

**CITY OF DELTONA, FLORIDA  
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES  
Wednesday, March 23, 2011**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, March 23, 2011 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
Enforcement Services Director	Dale Baker	Present
Hearing Clerk	Sonjia Kihlmire	Present
Administrative Staff	Renee Richardson	Present

Also present were: Enforcement Services Officers; Albert Grimsley, Danny Ron, Dennis Mues, Richard Lovett, Shanna Seda and Julie Hughes.

**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 February 23, 2011 were approved, by Special Magistrate, Charles Cino.**

**7. ANNOUNCEMENTS:** - The Director of Enforcement Services, Dale Baker, stated under Old Business, case DEL-10-166 has complied, case DEL-11-025 and DEL-11-026 have been continued until the April 27, 2011 Code Hearing, and under new Business, DEL-11-034 has been withdrawn.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-10-166**

**Dora Sostre ETALS**

**1809 Ulster Ave., Deltona, Florida 32738**

**Property Address: 1716 East Chapel Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-65-11-0100**

**Violation** of the City of Deltona Ordinance, Section 18-5, which adopting the latest edition of the International Property Maintenance Code, Section 304.10, which states that stairways, decks, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair; with proper anchorage and capable of supporting the imposed loads. **(Enforcement Services Officer Albert Grimsley)**

**Complied**

**B. DEL-11-015**

**Michael T. Kelly**

**8513 Cypress Hollow Court, Sanford, Florida 32771**

**Property Address: 1063 Deltona Blvd., Deltona, Florida 32725**

**Parcel No.: 30-18-31-10-11-0110**

**Violation** of 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 demolition and reconstruction of the garage/carport. **(Enforcement Services Officer Dennis Mues)**

**First** Amended Order of Non Compliance, with a Hearing to impose Fine at the April 27, 2011 Code Hearing.

**C. DEL-11-020**

**James L. and Elizabeth A. Mars**

**Revocable Trust**

**779 Tulip St., Deltona, Florida 32725**

**Property Address: 779 Tulip St., Deltona, Florida 32725**

**Parcel No.: 30-18-31-03-43-0190**

**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 Seda)**

**First** Amended Order of Non Compliance, with a Hearing to impose Fine at the April 27, 2011 Code Hearing.

**D. DEL-11-021**

**James I. and Elizabeth A. Mars**  
**Revocable Trust**  
**779 Tulip St., Deltona, Florida 32725**  
**Property Address: 779 Tulip St., Deltona, Florida 32725**  
**Parcel No.: 30-18-31-03-43-0190**

**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. **(Enforcement Services Officer Shanna Seda)**

**First** Amended Order of Non Compliance, with a Hearing to impose Fine at the April 27, 2011 Code Hearing.

**E. DEL-11-023**

**Gerald W. Hausknecht**  
**1196 Wycliffe St., Deltona, Florida 32725**  
**Property Address: 1196 Wycliffe St., Deltona, Florida 32725**  
**Parcel No.: 30-18-31-07-36-0090**

**Violation** of City of Deltona Ordinance, Section 110-827.03(1) (e), which states that no detached accessory building or structure shall be located in the front yard or side street yard. **(Enforcement Services Officer Julie Hughes)**

**Order** imposing a fine of \$100.00 a day, effective day after the next Hearing date of 4/27/11 and to run until violation is corrected or a cap of \$10,000.00 is met. Special Magistrate Cino gave them an additional 30 days to comply or fine would commence.

**F. DEL-11-024**

**Cristine Lapella**  
**979 Chippendale St., Deltona, Florida 32725**  
**Property Address: 979 Chippendale St., Deltona, Florida 32725**  
**Parcel No.: 30-18-31-30-22-0060**

**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 or demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter or repair, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit for your carport enclosure, windows and door replacements. **(Enforcement Services Officer Julie Hughes)**

**Order** imposing a fine of \$100.00 a day, effective immediately, March 23, 2011 and to run as long as the violation exists or a cap of \$10,000.00 is reached.

**G. DEL-11-025**

**Sean and Diana Crockett**  
**1384 Rockhill St., Deltona, Florida 32725**  
**Property Address: 1384 Rockhill St., Deltona, Florida 32725**  
**Parcel No.: 30-18-31-30-18-0120**

**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 or demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter or repair, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit for the electrical. (**Enforcement Services Officer Julie Hughes**)

**Continued** to April 27, 2011, to allow more time to obtain the permits, per the request of Mr. Crockett.

**H. DEL-11-026**

**Sean and Diana Crockett**  
**1384 Rockhill St., Deltona, Florida 32725**  
**Property Address: 1384 Rockhill St., Deltona, Florida 32725**  
**Parcel No.: 30-18-31-30-18-0120**

**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 or demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter or repair, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit for the mechanical. (**Enforcement Services Officer Julie Hughes**)

