

**CITY OF DELTONA, FLORIDA
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES
Wednesday, August 28, 2013**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, August 28, 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	Dana Johnson	Present
Director of Department	Dale Baker	Present

Also present were: Enforcement Services Officers; Steve Braukhoff, Julie Hughes, Lonnie Wilson, Jonathan Hogan, Richard Lovett, Danita Thompson, Danny Ron, Shanna Hogan, and Dennis Mues.

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 and Fire 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 July 24, 2013 were approved, by Special Magistrate, Charles Cino.

7. ANNOUNCEMENTS: - The Director of the Building and Enforcement Services Department stated that under Old Business, case(s) DEL-13-027 and DEL-13-158 are in compliance, and under New Business, case(s) DEL-13-164, DEL-13-165, DEL-13-166, DEL-13-168, DEL-13-170, DEL-13-173, DEL-13-179, DEL-13-181, DEL-13-186, DEL-13-191, DEL-13-192, DEL-13-196, DEL-13-197, and DEL-13-198, are/were withdrawn.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-13-027

**Randy Lee and Susan Bergman
23 Leslie Cove, Cartersville, GA 30121
Property Address: 1194 Gage Ave., Deltona, Florida 32738
Parcel No.: 30-18-31-38-14-0120**

Violation of City of Deltona Ordinance, specifically 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 Steve Braukhoff)

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

B. DEL-13-109

**Reginah O. Akintunde-Akinwole
c/o Tranco Title Inc.
16242 SW 18 Street, Miramar, Florida 33027
Property Address: 1031 Deltona Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-10-11-0150**

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 602.3 (2), which states that in areas where the average monthly temperature is above 30 degrees Fahrenheit (-1degree Celsius) a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained. (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

C. DEL-13-110

Reginah O. Akintunde-Akinwole

c/o Tranco Title Inc.

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

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 condition, good repair and weather tight. (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

D. DEL-13-111

Reginah O. Akintunde-Akinwole

c/o Tranco Title Inc.

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

Violation of City of Deltona Ordinance, Section 18-5, which adopts the International Property Maintenance Code, Section 504.1, which states that 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. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

E. DEL-13-112

**Reginah O. Akintunde-Akinwole
c/o Tranco Title Inc.**

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

Violation of City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.2, which states that all exterior surfaces, including but not limited to, 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 Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings

F. DEL-13-113

**Reginah O. Akintunde-Akinwole
c/o Tranco Title Inc.**

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

Violation 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 Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

G. DEL-13-114

**Reginah O. Akintunde-Akinwole
c/o Tranco Title Inc.
16242 SW 18 Street, Miramar, Florida 33027
Property Address: 1031 Deltona Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-10-11-0150**

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 Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

H. DEL-13-115

**Reginah O. Akintunde-Akinwole
c/o Tranco Title Inc.
16242 SW 18 Street, Miramar, Florida 33027
Property Address: 1031 Deltona Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-10-11-0150**

Violation of City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 305.3, which states that all interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decaying wood and other defective surface conditions shall be corrected. (in garage near plumbing for laundry) (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

I. DEL-13-116

Reginah O. Akintunde-Akinwole

c/o Tranco Title Inc.

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

Violation of City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 603.1, which states that all mechanical appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function. (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings

J. DEL-13-117

Reginah O. Akintunde-Akinwole

c/o Tranco Title Inc.

16242 SW 18 Street, Miramar, Florida 33027

Property Address: 1031 Deltona Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-10-11-0150

Violation of 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. (Enforcement Services Officer Shanna Hogan)

A fine of \$50.00 per day (per case) with a \$10,000 cap (per case) was ordered effective September 26, 2013 if not in compliance by September 25, 2013. Mr. Loriston, who represents the owner as his partner/property manager, came in after the cases were heard and was given an explanation on the Special Magistrate's findings.

K. DEL-13-141

George A. Clark
3247 Bretton Woods Ter., Deltona, Florida 32725
Property Address: 3247 Bretton Woods Ter., Deltona, Fl. 32725
Parcel No.: 05-18-31-19-00-1120

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 to Abate Property issued and a fine of \$100 per day with a cap of \$20,000 was ordered effective August 29, 2013.

