

**CITY OF DELTONA, FLORIDA
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES
Wednesday, April 25, 2012**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, April 25, 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, Dave DeKruif, Richard Lovett, Danny Ron 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 March 28, 2012 were approved, by Special Magistrate, Charles Cino.

7. ANNOUNCEMENTS: - The Director, Dale Baker, states that under, New Business, case(s) DEL-12-071, DEL-12-072, DEL-12-081, DEL-12-083, DEL-12-089 and DEL-12-091 are withdrawn, and case(s) DEL-12-084, DEL-12-085, and DEL-12-087, are continued to the May 30, 2012, Code Hearing.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-11-167

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 the whole second floor and the windows. (Enforcement Services Officer Steve Braukhoff)

First Amended Order of Non Compliance, with a Hearing to impose penalty/fine at the July 25th Code Hearing. A 90 day extension given to allow Respondent more time to acquire information for permitting process. Mr. Hillery was present.

B. DEL-12-014

Janet L., Rebecca A. and Daniel L. Shirley

3080 Blaine Circle, Deltona, Florida 32738

Property Address: 3080 Blaine Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-43-70-0090

Violation of City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance. An animal is declared a public nuisance animal if such animal is (1) repeatedly found at large. (Enforcement Services Officer Steve Braukhoff)

This case was dismissed by the Special Magistrate due to compliance.

C. DEL-12-015

Janet L., Rebecca A. and Daniel L. Shirley

3080 Blaine Circle, Deltona, Florida 32738

Property Address: 3080 Blaine Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-43-70-0090

Violation of City of Deltona Ordinance, Section 14-3(a), which states it is unlawful for a person to keep, maintain or raise in the city the following animals: (5) Animals that have been declared "public nuisance animals" more than once. (Enforcement Services Officer Steve Braukhoff)

This case was dismissed by the Special Magistrate due to compliance.

D. DEL-12-021

Jared C. Schmidt

2865 West Elston Dr., Deltona, Florida 32738

Property Address: 2865 West Elston Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-32-49-0050

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 302.2, grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. (Enforcement Services Officer Richard Lovett)

Fine of \$100.00 a day was Ordered, effective immediately, to run until property is in compliance or a cap of \$20,000.00 is met.

E. DEL-12-023

Derek and Cindy Villa

3101 Newmark Dr., Deltona, Florida 32738

Property Address: 3101 Newmark Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-73-09-0200

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 in the garage. (Enforcement Services Officer Danny Ron)

Order of Compliance was issued, due to Officer Ron stating the property is in compliance. Mr. Villa was present.

F. 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)

First amended Order of Non Compliance issued due to additional time given to Respondent to come into compliance. Hearing to impose fine is scheduled for June 27, 2012, if property still in violation. Ms. Castillo was present.

G. DEL-12-035

Marva C. Hines and Kevin L. Horne
1098 Leeward Dr., Deltona, Florida 32738-6628
Property Address: 1098 Leeward Dr., Deltona, Florida 32738-6628
Parcel No.: 30-18-31-17-06-0190

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 Dave DeKruif)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed. Mr. Horne was present.

H. DEL-12-036

Marva C. Hines and Kevin L. Horne
1098 Leeward Dr., Deltona, Florida 32738-6628
Property Address: 1098 Leeward Dr., Deltona, Florida 32738-6628
Parcel No.: 30-18-31-17-06-0190

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 fence. (Enforcement Services Officer Dave DeKruif)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed. Mr. Horne was present.

I. DEL-12-038

Ignatius K. and Cassandra L. Jones
3481 Clingman St., Deltona, Florida 32738
Property Address: 3481 Clingman St., Deltona, Florida 32738
Parcel No.: 30-18-31-34-42-0070

Violation of City of Deltona Ordinance, Section 38-110(1), which states that weeds, exceeding 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Danny Ron)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed.

J. DEL-12-039

Ignatius K. and Cassandra L. Jones
3481 Clingman St., Deltona, Florida 32738
Property Address: 3481 Clingman St., Deltona, Florida 32738
Parcel No.: 30-18-31-34-42-0070

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

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed.

