

**CITY OF DELTONA, FLORIDA
SPECIAL MAGISTRATE CODE ENFORCEMENT HEARING MINUTES
Wednesday, November 28, 2012**

The Regular meeting of the Special Magistrate Code Enforcement Hearing was held on Wednesday, November 28, 2012 in the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 5:25 p.m. by Special Magistrate Cino.

2. ROLL CALL:

Special Magistrate	Charles Cino	Present
Director	Dale Baker	Present
Administrative Staff	Yoselin Rodriguez	Present

Also present were: Enforcement Services Officers; Steve Braukhoff, Dave DeKruif, Shanna Hogan, Julie Hughes, Richard Lovett, Tray Black, Danny Ron and Lonnie Wilson.

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 October 24, 2012 were approved, by Special Magistrate, Charles Cino.

7. ANNOUNCEMENTS: - The Director, Dale Baker, states that under, Old Business, cases DEL-12-164, DEL-12-165, DEL-12-189 and DEL-12-190 have come into compliance and an affidavit will be submitted. Under New Business cases DEL-12-174 and DEL-12-200 were continued to the January 23, 2013 Code Hearing. Cases DEL-12-201, DEL-12-204, DEL-12-208, DEL-12-211, DEL-12-214 and DEL-12-218 are withdrawn.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- 12-154

**Alex and Susan Jagodinski
1338 Freeport Dr., Deltona, Florida 32725
Property Address: 1338 Freeport Dr., Deltona, Florida 32725
Parcel No.: 30-18-31-07-71-0060**

Violation of 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:

- (1) Is repeatedly found at large;
 - (4) Causes offensive odors, which disturb the comfort, peace or repose of any person residing in the vicinity;
 - (5) Is on property in such numbers as exceeds the number limits placed on animals in this chapter;
 - (9) Has been designated by the animal control officer to be a public nuisance animal, by virtue of being a menace to public health, welfare or safety; or
 - (10) Has otherwise been determined to be a stray.
- (Enforcement Services Officer Julie Hughes)

Respondent Alex Jagodinski was present. Second Amended Order of Non-Compliance issued by the Special Magistrate with a Hearing to impose fine if compliance is not met by the January 23, 2013 Code Hearing.

B. 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)

Respondent Felicia Edmands was present. First Amended Order of Non Compliance issued. If compliance is not met a Hearing to impose fine will/may be held at the January 23, 2013 Code Hearing.

C. DEL-12-164

Laurie D. Johnson

1195 Acorn Court, Deltona, Florida 32725

Property Address: 1195 Acorn Court, Deltona, Florida 32725

Parcel No.: 30-18-31-02-20-0260

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 fence. (Enforcement Services Officer Tray Black)

Order of Compliance issued based on the Affidavit of Compliance furnished by Officer Tray Black.

D. DEL-12-165

Finel J. Banks

942 Wilmington Dr., Deltona, Florida 32725

Property Address: 942 Wilmington Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-73-14-0060

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, 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 roof. (Enforcement Services Officer Tray Black)

Order of Compliance issued based on the Affidavit of Compliance furnished by Officer Tray Black.

E. DEL-12-188

Frederick M. Antonia

822 Superior St., Deltona, Florida 32725

Property Address: 882 Yellowbird Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-05-67-0190

Violation of City of Deltona Ordinance, Section 38-110(2), which states that accumulations of waste, yard trash, rubble and/or debris is/are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Julie Hughes)

Order for a \$50.00 a day fine was imposed effective November 29, 2012, with a \$20,000.00 cap. Fine to run until cap is met or compliance is achieved.