L. DEL-13-146

Noel A. Reyes
3049 Bonkirk Dr., Deltona, Florida 32738-9596
Property Address: 3049 Bonkirk Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-39-05-0140

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)

Effective August 29, 2013 a fine was ordered for \$50.00 per day (per case) with a cap of \$10,000 (per case).

M. DEL-13-147

Noel A. Reyes
3049 Bonkirk Dr., Deltona, Florida 32738-9596
Property Address: 3049 Bonkirk Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-39-05-0140

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 Richard Lovett)

Effective August 29, 2013 a fine was ordered for \$50.00 per day (per case) with a cap of \$10,000 (per case).

N. DEL-13-148

Noel A. Reyes

3049 Bonkirk Dr., Deltona, Florida 32738-9596

Property Address: 3049 Bonkirk Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-39-05-0140

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 - Repair or remove the fence structure. (Enforcement Services Officer Richard Lovett)

Effective August 29, 2013 a fine was ordered for \$50.00 per day (per case) with a cap of \$10,000 (per case).

O. DEL-13-155

Donna McDaniel Est.

Christoher McDaniel Per Rep.

2938 Clovis Dr., Deltona, Florida 32738

Property Address: 2938 Clovis Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-41-43-0070

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)

Found to be in Non-Compliance, executed actions to come into compliance and case was dismissed. Order of Dismissal.

P. DEL-13-156

Sheri L. and Philip Robinson

3669 Pamona St., Deltona, Florida 32738

Property Address: 3669 Pamona St., Deltona, Florida 32738

Parcel No.: 30-18-31-62-31-0080

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first.

Violation of City of Deltona Ordinance, Section Sec. 14-201(a) every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times. (Enforcement Services Officer Julie Hughes)

Effective August 29, 2013 a fine was ordered for \$25.00 per day with a cap of \$10,000.

Q. DEL-13-158

Emory and Gladys Green

2181 Brisson Ave., Sanford, Florida 32771

Property Address: 80 S. Courtland Blvd., Deltona, FL 32738

Parcel No.: 30-18-31-63-13-0090

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first.

Violation of City of Deltona Ordinance, Section Sec. 14-201(a) Every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times. (Enforcement Services Officer Julie Hughes)

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

10. NEW BUSINESS

A. DEL-13-149

**Gabriel M. & Yokasta Fernandez
206 Via Tuscany Loop, Lake Mary, Florida 32746
Property Address: 1870 Providence Blvd. STE D-J, Deltona, FL
32725
Parcel No.: 30-18-31-65-16-0010**

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. A permit is required for the freezer/coolers that was installed and also for the Type II heat hood that was permitted, but has since expired, without a final inspection. (Enforcement Services Officer Dennis Mues)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing.

B. DEL-13-150

**Koesler Cyrille
1574 E. Normandy Blvd., Deltona, Florida 32725
Property Address: 1574 E. Normandy Blvd, Deltona, Florida
32725
Parcel No.: 30-18-31-11-23-0050**

Violation City of Deltona Ordinance, Section 22-235(a), October 1 of each year, or at the same time thereafter as residential property is first offered for rent, the owner of record of each dwelling unit or rooming house in which 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 for a local business tax receipt to engage in the business of renting residential property, setting forth the address, classification (whether single-family, multiple-family or rental room), and the local point of contact person of each dwelling unit to be issued a business tax receipt for rental, in such form or forms as the City of Deltona shall from time to time designate, together with such fees as the city commission may from time to time adopt by resolution.

An agent of one or more owners may apply for multiple tax receipts, upon certifying that the agent has received written authorization from each owner represented provided that such authorization acknowledges receipt of a copy of this ordinance and applicable sections of the International Property Maintenance Code and acknowledges that failure to abide by this ordinance or other applicable codes and ordinances may result in a lien upon the property of the owner. The owner of record shall notify the city within 30 days when the local point of contact person changes. (Enforcement Services Officer Dennis Mues)

An Administrative Fine of \$250.00 was levied effective August 29, 2013.

