

**CITY OF DELTONA, FLORIDA  
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES  
Wednesday, January 23, 2013**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, January 23, 2013 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
Administrative Staff	Damaris Miranda	Present

Also present were: Enforcement Services Officers; Tray Black, Danny Ron, Richard Lovett, Shanna Hogan, Julie Hughes, Dave DeKruif and Mark Gibson.

**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 November 28, 2012 were approved, by Special Magistrate, Charles Cino.**

**7. ANNOUNCEMENTS:** - The Director, Dale Baker, states that under, Old Business, case DEL-12-160 was continued until the February 27, 2013 Code Hearing and under New Business, case(s) DEL-13-010, DEL-13-014, DEL-13-015 and DEL-13-016 are withdrawn.

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

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

**9. OLD BUSINESS:**

**A. DEL-12-159**

**Felicia Edmands**

**1634 Monica St., Deltona, Florida 32725**

**Property Address: 1634 Monica St., Deltona, Florida 32725**

**Parcel No.: 30-18-31-15-03-0150**

**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 ac change out. (Enforcement Services Officer Shanna Hogan)

Mr. Edmands was present and stated that due to financial issues he needed more time to acquire a permit. The Special Magistrate levied a fine for \$100.00 a day, with a cap of \$20,000.00, effective February 28, 2013, if still in violation and no permit issued.

**B. DEL-12-160**

**Michael Ingrao**

**116 East Citrus St., Altamonte Springs, Florida 32701-7627**

**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, 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 Danny Ron)

Case continued until February 27, 2013.

**C. DEL-12-198**

**John W. and Mary Warner**

**411 Sandy Lane, Deltona, Florida 32725**

**Property Address: 2597 Salters Court, Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-14-0060**

**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)

An Affidavit of Compliance was furnished by the Officer and the Special Magistrate levied an Order of Compliance.

**10. New Business:**

**A. DEL-13-001**

**Steven A. & Amy Chamley Travis  
1169 James Ave., Deltona, Florida 32738  
Property Address: 1169 James Ave., Deltona, Florida 32738  
Parcel No.: 30-18-31-77-07-0020**

**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 deck. (Enforcement Services Officer Dave DeKruif)

Property was in violation, came into compliance and the case was dismissed.

**B. DEL-13-002**

**Grover Rios  
559 Macy Ave., Lake Helen, Florida 32744  
Property Address: 2242 Kent Rd., Deltona, Florida 32738  
Parcel No.: 30-18-31-74-59-0170**

**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 house remodel. (Enforcement Services Officer Richard Lovett)

Mr. Rios was given 90 days to get the remodel permit(s). Found in Non Compliance with a Hearing to impose fine at the May 22, 2013 Code Hearing.

**C. DEL-13-003**

**THR Florida LLC**

**280 S. Ronald Reagan Blvd., Longwood, Florida 32750**

**Property Address: 1759 Santee Ave., Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-25-0260**

**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 a window. (Enforcement Services Officer Richard Lovett)

Found in Non Compliance and a Hearing to impose a fine will be held February 27, 2013.

**D. DEL-13-005**

**Robert Groesbeck**

**3031 Mallard Dr., Deltona, Florida 32738**

**Property Address: 943 Halstead St., Deltona, Florida 32725**

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

**Violation** of 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. (Enforcement Services Officer Tray Black)

Found in Non Compliance and a Hearing to impose a fine will be held February 27, 2013.

**E. DEL-13-006**

**Robert Groesbeck**

**3031 Mallard Dr., Deltona, Florida 32738**

**Property Address: 943 Halstead St., Deltona, Florida 32725**

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

**Violation** of City of Deltona Ordinance, Section 66-18(h), "Restrictions on trucks and other vehicles" which states that a maximum of (2) vehicles may be parked in the side or rear yard. (Enforcement Services Officer Tray Black)

Found in Non Compliance and a Hearing to impose a fine will be held February 27, 2013.

**F. DEL-13-007**

**Robert Borders**

**327 Garland St., Deltona, Florida 32725**

**Property Address: 327 Garland St., Deltona, Florida 32725**

**Parcel No.: 30-18-31-12-16-0080**

**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. (Enforcement Services Officer Tray Black)

Property was in violation, came into compliance and the case was dismissed.