F. DEL-12-189

Robin H. Warren Est

1456 Hartley Ave., Deltona, Florida 32725

Property Address: 1456 Hartley Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-01-12-0500

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 Julie Hughes)

Compliance was met. Order of Compliance to be issued

G. DEL-12-190

Paul L. & Arleen Swarts

1655 Nantucket St., Deltona, Florida 32725

Property Address: 1655 Nantucket St., Deltona, Florida 32725

Parcel No.: 30-18-31-11-24-0160

Violation of City of Deltona Ordinance, Section 18-3, which adopts the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit(s) for a garage enclosure. (Enforcement Services Officer Dennis Mues)

Order of Compliance issued based on the Affidavit of Compliance furnished by Officer Dennis Mues.

H. DEL-12-193

Donna Martin

3071 Snow Dr., Deltona, Florida 32738

Property Address: 3071 Snow Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-33-03-0080

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 deck and pool. (Enforcement Services Officer Danny Ron)

First Amended Order of Non Compliance was issued with a Hearing to impose fine at the February 27, 2013 Code Hearing.

I. DEL-12-196

Robert V. and Amanda Reynolds

1612 North Merrick Dr., Deltona, Florida 32725

Property Address: 1612 North Merrick Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-16-08-0040

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)

Order for a \$50.00 a day fine was imposed effective November 29, 2012, with a \$25,000.00 cap. Fine to run until cap is met or compliance is achieved.

J. DEL-12-197

Robert V. and Amanda Reynolds

1612 North Merrick Dr., Deltona, Florida 32725

Property Address: 1612 North Merrick Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-16-08-0040

Violation of City of Deltona Ordinance, Section 38-110(2), which states that accumulations of waste, yard trash, rubble and/or debris is/are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Shanna Hogan)

Order for \$50.00 a day fine was imposed effective November 29, 2012, with a \$25,000.00 cap. Fine to run until cap is met and/or compliance is achieved.

10. New Business:

A. DEL-12-174

William V. and Diana M. Guy

1947 South Viscaya Circle, Deltona, Florida 32738

Property Address: 1947 S. Viscaya Circle, Deltona, Florida 32738

Parcel No.: 30-18-31-23-02-0070

Violation of City of Deltona Ordinance, Section 18-3, which adopts the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit(s) for a boat dock. (Enforcement Services Officer Dennis Mues)

Case continued until the January 23, 2013 Code Hearing.

B. DEL-12-181

Christine D. Scudder

2081 Swanson Dr., Deltona, Florida 32738

Property Address: 2081 Swanson Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-17-21-0090

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: City of Deltona Ordinance, Section 14-141(f) It is the responsibility of any owner, keeper or possessor of a domesticated dog or cat kept as a household pet within the city to cause such animal to wear at all times a metal tag bearing the legible number of a current license issued for such animal as provided for in this section.

Violation: 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 Steve Braukhoff)

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

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 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)

Order of Non Compliance issued with a Hearing to impose fine at the January 23, 2013 Code Hearing. A Tow Order will/may be issued if compliance is not met.

D. DEL-12-199

Deutsche Bank National Trust Company
700 Kansas Lane, Monroe, LA 71203
Property Address: 2290 Henry Lane, Deltona, Florida 32738
Parcel No.: 30-18-31-45-17-0030

Violation of City of Deltona Ordinance, Section 18-5, which adopts the latest edition of the International Property Maintenance Code, Section 304.7, which states that the roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. (Enforcement Services Officer Richard Lovett)

Order for \$100.00 a day fine was imposed effective immediately with a \$10,000.00 cap. Fine to run until cap is met and/or or compliance is achieved.

E. DEL-12-200

Paul A. and Diana L. Sotiropoulos
1837 Dublin Rd., Deltona, Florida 32738
Property Address: 1837 Dublin Rd., Deltona, Florida 32738
Parcel No.: 30-18-31-45-21-0030

Violation of City of Deltona Ordinance, Section 18-3, which adopts the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit(s) for a fence. (Enforcement Services Officer Richard Lovett)

Case continued until the January 23, 2013 Code Hearing.

F. DEL-12-201

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 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 Shanna Hogan)

Case was withdrawn.