- C. DEL-13-164**
Robin Beeso
1422 Paseo Victoria, San Dimas, CA 91773
Property Address: 910 Crawford St., Deltona, Florida 32725
Parcel No.: 30-18-31-28-17-0210

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 is required for the pool. (Enforcement Services Officer Lonnie Wilson)

Withdrawn.

- D. DEL-13-165**
Kenneth M. Bain
1033 Angora St., Deltona, Florida 32725
Property Address: 1033 Angora St., Deltona, Florida 32725
Parcel No.: 30-18-31-05-62-0200

Violation: City of Deltona Ordinance, Section 18-3, which adopts the Standard Housing Code, 2012 Edition, Section 301.2. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code.

A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control. (Enforcement Services Officer Lonnie Wilson)

Withdrawn.

E. DEL-13-166

**BAC Home Loans Servicing LP
2900 N. Madera Rd., Simi Valley, CA 93065
Property Address: 1237 Anderson, Deltona, Florida 32725
Parcel No.: 30-18-31-05-28-0070**

Violation of City of Deltona Ordinance, Section 18-5, 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. (Enforcement Services Officer Lonnie Wilson)

Withdrawn.

F. DEL-13-168

**Paula & Paul Outzen JTRS
798 Merrimac St., Deltona, Florida 32725
Property Address: 798 Merrimac St., Deltona, Florida 32725
Parcel No.: 30-18-31-30-05-0110**

Violation of City of Deltona Ordinance, Section 38-110 (2), Accumulations of waste, yard trash, or rubble and debris. *Yard trash* means abandoned vegetative material from landscaping, maintenance or land clearing operations, and includes such materials as tree and shrub trimmings, grass clippings, palm fronds, tree limbs, tree stumps and similar materials. (Enforcement Services Officer Danny Ron)

Withdrawn.

G. DEL-13-169

Paula & Paul Outzen JTRS

798 Merrimac St., Deltona, Florida 32725

Property Address: 798 Merrimac St., Deltona, Florida 32725

Parcel No.: 30-18-31-30-05-0110

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. (Enforcement Services Officer Danny Ron)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing.

H. DEL-13-170

Laura C. Nyenhuis

554 Richard Street, Crystal, MI 48818

Property Address: 2120 Wallingford St., Deltona, Florida 32738

Parcel No.: 30-18-31-17-03-0150

Violation of City of Deltona Ordinance, Section 22-235(a), October 1 of each year, or at the same time thereafter as residential property is first offered for rent, the owner of record of each dwelling unit or rooming house in which 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 for a local business tax receipt to engage in the business of renting residential property, setting forth the address, classification (whether single-family, multiple-family or rental room), and the local point of contact person of each dwelling unit to be issued a business tax receipt for rental, in such form or forms as the City of Deltona shall from time to time designate, together with such fees as the city commission may from time to time adopt by resolution. An agent of one or more owners may apply for multiple tax receipts, upon certifying that the agent has received written authorization from each owner represented provided that such authorization acknowledges receipt of a copy of this ordinance and applicable sections of the International Property Maintenance Code and acknowledges that failure to abide by this ordinance or other applicable codes and ordinances may result in a lien upon the property of the owner.

The owner of record shall notify the city within 30 days when the local point of contact person changes. (Enforcement Services Officer Danita Thompson)

Withdrawn.

- I. **DEL-13-171**
Francis R. Burke
1475 Daroca Dr., Deltona, Florida 32725
Property Address: 1475 Daroca Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-72-18-0110

Violation of 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. (Enforcement Services Officer Danita Thompson)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Nadine Doyle, daughter of Francis R. Burke was present.

- J. **DEL-13-172**
Francis R. Burke
1475 Daroca Dr., Deltona, Florida 32725
Property Address: 1475 Daroca Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-72-18-0110

Violation of City of Deltona Ordinance, Section 18-5, adopting 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 condition, good repair and weather tight. (Enforcement Services Officer Danita Thompson)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Nadine Doyle, daughter of Francis R. Burke was present.

- K. **DEL-13-173**
Suzanne Witmer
692 Comstock Dr., Deltona, Florida 32738
Property Address: 692 Comstock Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-21-05-0110

Violation City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first. (Enforcement Services Officer Danita Thompson)

Withdrawn.

