL-12-025

Genaro & Maria Castillo Life Est
P.O. 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, which adopts 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)

Linda Castillo was present and stated that she has all intentions of fixing up her property. She was found to be in Non Compliance and given until the April 25, 2012 Code Hearing to come into compliance and correct the violation, or a fine may be levied.

C. DEL-12-026

William H. and Eleanor Glenn
2578 Enterprise Rd., Orange City, Florida 32763
Property Address: 1643 Saxon Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-03-05-0340

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)

Order of Non Compliance with a Hearing to impose fine at the March 28, 2012 Code Hearing. A tow Order and/or a \$250.00 a day fine may be imposed at this time.

D. DEL-12-027

William H. and Eleanor Glenn
2578 Enterprise Rd., Orange City, Florida 32763
Property Address: 1643 Saxon Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-03-05-0340

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)

Order of Non Compliance with a Hearing to impose fine at the March 28, 2012 Code Hearing. A tow Order and/or a \$250.00 a day fine may be imposed at this time.

E. DEL-12-028

Andrew V. and Vivian G. Solano
2019 Van Orman Dr., Deltona, Florida 32725
Property Address: 1447 West Wellington Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-01-02-0050

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 Julie Hughes)

Compliance, case withdrawn.

F. DEL-12-030

George Trovato
1709 Providence Blvd., Deltona, Florida 32725
Property Address: 1709 Providence Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-16-17-0140

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 Lonnie Wilson)

Case continued by the Special Magistrate until March 28, 2012.

G. DEL-12-031

George Trovato

1709 Providence Blvd., Deltona, Florida 32725

Property Address: 1709 Providence Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-16-17-0140

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 screen enclosure permit(s). (Enforcement Services Officer Lonnie Wilson)

Case continued by the Special Magistrate until March 28, 2012.

H. DEL-12-033

John G. Hernandez

7400 Spring Hill Dr., Spring Hill, Florida 33526

Property Address: 1532 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-01-04-0080

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 Dennis Mues)

Compliance, case withdrawn.

11. DISCUSSION:

A. By the Special Magistrate

B. By the Enforcement Services Director

12. **ADJOURNMENT (6:15 pm)**

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.

Special Magistrate, Charles Cino

Hearing Clerk, Sonjia Kihlmire