K. DEL-12-053

Steven Wayne Miller
651 Lear Terrace, Deltona, Florida 32725
Property Address: 651 Lear Terrace, Deltona, Florida 32725
Parcel No.: 30-18-31-25-15-0050

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)

Per Ordinance, No. 05-2009, Section 11-2007, Chapter 22, delinquency enforcement, providing for severability, codification and providing an effective date; for local business tax licenses. Section 22-13c, delinquency; enforcement, which states that any person who engages in any business, occupation or profession covered by this Ordinance, who does not pay the required local business tax, after notice, can incur a penalty of \$250.00. Special Magistrate Cino so Ordered the fine/penalty of \$250.00.

L. DEL-12-054

Cristino Arriaga % Garcia
1830 Tripoli Ave., Deltona, Florida 32725-8413
Property Address: 1834 Tripoli Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-03-46-0230

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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 kept in good repair. (Enforcement Services Officer Shanna Hogan)

Fine of \$100.00 a day was Ordered, effective immediately, to run until property is in compliance or a cap of \$20,000.00 is met.

M. DEL-12-055

Cristino Arriaga % Garcia

1830 Tripoli Ave., Deltona, Florida 32725-8413

Property Address: 1834 Tripoli Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-03-46-0230

Violation of City of Deltona Ordinance, Section 18-5, which adopts the International Property Maintenance Code, Section 303.2, which states that all private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barriers away from the pool. (Enforcement Services Officer Shanna Hogan)

Fine of \$100.00 a day was Ordered, effective immediately, to run until property is in compliance or a cap of \$20,000.00 is met.

N. DEL-12-057

Raymond K. Rautenstrauch

2607 South Woodland Blvd., Box 197, Deland Florida 32720

Property Address: 1458 Summit Hill Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-71-14-0060

Violation of City of Deltona Ordinance, Section 74-51(e), (prohibited structures), which states that any sporting equipment temporarily or permanently placed (e.g. basketball goals) or homemade or other non-conforming traffic control devices are strictly not permitted as a matter of safety. (Enforcement Services Officer Lonnie Wilson)

Respondent and/or tenant found to be in Non Compliance and a fine of \$100.00 a day was issued, effective May 31, 2012, and to continue until property is in compliance or a cap of \$20,000.00 is met. An abatement Order may/will also be implemented at the June 27, 2012 Code Hearing. This is due to safety issue of having "prohibited structure" placed in the City of Deltona's right-of-way.

9. New Business:

A. DEL-12-049

**Home America LLC
8941 Atlanta Ave., Suite 345, Huntington Beach, CA 92646
Paul Ryan King
3254 Lake Helen Osteen Rd., Deltona, Florida 32738
Property Address: 2410 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-07-0140**

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

Order of Non Compliance with Hearing to impose fine at the July 25, 2012 Code Hearing. Case continued for 90 days to allow new owner time to come into compliance. Mr. King was present.

B. DEL-12-050

**Home America LLC
8941 Atlanta Ave., Suite 345, Huntington Beach, CA 92646
Paul Ryan King
3254 Lake Helen Osteen Rd., Deltona, Florida 32738
Property Address: 2410 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-07-0140**

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 properly coated where required to prevent deterioration. (Enforcement Services Officer Richard Lovett)

Order of Non Compliance with Hearing to impose fine at the July 25, 2012 Code Hearing. Case continued for 90 days to allow new owner time to come into compliance. Mr. King was present.

C. DEL-12-070

**Ruth E. Brons L/E, % Beverly Wagner
101 Pond Rd., Mount Dora, Florida 32757
Property Address: 952 Halstead St., Deltona, Florida 32725
Parcel No.: 30-18-31-24-08-0060**

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 most part of the principle structure, except on approved driveways or driveway extensions. (Enforcement Services Officer Tray Black)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed. Mr. Weaver, tenant was present.

D. DEL-12-071

Samuel J. and Guenet G. Roberts
850 Laurelcrest Dr., Orlando, Florida 32828
Property Address: 2679 Howland Blvd., Deltona, Florida 32738
Parcel No.: 30-18-31-53-35-0030

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 Shanna Hogan)

Withdrawn.

