

**BEFORE THE SPECIAL MAGISTRATE
OF THE CITY OF DELTONA, FLORIDA**

CITY OF DELTONA, FLORIDA,
a municipal corporation,

Petitioner,

vs.

CASE NOS.: DEL-25-054 (A-C)

SHAMRA R. TAYLOR,

Respondent / Requester.

_____/

Property Address: 916 Shorecrest Avenue, Deltona, Florida 32725
Parcel ID No.: 8130-11-41-0180

RECOMMENDATION FOR REDUCTION OF FINES AND LIENS

THIS CAUSE came before the undersigned Special Magistrate on May 27, 2026, upon the verified application of the Respondent / Requester, Shamra R. Taylor, for a reduction of code enforcement fines and liens, filed pursuant to Section 2-156 of the City of Deltona Code of Ordinances (the "City Code"). The Requester appeared and testified under oath. The City appeared through Code Compliance Officer Bashir Tourkzi, who presented the case history and the City's position, and through Code Compliance Supervisor Todd Meade. Having reviewed the verified application and the documentary materials submitted, having afforded the Requester a full opportunity to be heard, having considered the factors enumerated in Section 2-156.03 of the City Code, and being otherwise fully advised, the undersigned makes the following Findings of Fact, Conclusions of Law, and Recommendation to the City Commission of the City of Deltona.

FINDINGS OF FACT

1. The real property that is the subject of these proceedings is located at 916 Shorecrest Avenue, Deltona, Florida 32725, and is identified as Parcel ID No. 8130-11-41-0180 (the "Property"). The Property is owned by the Requester, Shamra R. Taylor.
2. These consolidated matters concern three related code enforcement cases—DEL-25-054A, DEL-25-054B, and DEL-25-054C—each arising from improvements made to the Property without the building permit required by Section 18-3 of the City Code, which adopts Section 105.1 of the Florida Building Code. Case A concerns an accessory structure (a metal shed) erected without a permit; Case B concerns a pergola constructed without a permit; and Case C concerns concrete

flatwork, consisting of a concrete driveway extension behind the fence and a slab for the accessory structure, installed without a permit.

3. The conditions were observed and documented by the City in February 2025, and a Notice of Violation was issued and posted on or about February 17, 2025.
4. On May 28, 2025, following a duly noticed hearing, the Special Magistrate found the Property in violation on all three counts and ordered that the violations be corrected no later than 4:00 p.m. on August 26, 2025, failing which a fine of \$50.00 per day, per violation—\$150.00 per day in the aggregate—would accrue.
5. The Property was not brought into compliance by August 26, 2025, and fines began to accrue on that date. Following a further hearing held September 24, 2025, the Special Magistrate entered an Order Imposing Fine and Lien (the “Massey Order”), which found continued noncompliance, fixed the accrued fine at \$4,350.00 as of the hearing date (representing twenty-nine days at \$150.00 per day), and provided for continued accrual at the rate of \$150.00 per day until compliance was achieved. The Massey Order was recorded in the Public Records of Volusia County, Florida, on November 10, 2025.
6. The Property thereafter came into compliance through the Requester’s procurement of after-the-fact permits and completion of the required corrective work. Based upon the City’s affidavits of compliance, Case A (shed) reached compliance on February 3, 2026, one hundred sixty-one (161) days after the compliance deadline, resulting in an accrued fine of \$8,050.00; Case C (concrete flatwork) likewise reached compliance on February 3, 2026, one hundred sixty-one (161) days after the deadline, resulting in an accrued fine of \$8,050.00; and Case B (pergola), which required engineered drawings, reached compliance on April 2, 2026, two hundred nineteen (219) days after the deadline, resulting in an accrued fine of \$10,950.00.
7. The aggregate accrued fine for the three cases, as computed and submitted by the City, is \$27,050.00.
8. The City’s documented enforcement and operational cost is \$2,493.56 per case—comprising, among other things, code officer hours, administrative processing time, and City vehicle time—for a total documented cost of \$7,480.68 across the three cases.
9. In connection with the corrective work, the Requester submitted a contractor’s invoice from MTS Services LLC, dated January 29, 2026, in the amount of \$19,208.00, reflecting demolition and replacement of the slab and footer, related concrete work, and the removal and re-erection of the metal building, and reflected as paid in full.
10. The Requester testified that the delay in achieving compliance resulted from difficulty securing responsive contractors, the need for engineered drawings for the oversized pergola, inconsistent guidance received from permitting staff over

numerous visits to the permitting office, and the time required to accumulate the funds necessary to pay for the corrective work, which she estimated at approximately \$19,000 to \$20,000. She further testified that the contractor who erected the shed had represented that it would obtain the necessary permit and failed to do so.

