City of Deltona

Special Magistrate
Charles Cino

Director, Building & Enforcement Services
Dale Baker, CEP

Hearing Clerk
Sonjia Kihlmire

Administrative Support

SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING

WEDNESDAY, July 25, 2012
5:30 P.M.

DELTONA COMMISSION CHAMBERS
2345 PROVIDENCE BLVD.
DELTONA, FLORIDA

AMENDED AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SPECIAL MAGISTRATE STATEMENT
4. DISCLOSURE OF EX PARTE COMMUNICATIONS
5. APPROVAL OF MINUTES
   A. Minutes: Meeting – June 27, 2012
6. ANNOUNCEMENTS
7. SWEARING IN OF OFFICERS AND WITNESSES
8. OLD BUSINESS:

Enforcement Services Department
2345 Providence Blvd. Deltona, FL 32725
(386) 878-8700; FAX: (386) 789-7237
City Webpage: www.deltonafl.gov

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 a second floor dwelling. (Enforcement Services Officer Steve Braukhoff)

B. **DEL-12-025**
Genaro & Maria Castillo L/E
PO Box 336. Debary, 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, adopting 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)

C. **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)

D. **DEL-12-079**
Wendy 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 Deltona Ordinance Section 14-9(e)
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.
Animals loose on this property are a Violation of Deltona Ordinance 14-2(10)
It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal:
(10)Has otherwise been determined to be a stray. (Enforcement Services Officer Steve Braukhoff)

E. **DEL-12-094**
Theresa C. Konash
PO Box 4098, Deltona, Florida 32725
Property Address: 1237 West Portillo Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-13-12-0100

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Tray Black)

F. **DEL-12-097**
Alex P. And Leah J. Digges
10 Bass Lake Dr., Debary, Florida 32713
Property Address: 1621 Bloomfield Ave., Deltona, Florida 32725
Parcel No.: 30-18-31-72-03-0120

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 Julie Hughes)

G. **DEL-12-107**
Honorio Hernandez and Nilda Rodriguez JTWRS
930 Radcliff St., Deltona, Florida 32725
Property Address: 930 Radcliff St., Deltona, Florida 32725
Parcel No.: 30-18-31-30-17-0090

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 Tray Black)

H. **DEL-12-108**
Honorio Hernandez and Nilda Rodriguez JTWRS
930 Radcliff St., Deltona, Florida 32725
Property Address: 930 Radcliff St., Deltona, Florida 32725
Parcel No.: 30-18-31-30-17-0090

Violation: 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)

I. **DEL-12-119**
Laurie D. Johnson
1195 Acorn Court, Deltona, Florida 32725-5745
Property Address: 1195 Acorn Court, Deltona, Florida 32725
Parcel No.: 30-18-31-02-20-0260

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 Julie Hughes)

9. **New Business:**

A. **DEL-12-128**
Connie Biancardi
12724 Chittamwood Trail, Euless, Texas 76040
Property Address: 2820 Howland Blvd., Deltona, Florida 32738
Parcel No.: 30-18-31-39-09-0090

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, Section 22-4, which states that 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 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. (Enforcement Services Officer Shanna Hogan)

B. **DEL-12-129**
Jane and Chester E. Giegold
3231 Glenmeadow Terrace, Deltona, Florida 32725-3059
Property Address: 3231 Glenmeadow Terrace, Deltona, Florida 32725
Parcel No.: 30-18-31-18-00-0660

Violation City of Deltona Ordinance, Section Sec. 4-2. It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal:

(6) Barks, chirps, howls, meows, or makes other such prolonged and disturbing noises which interfere with the peace and quietude of the neighboring property when such noises continue for periods longer than 15 minutes. (Enforcement Services Officer Shanna Hogan)

C. **DEL-12-130**
Tracey L. Harris
2562 Beal St., Deltona, Florida 32738
Property Address: 2562 beal St., Deltona, Florida 32738
Parcel No.: 30-18-31-32-66-0280

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 Richard Lovett)

D. **DEL-12-131**
David J. Macaluso and Daria Macaluso
410 Twisting Pines Circle, Longwood Florida 32779
Property Address: 2332 Bannister St., Deltona, Florida 32738
Parcel No.: 30-18-31-45-25-0180