L. DEL-13-174

Suzanne Witmer
692 Comstock Dr., Deltona, Florida 32738
Property Address: 692 Comstock Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-21-05-0110

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 Danita Thompson)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Suzanne Witmer was present.

M. DEL-13-175

William L. & Cathy J. Appleby
1139 N. Old Mill Rd., Deltona, Florida 32725-2854
Property Address: 1139 N. Old Mill Rd., Deltona, Florida 32725
Parcel No.: 30-18-31-26-07-0270

Violation of 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. (Enforcement Services Officer Richard Lovett)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Abatement Order will be issued at September 25, 2013 if still in violation.

N. DEL-13-176

Brad V. Presa
3144 Maltby Dr., Deltona, Florida 32738
Property Address: 3144 Maltby Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-44-31-0060

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 Julie Hughes)

Found to be in Non-Compliance, executed actions to come into compliance and case was dismissed. Order of Dismissal.

O. DEL-13-177

Maria Gladys Caraballo-Cornier
434 Rockford St., Deltona, Florida 32725-3121
Property Address: 434 Rockford St., Deltona, Florida 32725
Parcel No.: 30-18-31-70-09-0090

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

Dismissed. Charles Citron, son of Maria Gladys Caraballo-Cornier was present.

P. DEL-13-178

Paul & Celia Bowen
998 Sylvia Dr., Deltona, Florida 32725
Property Address: 998 Sylvia Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-08-30-0290

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 – apply for a fence permit. (Enforcement Services Officer Danny Ron)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing.

- Q. DEL-13-179**
Paul & Celia Bowen
998 Sylvia Dr., Deltona, Florida 32725
Property Address: 998 Sylvia Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-08-30-0290

Violation of City of Deltona Ordinance, Section 22-235(a), October 1 of each year, or at the same time thereafter as residential property is first offered for rent, the owner of record of each dwelling unit or rooming house in which 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 for a local business tax receipt to engage in the business of renting residential property, setting forth the address, classification (whether single-family, multiple-family or rental room), and the local point of contact person of each dwelling unit to be issued a business tax receipt for rental, in such form or forms as the City of Deltona shall from time to time designate, together with such fees as the city commission may from time to time adopt by resolution. An agent of one or more owners may apply for multiple tax receipts, upon certifying that the agent has received written authorization from each owner represented provided that such authorization acknowledges receipt of a copy of this ordinance and applicable sections of the International Property Maintenance Code and acknowledges that failure to abide by this ordinance or other applicable codes and ordinances may result in a lien upon the property of the owner. The owner of record shall notify the city within 30 days when the local point of contact person changes. (Enforcement Services Officer Danny Ron)

Withdrawn.

- R. DEL-13-180**
US Bank NA
4801 Frederica St., Owensboro, KY 42301
Property Address: 1635 Weybridge St., Deltona, Florida 32725
Parcel No.: 30-18-31-55-24-0050

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. (Enforcement Services Officer Danny Ron)

Order of Non Compliance with a Hearing to impose fine at the October 23, 2013 Code Hearing.

S. DEL-13-181

Charles & Patricia E. McFarland
1362 Comerwood Dr., Deltona, Florida 32738
Property Address: 1362 Comerwood Dr., Deltona, FL 32738
Parcel No.: 30-18-31-38-10-0030

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 condition, good repair and weather tight. (Enforcement Services Officer Jonathan Hogan)

Withdrawn.

T. DEL-13-182

Frederick G. & Deborah Rosberg
2896 Clovis Drive, Deltona, Florida 32738-8933
Property Address: 2896 Clovis Drive, Deltona, Florida 32738
Parcel No.: 30-18-31-41-40-0040

Violation of 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 Jonathan Hogan)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Both Frederick G. & Deborah Rosberg were present.