**Continued** to April 27, 2011, to allow more time to obtain the permits, per the request of Mr. Crockett.

**10. NEW BUSINESS:**

**A. DEL-11-032**

**Jana M. Vanhorn**  
**2550 Crowley Terrace, Deltona, Florida 32738**  
**Property Address: 2550 Crowley Terrace, Deltona, Florida 32738**  
**Parcel No.: 30-18-31-33-11-0060**

**Violation** of the City of Deltona Ordinance, Section 18-5, which adopts 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 Richard Lovett**)

**Order** of Non Compliance, Hearing to impose fine at the April 27, 2011 Code Hearing.

**B. DEL-11-033**

**Garry Cole**

**3330 Lake Helen Osteen Rd., Deltona, Florida 32738**

**Property Address: 2824 Jewel Ave., Deltona, Florida 32738**

**Parcel No.: 12-18-31-01-05-0100**

**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)**

**Found** in non compliance at the time of the violation, Respondent came into compliance and the case was dismissed.

**C. DEL-11-034**

**Juliet Decambre**

**924 East 226<sup>th</sup> Street, Apt 2A, Bronx, NY 10466**

**Property Address: 3200 Riverhead Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-32-45-0050**

**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. **(Enforcement Services Officer Albert Grimsley)**

**Withdrawn**

**D. DEL-11-035**

**Sharonda Lavett Wynn**

**2132 Brewster Dr., Deltona, Florida 32738**

**Property Address: 2132 Brewster Dr., Deltona, Florida 32738**

**Parcel No.: 30-18-31-53-30-0090**

**Violation** of the 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 Richard Lovett)**

**Found** in non compliance and the case was dismissed due to the property being in Lis Pendens.

**E. DEL-11-036**

**US Bank National Assoc TR**

**4875 Belfort Rd., Suite 130, Jacksonville, Florida 32256**

**Property Address: 2100 Altoona Lane, Deltona, Florida 32738**

**Parcel No.: 30-18-31-53-29-0060**

**Violation** of 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 porch enclosure on the back of the property. **(Enforcement Services Officer Richard Lovett)**

**Order** of Non Compliance, Hearing to impose fine at the April 27, 2011 Code Hearing.

**F. DEL-11-038**

**Richard J. Martikainen EST**

**1759 Wolfton Court, Deltona, Florida 32738**

**Property Address: 1759 Wolfton Court, Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-28-0250**

**Violation** of the City of Deltona Ordinance, Section 18-5, which adopts 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 Non Compliance, Hearing to impose fine at the April 27, 2011 Code Hearing.

**G. DEL-11-039**

**Richard J. Martikainen EST**

**1759 Wolfton Court, Deltona, Florida 32738**

**Property Address: 1759 Wolfton Court, Deltona, Florida 32738**

**Parcel No.: 30-18-31-43-28-0250**

**Violation** of the City of Deltona Ordinance, Section 18-5, reference 304.2, adopting the latest edition of the International Property Maintenance Code, which states that all exterior surfaces, including but not limited to, doors, garage doors, door and window frames, cornices, porches, trim, balconies, decks and fences, and shall be kept in sound working condition and maintained in good repair. **(Enforcement Services Officer Danny Ron)**

**Order** of Non Compliance, Hearing to impose fine at the April 27, 2011 Code Hearing.

**H. DEL-11-040**

**Mirna L. Mazzella**

**611 Everett St., Deltona, Florida 32725-3216**

**Property Address: 611 Everett St., Deltona, Florida 32725-3216**

**Parcel No.:30-18-31-03-61-0320**

**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 Seda**)

**Tow Order** was granted for inoperable or untagged vehicles. Respondent found in non compliance at the time of the violation and then they came into compliance and the case was dismissed. A tow order was so ordered due to repeating this violation.

**11. OTHER BUSINESS:**

**A. DEL-11-027 Repeat Case for DEL-10-088**

**Mirna L. Mazzella**

**611 Everett St., Deltona, Florida 32725-3216**

**Property Address: 611 Everett St., Deltona, Florida 32725-3216**

**Parcel No.:30-18-31-03-61-0320**

**Violation** of City of Deltona Ordinance, Section 38-110(2) and Section 38-114, which states that accumulations of waste, yard trash and/or debris are declared to be a nuisance and that furniture outside must be designed to be placed outdoors or stored inside a covered structure. (**Enforcement Services Officer Shanna Seda**)

**Frank Mazzella** was present, he is Respondent's son. An Order of compliance was so ordered by the Special Magistrate with a fine of \$400.00 imposed, due to this being a repeat violation.

**B. DEL-11-028 Repeat Case for DEL-10-096**

**Mirna L. Mazzella**

**611 Everett St., Deltona, Florida 32725-3216**

**Property Address: 611 Everett St., Deltona, Florida 32725-3216**

**Parcel No.:30-18-31-03-61-0320**

**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 Shanna Seda**)

**Frank Mazzella** was present, he is Respondent's son. An Order of compliance was so ordered by the Special Magistrate with a fine of \$400.00 imposed, due to this being a repeat violation.

**12. DISCUSSION:**

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

**13. ADJOURNMENT: Meeting adjourned at 6:20 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**