G. DEL-12-202

Lawrence Correia

1984 South Old Mill Dr., Deltona, Florida 32725

Property Address: 2812 Sweet Springs St., Deltona, Florida 32738

Parcel No.: 30-18-31-32-58-0100

Violation of City of Deltona Ordinance, Section 66-18(a), which states that no vehicle greater than 10,000 pounds manufacturer's gross vehicle weight or designed to carry 16 or more passengers, or requiring a commercial drivers license (CDL) of any endorsement to operate shall be parked or stored in any residential or agricultural zoning district except in agricultural areas on lots of five acres or more. (Enforcement Services Officer Richard Lovett)

A one-time Administrative fine of \$500.00 was imposed for the 5 days the violation was observed at \$100.00 per day. A Tow Order was also imposed.

H. DEL-12-203

Mario & Delmoral

2872 Jewel Ave., Deltona, Florida 32738

Property Address: 2872 Jewel Ave., Deltona, Florida 32738

Parcel No.: 30-18-31-32-99-0360

Violation of City of Deltona Ordinance, Section 14-121(a) It shall be unlawful for the owner or custodian of any dog, cat or other animal to fail to keep the dog, cat or other animal from running at large within the city. (Enforcement Services Officer Richard Lovett)

Found to be in Non Compliance at the time of the violation, completed actions to bring case into Compliance and now case is dismissed. Order of Dismissal was levied.

I. DEL-12-204

Saroj S. and Suryakant R. Patel

2320 Lake Helen Osteen Rd., Deltona, Florida 32738

Property Address: 2320 Lake Helen Osteen Rd., Deltona, Florida 32738

Parcel No.: 30-18-31-74-14-0250

Violation 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 Richard Lovett)

Case was withdrawn.

J. DEL-12-205

Anita Cardona

PO Box 972933, Miami, Florida 33197

Property Address: 2085 Altoona Lane, Deltona, Florida 32738

Parcel No.: 30-18-31-53-30-0020

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 fence. (Enforcement Services Officer Richard Lovett)

Found to be in Non Compliance at the time of the violation, completed actions to bring case into Compliance and now case is dismissed. Order of Dismissal was levied.

K. DEL-12-206

Stacy L. Webb

3380 George Sauls St., Deltona, Florida 3273

Property Address: 3277 Newmark Dr., Deltona, Florida 32738

Parcel No.: 30-18-31-36-11-0070

Violation of City of Deltona Ordinance, Section 66-18(a), which states that no vehicle greater than 10,000 pounds manufacturer's gross vehicle weight or designed to carry 16 or more passengers, or requiring a commercial drivers license (CDL) of any endorsement to operate shall be parked or stored in any residential or agricultural zoning district except in agricultural areas on lots of five acres or more. (Enforcement Services Officer Richard Lovett)

Found to be in Non Compliance at the time of the violation, completed actions to bring case into Compliance and now case is dismissed. A Tow Order was also imposed.

L. DEL-12-207

Alison, Garrett and Steven Lyons
2578 Sweet Springs St., Deltona, Florida 32738
Property Address: 2578 Sweet Springs St., Deltona, Florida 32738
Parcel No.: 30-18-31-32-75-0050

Violation of City of Deltona Ordinance, Section 66-18(a), which states that no vehicle greater than 10,000 pounds manufacturer's gross vehicle weight or designed to carry 16 or more passengers, or requiring a commercial drivers license (CDL) of any endorsement to operate shall be parked or stored in any residential or agricultural zoning district except in agricultural areas on lots of five acres or more. (Enforcement Services Officer Richard Lovett)

Found to be in Non Compliance at the time of the violation, completed actions to bring case into Compliance and now case is dismissed. A Tow Order was also imposed.

M. DEL-12-208

Trust Reliable LLC TR/688 Elwood St. Trust
688 Elwood St., Deltona, Florida 32725
Property Address: 688 Elwood St., Deltona, Florida 32725
Parcel No.: 30-18-31-03-58-0070

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 Shanna Hogan)

Case was withdrawn.