E. DEL-12-072

Laurel R. And Stephen T. Martin
1231 Sherbrook Dr., Deltona, Florida 32725
Property Address: 1231 Sherbrook Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-08-49-0180

Violation of City of Deltona Ordinance, Section 38-110(1), which states that weeds, exceeding 12 inches in height, are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Shanna Hogan)

Withdrawn.

F. DEL-12-073

Michael and Mary Micelli
3072 North Covington Dr., Deltona, Florida 32738
Property Address: 2481 Cardena Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-74-12-0020

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

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed. Ms. Micelli was present.

G. DEL-12-074

Randy J. Anselmo
2540 Academy Ave., Deltona, Florida 32738
Property Address: 2540 Academy Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-32-30-0360

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)

Order of Non Compliance issued, with a Hearing to impose penalty/fine at the May 30, 2012 Code Hearing.

H. DEL-12-075

Randy J. Anselmo
2540 Academy Ave., Deltona, Florida 32738
Property Address: 2540 Academy Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-32-30-0360

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

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed. Ms. Micelli was present.

I. 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)

Order of Non Compliance issued, with a Hearing to impose penalty/fine at the May 30, 2012 Code Hearing.

J. DEL-12-078

**Parks Investment and Management
135 East Minnesota Ave., Orange City, Florida 32763
Property Address: 1215 Fountainhead Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-10-19-0160**

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)

Per Ordinance, No. 05-2009, Section 11-2007, Chapter 22, delinquency enforcement, providing for severability, codification and providing an effective date; for local business tax licenses. Section 22-13c, delinquency; enforcement, which states that any person who engages in any business, occupation or profession covered by this Ordinance, who does not pay the required local business tax, after notice, can incur a penalty of \$250.00. Special Magistrate Cino so Ordered the fine/penalty of \$250.00.

K. DEL-12-079

**Wendy A. Cochran
720 Outrigger Dr., Deltona, Florida 32738
Property Address: 720 Outrigger Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-41-51-0040**

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. Also City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance, an animal is declared a public nuisance if such animal: (10) has otherwise been determined to be a stray. (Enforcement Services Officer Steve Braukhoff)

Order of Non Compliance issued, with a Hearing to impose penalty/fine at the May 30, 2012 Code Hearing. Ms. Cochran was present.

L. DEL-12-080

**Peter R. And Edgar Soto
602 Armadillo Dr., Deltona, Florida 32725
Property Address: 602 Armadillo Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-04-36-0160**

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 concrete that has been poured. (Enforcement Services Officer Shanna Hogan)

Order of Non Compliance issued, with a Hearing to impose penalty/fine at the June 27, 2012 Code Hearing. Mr. Peter Soto was present.

M. DEL-12-081

Noah Markel

2578 Enterprise Rd., #355, Orange City, Florida 32763

Property Address: 1480 Malaluka St., Deltona, Florida 32725

Parcel No.: 30-18-31-07-29-0140

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 Julie Hughes)

Withdrawn.

N. DEL-12-082

Rosa Graue

2862 Chapelwood Court, Oviedo, Florida 32763

Property Address: 1762 Mayhill St., Deltona, Florida 32738

Parcel No.: 30-18-31-43-11-0030

Violation of City of Deltona Ordinance, Section 14-2, which states it is unlawful for a person to permit animals to become a public nuisance, an animal is declared a public nuisance if such animal: (1) has otherwise been determined to be repeatedly found at large. (Enforcement Services Officer Richard Lovett)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed.

O. DEL-12-083

Jennifer R. Huffman

3301 Shalimar Circle, Deltona, Florida 32738

Property Address: 3301 Shalimar Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-35-02-0010

Violation: City of Deltona Ordinance, Section Sec. 14-3(a) It shall be unlawful to keep, maintain or raise in the city the following animals:

- (1) Any artiodactyla (even toed) or Perissodactyla (odd toed) ungulate, including but not limited to animals in the genus Bos (cows), all species; Ovis (sheep), all species; and Capra (goats), all species; and all other hoofed animals.
- (2) Any animal belonging to the family Phasianidae or family Anatidae, all species, including but not limited to chickens, roosters, turkeys, peacocks, geese and ducks. (Enforcement Services Officer Richard Lovett)

Withdrawn.