**G. DEL-13-009**

**Matthew G. Moss**

**56545 Otter Rd., Astor, Florida 32102**

**Property Address: 1265 Worthington Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-13-10-0200**

**Violation** of City of Deltona Ordinance, No. 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)

Special Magistrate Cino levied an administrative fine/fee for \$250.00, effective immediately.

**H. DEL-13-010**

**Bryon A., Henry P. and Donna Knibbs**

**1468 Eden Dr., Deltona, Florida 32725**

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

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

**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. (Enforcement Services Officer Shanna Hogan)

Case was Withdrawn.

**I. DEL-13-011**

**Bryon A., Henry P. and Donna Knibbs**

**1468 Eden Dr., Deltona, Florida 32725**

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

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

**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 Shanna Hogan)

Ms. Knibbs was present at the Hearing and stated that she has an organization that will take her boat, but she is on a list for them to pick it up within the next few weeks. Order of Non Compliance was levied with a Hearing to impose fine at the March 27, 2013 Code Hearing, if still in violation.

**J. DEL-13-014**

**John Lodato**

**2031 Montecito Ave., Deltona, Florida 32738**

**Property Address: 1719 Barrow St., Deltona, Florida 32725**

**Parcel No.: 30-18-31-53-07-0010**

**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. (Wooden fence in left rear portion of the property in disrepair.) (Enforcement Services Officer Shanna Hogan)

Case was Withdrawn.

**K. DEL-13-015**

**Joe Loftus**

**2940 Cottageville St., Deltona, Florida 32738**

**Property Address: 1449 E. Normandy Blvd., Deltona, Florida 32725**

**Parcel No.: 30-18-31-05-39-0170**

**Violation** of City of Deltona Ordinance, No. 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)

Case was Withdrawn.

**L. DEL-13-016**

**Mary E. Harden**

**1411 Covewood Ave., Deltona, Florida 32725**

**Property Address: 1411 Covewood Ave., Deltona, Florida 32725**

**Parcel No.: 30-18-31-30-13-0110**

**Violation** of City of Deltona Ordinance, No. 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)

Case was Withdrawn.

**M. DEL-13-017**

**Grace M. Alu**

**351 Medford Ave., Deltona, Florida 32725**

**Property Address: 351 Medford Ave., Deltona, Florida 32725**

**Parcel No.: 30-18-31-12-14-0140**

**Violation** City of Deltona Ordinance, Section 58-31, which states that the use of any City right-of-way, without prior written consent of the City, shall be prohibited. (Enforcement Services Officer Tray Black)

Property was in violation, came into compliance and the case was dismissed.

**N. DEL-13-018**

**William J. McCurdy Jr.**

**2258 N. Normandy Blvd., Deltona, Florida 32725**

**Property Address: 2258 N. Normandy Blvd., Deltona, Florida 32725**

**Parcel No.: 30-18-31-04-24-0210**

**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. (Enforcement Services Officer Mark Gibson)

Mr. McCurdy was present at the Hearing and stated he needed more time to clean up his property. Mr. Cino gave him until May 22, 2013 to come into compliance or a Hearing to Impose fine would be held.

**O. DEL-13-019**

**Alexander Carrasquillo**

**2457 Cardena Ave., Deltona, Florida 32738**

**Property Address: 2457 Cardena Ave., Deltona, Florida 32738**

**Parcel No.: 30-18-31-74-12-0050**

**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. (Enforcement Services Officer Danny Ron)

Mr. Carrasquillo was present and was given more time to come into compliance. A Hearing to impose fine will be held February 27, 2013 if he is still in violation. An Order of Non Compliance was levied.

**P. 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)

Case was continued for 30 days, until February 27, 2013.

**Q. DEL-13-021**

**Jeffery Ansbach**

**209 Thistlewood Circle, Longwood, Florida 32779**

**Property Address: 2398 California St., Deltona, Florida 32738**

**Parcel No.: 30-18-31-74-13-0010**

**Violation** of City of Deltona Ordinance, No. 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 Danny Ron)

Special Magistrate Cino levied an administrative fine/fee for \$250.00, effective immediately.

**11. OTHER and REPEAT BUSINESS:**

**12. DISCUSSION:**

**A. By the Special Magistrate**

**B. By the Enforcement Services Director**

**13. ADJOURNMENT (6:35 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.

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Special Magistrate, Charles Cino

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Hearing Clerk, Sonjia Kihlmire