U. DEL-13-184

Kevin D. & Jennifer R. Kaatz
518 Gondolier Terr., Deltona, Florida 32725
Property Address: 518 Gondolier Terr., Deltona, Florida 32725
Parcel No.: 30-18-31-04-15-0100

Violation of City of Deltona Ordinance, Section 22-235(a), October 1 of each year, or at the same time thereafter as residential property is first offered for rent, the owner of record of each dwelling unit or rooming house in which 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 for a local business tax receipt to engage in the business of renting residential property, setting forth the address, classification (whether single-family, multiple-family or rental room), and the local point of contact person of each dwelling unit to be issued a business tax receipt for rental, in such form or forms as the City of Deltona shall from time to time designate, together with such fees as the city commission may from time to time adopt by resolution. (Enforcement Services Officer Danny Ron)

An Administrative Fine of \$250.00 was levied effective August 29, 2013.

V. DEL-13-185

**Gabriel M. & Yokasta Fernandez
206 Via Tuscany Loop, Lake Mary, Florida 32746
Property Address: 1870 Providence Blvd., Deltona, FL 32725
Parcel No.: 30-18-31-65-16-0010**

Violation of City of Deltona Ordinance, Section 18.5, reference to 605.1, adopting the latest edition of the International Property Maintenance Code, which states that all electrical equipment, wiring, and appliances shall be properly installed and maintained in a safe and approved manner. (Enforcement Services Officer Danny Ron)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing. Fred Peralta who is the store manager was present.

W. DEL-13-186

**Edward Thomas
2607 S. Woodland Blvd., Unit 167, Deland, Florida 32720-7001
Property Address: 2964 Little Ct., Deltona, Florida 32738
Parcel No.: 30-18-31-58-01-0030**

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 Danny Ron)

Withdrawn.

X. DEL-13-187

**George J. White & William C. Kernstock JTRS
105 Wethersfield Ct., Deland, Florida 32724
Property Address: 2066 W. Barlington Dr., Deltona, Fl. 32725
Parcel No.: 30-18-31-08-46-0150**

Violation of Violation: City of Deltona Ordinance, Section 38-114, which states that storage of building materials, commercial and industrial equipment, materials, objects or waste relating to commercial or industrial uses, or any equipment, materials or objects that are not incidental to a residential use, shall be prohibited.

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 Danny Ron)

Found to be in Non-Compliance, executed actions to come into compliance and case was dismissed. Order of Dismissal.

Y. DEL-13-188

**Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Fl. 32725
Parcel No.: 30-18-31-72-12-0070**

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 Danita Thompson)

Order of Non Compliance with a Hearing to impose a fine of \$250.00 per day (per case) at the October 23, 2013 Code Hearing.

Z. DEL-13-189

**Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Fl. 32725
Parcel No.: 30-18-31-72-12-0070**

Violation of City of Deltona Ordinance, Section 18-5, adopting 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 condition, good repair and weather tight. (Enforcement Services Officer Danita Thompson)

Order of Non Compliance with a Hearing to impose a fine of \$250.00 per day (per case) at the October 23, 2013 Code Hearing.

AA. DEL-13-190

**Mauricio & Nuria Martell
1631 Providence Blvd., Deltona, Florida 32725-4951
Property Address: 1631 Providence Blvd., Deltona, Fl. 32725
Parcel No.: 30-18-31-72-12-0070**

Violation of 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. (Enforcement Services Officer Danita Thompson)

Order of Non Compliance with a Hearing to impose a fine of \$250.00 per day (per case) at the October 23, 2013 Code Hearing.

BB. DEL-13-191

**Circle K Properties Inc.
Attn: Property Tax Dept.
P.O. Box 52085 DC17, Phoenix, AZ 85072-2085
Property Address: 2885 Howland Blvd., Deltona, Florida 32738
Parcel No.: 30-18-31-39-00-0030**

**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.
(Enforcement Services Officer Dennis Mues)**

Withdrawn.

CC. DEL-13-192

Nick Pizza, Inc.

689 Deltona Blvd, Deltona, Florida 32725

Property Address: 689 Deltona Blvd, Deltona, Florida 32725

Parcel No.: 36-18-30-05-03-0110

Violation City of Deltona Ordinance No 11-2007, Chapter 22, Section 22-4, which states no person shall engage in, manage, transact, or carry on any business, occupation or profession within the City for which there is a local business tax required by this article or any other provisions of this Code unless such person shall first procure a local business receipt ("receipt") to conduct the same from the City. It shall be no defense of nonpayment of any local business tax required by this article that the licensee did not receive any bill or notice that the same was due from the city. (Enforcement Services Officer Dennis Mues)

Withdrawn.