P. DEL-12-084

Michael and Norma Soto

PO Box 5938

Property Address: 2965 Foxboro Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-39-06-0150

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 Shanna Hogan)

Officer Hogan continued this case until the May 30, 2012 Code Hearing, to allow more time to acquire the business tax license.

Q. DEL-12-085

Michael and Norma Soto

PO Box 5938, Deltona, Florida 32728

Property Address: 3237 London Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-35-15-0090

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 Shanna Hogan)

Officer Hogan continued this case until the May 30, 2012 Code Hearing, to allow more time to acquire the business tax license.

R. DEL-12-087

Michael and Norma Soto

3051 Norlina St., Deltona, Florida 32738

Property Address: 3076 Norlina St., Deltona, Florida 32738

Parcel No.: 30-18-31-68-03-0090

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 Shanna Hogan)

Officer Hogan continued this case until the May 30, 2012 Code Hearing, to allow more time to acquire the business tax license.

S. DEL-12-089

Fandango 51 LLC (Sam Jarvis)
PO Box 1198, Altoona, Florida 32702
Property Address: 610 Deltona Blvd., Suite A, Deltona, Florida 32725
Parcel No.: 36-18-30-05-01-0120

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 connecting doorway between Unit A and Unit B, that was removed and a wall was installed. (Enforcement Services Officer Dennis Mues)

Withdrawn.

T. DEL-12-090

Dennis Bragg and Ashley Robinson
2821 Bahia St., Deltona, Florida 32738
Property Address: 2821 Bahia St., Deltona, Florida 32738
Parcel No.: 30-18-31-74-26-0070

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 shed. (Enforcement Services Officer Richard Lovett)

Order of Dismissal which states that the property was found in Non Compliance when in violation, then they corrected the violation and came into compliance and the case was dismissed.

U. DEL-12-091

Jeffrey Gilman

671 Outrigger Dr., Deltona, Florida 32738

Property Address: 1811 Springwood Lane, Deltona, Florida 32725

Parcel No.: 20-18-31-01-04-0040

Violation of City of Deltona Ordinance, Section 18-5, which adopts 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, tight condition, good repair and weather tight. (Enforcement Services Officer Shanna Hogan)

Withdrawn.

10. OTHER BUSINESS:

A. DEL-11-099 and DEL-11-101

Ralph J. Lucchese and Hipolito Davila

1911 Piper Terrace, Deltona, Florida 32738

Property Address: 1235 Myra Court, Deltona, Florida 32738

Parcel No.: 30-18-31-38-28-0130

Violation of City of Deltona Ordinance, Section 38-110 (1)(2) and Section 38-114, which states that nuisance weeds/grass on the lot exceeds 12 inches in height are prohibited, accumulations of waste, yard trash or rubble and debris that may harbor rats or snakes or may contain pools of water that may serve as breeding grounds for insects or other disease transmitters are also prohibited. All storage of building materials, commercial and industrial equipment, materials, objects or waste relating to commercial or industrial uses, or any equipment, materials, objects that are not incidental to a residential use, shall be prohibited. (Enforcement Services Officer Dave DeKruif)

Ralph Lucchese and Hipolito Davilla, has/have submitted the proper paperwork to appear before the Special Magistrate and request a recommendation for a reduction in the current fine of \$20,000.00, per each case.

Mr. Cino's recommendation is for a reduction in each case to \$2,500.00, from \$20,000.00 each, due to the time spent by staff and he felt 10% or more was a fair reduction. The owner came into compliance when Mr. Greg Bond finished cleaning the property and represented the owners at

this Hearing. Greg Bond was the owner's representative. This case will be forwarded to the City Commission for reduction approval.

11. DISCUSSION:

- A. By the Special Magistrate**
- B. By the Enforcement Services Director**

12. ADJOURNMENT (7:00 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