N. DEL-12-209

Raymond and Alicia Perez

602 Gallaway Terrace, Deltona, Florida 32725

Property Address: 602 Gallaway Terrace, Deltona, Florida 32725

Parcel No.: 30-18-31-20-08-0100

Violation 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 Tray Black)

A one-time Administrative fine of \$250.00 was imposed by the Special Magistrate.

O. DEL-12-210

Richard and Doreen Seremeta

1379 Maywood Ave., Deltona, Florida 32725

Property Address: 1324 West Evans Circle, Deltona, Florida 32725

Parcel No.: 30-18-31-06-07-0160

Violation 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 Tray Black)

A one-time Administrative fine of \$250.00 was imposed by the Special Magistrate.

P. DEL-12-211

Russell and Terry L. Stewart

1101 Venetian Ave., Orlando, Florida 32804

Property Address: 601 Merrimac St., Deltona, Florida 32725

Parcel No.: 30-18-31-01-13-0120

Violation 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 Tray Black)

Case was withdrawn.

Q. DEL-12-212

Camron Jaques

3342 Sanborn Lane, Deltona, Florida 32738

Property Address: 3342 Sanborn Lane, Deltona, Florida 32738

Parcel No.: 30-18-31-47-05-0110

Violation of City of Deltona Ordinance, Section 18-3, which adopts the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit(s) for a fence. (Enforcement Services Officer Dave DeKruif)

Property found in Non Compliance, completed the actions to bring them into Compliance and the case was dismissed. Order of Dismissal was levied.

R. DEL-12-213

Peter R. and Edgar Soto

602 Armadillo Dr., Deltona, Florida 32725

Property Address: 602 Armadillo Dr., Deltona, Florida 32725

Parcel No.: 30-18-31-04-36-0160

Violation of City of Deltona Ordinance, Section 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 Lonnie Wilson)

Respondent Peter Soto was present. A Tow Order was issued for this property due to violation history.

S. DEL-12-214

Mary Padilla

2617 Roxboro Ave., Deltona, Florida 32725

Property Address: 2290 N. Normandy Blvd., Deltona, Florida 32725

Parcel No.: 30-18-31-04-24-0170

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 stucco work. (Enforcement Services Officer Lonnie Wilson)

Case was withdrawn.

T. DEL-12-215

Steven Wayne Miller

651 Lear Terrace, Deltona, Florida 32725

Property Address: 651 Lear Terrace, Deltona, Florida 32725

Parcel No.: 30-18-31-25-15-0050

Violation of City of Deltona Ordinance, Section 38-110(2), which states that accumulations of waste, yard trash, rubble and/or debris is/are declared to be a nuisance and must be abated in their entirety. (Enforcement Services Officer Tray Black)

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

U. DEL-12-216

Joseph F. and Sandra M. Donda

531 Galloway Ave., Deltona, Florida 32725

Property Address: 531 Galloway Ave., Deltona, Florida 32725

Parcel No.: 30-18-31-05-20-0070

Violation of City of Deltona Ordinance, Section 18-3, which adopts the latest edition of the Florida Building Code, Section 105.1, which states that any owner, authorized agent, who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit(s) for a porch extension. (Enforcement Services Officer Julie Hughes)

Respondent Joseph Donda was present. Order of Non-Compliance issued with a Hearing to impose fine at the January 23, 2013 Code Hearing.

V. DEL-12-218

Kathy M. Gamell

1649 Horseshoe Terrace, Deltona, Florida 32738

Property Address: 1649 Horseshoe Terrace, Deltona, Florida 32738

Parcel No.: 30-18-31-16-14-0120

Violation of City of Deltona Ordinance, Section Sec. 14-3 (c) It shall be unlawful to keep, maintain or raise in the city more than five dogs and/or cats on one parcel of land of one acre or less. (Enforcement Services Officer Shanna Hogan)

Case was withdrawn.