DD. DEL-13-194

Christine Bielka-Semler-Kaplan

779 Westline Ave., Deltona, Florida 32725

Property Address: 779 Westline Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-66-17-0110

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first. (Enforcement Services Officer Shanna Hogan)

Order of Non Compliance with a Hearing to impose a fine at the September 25, 2013 Code Hearing.

EE. DEL-13-195

Christine Bielka-Semler-Kaplan

779 Westline Ave., Deltona, Florida 32725

Property Address: 779 Westline Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-66-17-0110

Violation of City of Deltona Ordinance, Section Sec. 14-201(a) every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of

a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times. (Enforcement Services Officer Shanna Hogan)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing.

FF. DEL-13-196

Frances Crispino

1060 Eva St., Deltona, Florida 32725

Property Address: 1060 Eva St., Deltona, Florida 32725

Parcel No.: 30-18-31-76-04-0040

Violation of City of Deltona Ordinance, Section 14-141(c) It shall be the duty of the owner or person responsible for any dog or cat brought into the city or acquired to have the dog or cat licensed in accordance with this division within 15 days after the dog or cat is brought into the city or acquired, or before the dog or cat reaches six months of age, whichever comes first. (Enforcement Services Officer Shanna Hogan)

Withdrawn.

GG. DEL-13-197

Frances Crispino

1060 Eva St., Deltona, Florida 32725

Property Address: 1060 Eva St., Deltona, Florida 32725

Parcel No.: 30-18-31-76-04-0040

Violation of City of Deltona Ordinance, Section Sec. 14-201(a) Every person who owns or harbors a dog or cat in the city shall have such dog or cat annually vaccinated against rabies by a licensed veterinarian. Evidence of such vaccination shall consist of a current certificate issued and signed by the veterinarian administering the vaccination. The owner or custodian of any animal required by this section to be inoculated against rabies shall keep a current rabies tag with the year attached to the animal at all times. (Enforcement Services Officer Shanna Hogan)

Withdrawn.

HH. DEL-13-198

Kimberly D. Meyer

1114 W. Seagate Dr., Deltona, Florida 32725

Property Address: 1114 W. Seagate Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-71-39-0060

Violation of 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.

(Enforcement Services Officer Richard Lovett)

Withdrawn.

II. DEL-13-199

James W. Outen

1112 W. Seagate Dr., Deltona, Florida 32725

Property Address: 1112 W. Seagate Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-71-39-0050

Violation of 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.

(Enforcement Services Officer Richard Lovett)

Order of Non Compliance and fine was ordered for \$250.00 per day with a cap of \$20,000.00 to be effective on September 9, 2013 if property is not brought into compliance by September 9, 2013.

JJ. DEL-13-200

James W. Outen

1112 W. Seagate Dr., Deltona, Florida 32725

Property Address: 1112 W. Seagate Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-71-39-0050

Violation of 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. (Enforcement Services Officer Richard Lovett)

Order of Non Compliance with a Hearing to impose fine at the September 25, 2013 Code Hearing.

KK. DEL-13-201
Kenia Vazquez
802 Yellowbird Ave., Deltona, Florida 32725
Property Address: 802 Yellowbird Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-05-67-0110

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 – Shed. (Enforcement Services Officer Shanna Hogan)

Order of Non Compliance with a Hearing to impose fine at the October 23, 2013 Code Hearing.

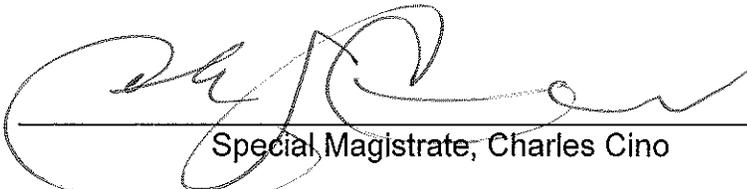
11. OTHER and REPEAT BUSINESS:

12. DISCUSSION:

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

13. ADJOURNMENT (6:54 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, Dana Johnson