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 Richard Lovett)

E. **DEL-12-132**
Zainool Hosein Est
1434 NE Old Mill Rd., Deltona, Florida 32725
Property Address: 1322 Deltona Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-06-03-0100

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Dennis Mues)

F. **DEL-12-133 -WITHDRAWN**
Peter Pober
2 Second Place, Brooklyn, NY 11231
Property Address: 651 Fort Smith Blvd., Deltona, Florida 32738
Parcel No.: 30-18-31-21-06-0220

Violation of City of Deltona Ordinance, Section 11-2007, Chapter 22, which states that the owner of record of each dwelling unit or rooming house in which a residential quarters are rented or offered for rent to persons other than the owner or owner's immediate family, shall make written application to the City of Deltona for a local business tax license and provide a local point of contact person for each dwelling unit. (Enforcement Services Officer Dennis Mues)

G. **DEL-12-136**
German I. and Keira Espada
1516 Coronet Dr., Deltona, Florida 32725
Property Address: 1516 Coronet Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-11-46-0210

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 water heater. (Enforcement Services Officer Julie Hughes)

H. **DEL-12-137**
German I. and Keira Espada
1516 Coronet Dr., Deltona, Florida 32725
Property Address: 1516 Coronet Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-11-46-0210

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)

I. **DEL-12-138**
Charles Allan Augliera ETAL
c/o 1133 E. Hancock Dr., Deltona, Florida 32725
Property Address: 1133 East Hancock Dr., Deltona, Florida 32725
Parcel no.: 30-18-31-05-74-0140

Violation 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 Julie Hughes)

J. **DEL-12-139**
Ludmils C. Antonos Sr. and Martine G. R. Colon
1505 Fort Clarke Blvd., Apt 5208, Gainsville, Florida 32606-7199
Property Address: 3130 Cabot Court, Deltona, Florida 32738
Parcel No.: 30-18-31-32-99-0410

Violation City of Deltona Ordinance, Section 4-2. It is unlawful for a person to permit animals to become a public nuisance. An animal shall be declared a public nuisance animal if such animal:
(1) Is repeatedly found at large;
(Enforcement Services Officer Danny Ron)

K. **DEL-12-140**
Ludmils C. Antonos Sr. and Martine G. R. Colon
1505 Fort Clarke Blvd., Apt 5208, Gainsville, Florida 32606-7199
Property Address: 3130 Cabot Court, Deltona, Florida 32738
Parcel No.: 30-18-31-32-99-0410

Violation: City of Deltona Ordinance, Section 110-827.04(4), which states that one accessory driveway may connect across a side street yard on a single family residential corner lot to a low volume (0-1000 ADT) local street if all corner distance separation requirements of the Land Development Code, Chapter 96, can be met, there are no adverse stormwater impacts, no horizontal or vertical vision clearance issues, and a right-of-way use permit is obtained authorizing the connections in accordance with all applicable codes. (Enforcement Services Officer Danny Ron)

L. **DEL-12-141**
Jesse F. and Melody Mclean
2541 Candlewick Dr., Deltona, Florida 32738
Property Address: 2541 Candlewick Dr., Deltona, Florida 32738
Parcel No.: 30-18-31-42-03-0030

Violation 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)

10. OTHER BUSINESS:

A. **DEL-11-062 and DEL-11-063**
Fanny Perez
9216 Amity Court, Orlando Florida 32817
Property Address: 2012 Elkcam Blvd., Deltona, Florida 32725
Parcel No.: 30-18-31-03-43-0190

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 Richard Lovett)

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 Richard Lovett)

Ms. Perez is requesting a recommendation for a reduction in fine for both cases.

B. **DEL-09-083**
Daniel Williams
1898 Van Allen Circle, Deltona, Florida 32738
Property Address: 1898 Van Allen Circle, Deltona Florida 32738
Parcel No.: 30-18-31-36-05-0050

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 for the shed. (Enforcement Services Officer Richard Lovett)

Per Officer Richard Lovett, this shed was removed May 22, 2012 and an Affidavit of Compliance was recorded.

11. DISCUSSION:

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

12. ADJOURNMENT

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.