W. DEL-12-219

Joyce Howland and Julie Jones

203 Center Trace, Franklin, NC 28734

Property Address: 446 Sunburst St., Deltona, Florida 32725

Parcel No.: 30-18-31-70-11-0130

Violation of City of Deltona Ordinance, Section Sec. 14-3 (c) It shall be unlawful to keep, maintain or raise in the city more than five dogs and/or cats on one parcel of land of one acre or less. (Enforcement Services Officer Lonnie Wilson)

Order for a \$250.00 a day fine was imposed to be retroactive to November 3, 2012 with a \$20,000.00 cap. Fine to run until cap is met or compliance is achieved.

10. OTHER and REPEAT BUSINESS:

A. DEL-12-136

German I. and Keira Espada

1033 Country Club Park, Deland Florida 32724

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)

An Order imposing Fine/Lien was entered August 22, 2012, by the Special Magistrate, ordering German and Keira Espada to pay \$100.00 a day, beginning August 22, 2012 and to continue for each and every day the violation(s) exists or a cap of \$20,000.00 is reached. The respondent failed to come into compliance until October 02, 2012, The Code Officer, Julie Hughes, did an inspection on October 02, 2012 and issued an Affidavit of Compliance for this property. As of that date the fine of \$4,200.00, has not been paid and the owners are requesting a recommendation for a reduction in fine. Due to the permit inspection failing to pass at the Oct. 24, 2012 Code Hearing, this case was carried over to the November Hearing.

Request for a recommendation for a reduction of fine was heard and Special Magistrate Cino made a recommendation that this fine be reduced to \$500.00. Case will go before the Mayor and Commission for a final determination on December 10, 2012.

B. 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)

A request was made, by the owners, at the September 16, 2012 Code Hearing for Mr. Cino to hear the case details from the Respondent. He stated that he would hear the case remarks after this case was put back on the Agenda, so we will add it for remarks only, as it already has an Order on it and they still are not in compliance.

Respondent was not present for the hearing, no action taken.

C. Hearing Request
Toni Evans
2184 India Blvd.
Deltona, FL 32738

Date Nuisance was observed: 11/3/2012

Violation of Ordinance Sec. 66-63 - Abandoned, untagged, wrecked, discarded, junked, inoperative, or partially dismantled vehicle(s) and/or part(s) thereof on private residential property.

Corrective Action Required: Remove vehicle(s) and/or part(s) thereof from the premises or place in a fully enclosed garage or structure.

You have TEN (10) days from the posting or receipt of this notice to correct this violation.

Comments: Failure to comply with the corrective action required within the time specified in this notice will result in the City of Deltona abating the violation, and placing a lien on the real property where the violation occurred for the cost to remove the vehicle(s) or vessel(s) and/or part(s) thereof from the property, in addition to a fine and/or an assessment, administrative costs may be imposed.

You may file a request in writing for a hearing on this matter to the City Special Magistrate in care of the Enforcement Services Department, City of Deltona, 2345 Providence Blvd., Deltona, Florida 32725, within ten (10) days of receipt or posting of this Notice to Abate Nuisance. If no request for a hearing is filed in writing upon expiration of the ten (10) day period after receipt or posting of the Notice to Abate Nuisance, or if this notice is returned undelivered, the City shall be authorized to enter upon the property or lot and take any reasonably necessary steps to effect abatement. Failure to file a request for a hearing in writing on this matter or to appear at the hearing is a waiver of owner's right to contest this violation. (Enforcement Services Officer Dave DeKruif)

Respondent was present. Mr. Cino allowed until the January 23, 2013 Code Hearing to come into compliance.

12. DISCUSSION:

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

13. ADJOURNMENT (6:33 pm)

NOTE: If any person decides to appeal any decision made by the Code Enforcement Special Magistrate with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence which the appeal is to be based. (F.S. 286.0105). Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, at least three (3) working days in advance of the meeting date and time at (386) 878-8100.

Special Magistrate, Charles Cino

Hearing Clerk, Sonjia Kihlmire