11. The City's records reflect prior code enforcement activity at the Property, described by the City as parking-related violations involving commercial vehicles. The Requester testified that such parking was occasional, was associated with a work vehicle, and was not of a long-term nature.
12. The verified application requests a reduction of the accrued fines to five percent of the accrued amount in each case—\$402.50, \$547.50, and \$402.50, respectively—for a total proposed payment of \$1,352.50.
13. The City offered no reduction recommendation and requested full recovery of the \$27,050.00 in accrued fines. The City identified no minimum, floor, or fixed-percentage parameter governing a recommended reduction.

CONCLUSIONS OF LAW

14. Pursuant to Section 2-156 of the City Code, the City Commission possesses the sole authority to hear and decide requests for the reduction or waiver of code enforcement fines and liens. Under Section 2-156.03, the Special Magistrate hears the request and renders a recommendation to the City Commission for final action; that recommendation may be for approval, approval with conditions, or denial, and may include a recommended reduced amount.
15. Section 2-156.03 directs the Special Magistrate, in formulating a recommendation, to consider six factors: (a) the gravity of the violation; (b) the time it took the violator to come into compliance; (c) the accrued amount of the fine or lien; (d) any previous or subsequent code violations; (e) any financial hardship; and (f) any other mitigating circumstances that may warrant reduction or satisfaction of the penalty or fine. As a guiding principle, code enforcement fines of this character are remedial and coercive in nature—their purpose is to compel compliance rather than to generate revenue—and, once compliance has been achieved, the deciding authority is empowered to make an equitable adjustment of the accrued amount, with due regard for the proportionality between the residual sanction and the violation.
16. As to the gravity of the violations (factor (a)), the violations are of moderate gravity. The permitting requirement protects substantial public interests, ensuring that structures and site improvements conform to applicable building, zoning, drainage, and flood-protection standards—a concern of particular salience here because the City's records identify the Property as lying within a designated special flood hazard area (FEMA Zone A). The violations were therefore not trivial. At the same time, the violations were regulatory in character rather than the product of demonstrated unsafe construction; the structures and improvements

were ultimately permitted and passed final inspection, indicating no enduring safety defect. This factor supports the retention of a meaningful residual fine but does not support denial of relief.

17. As to the time to compliance (factor (b)), this factor weighs against a substantial reduction. Compliance was achieved one hundred sixty-one (161), one hundred sixty-one (161), and two hundred nineteen (219) days, respectively, after the compliance deadline. The delay was lengthy, is the consideration most favorable to the City, and weighs heavily against the near-total waiver the Requester proposes.
18. As to the accrued amount (factor (c)), this factor supports a partial reduction. The aggregate accrued fine of \$27,050.00 is substantial, both in absolute terms and in relation to the City's documented enforcement cost of \$7,480.68 and the \$19,208.00 the Requester expended to achieve compliance. Because the fine is coercive in purpose and compliance has now been achieved, retention of the full accrued amount would exceed what is necessary to vindicate the City's enforcement interest and would operate as a penalty disproportionate to the regulatory character of the violations.
19. As to previous or subsequent violations (factor (d)), this factor weighs modestly against reduction. The record reflects prior parking-related code enforcement activity at the Property. Although those matters appear to have been minor, different in kind, and not of a continuing nature, they are not absent from the record, and the Property's enforcement history is therefore not unblemished. This factor counsels against a reduction to the minimal amount the Requester seeks.
20. As to financial hardship (factor (e)), this factor warrants modest mitigating weight. The Requester testified credibly to financial strain and to the necessity of accumulating funds to pay for the corrective work. That testimony was not accompanied by documentary substantiation of income or assets, and the Requester was in fact able to fund approximately \$19,208.00 in corrective work. The factor accordingly merits some, but not dispositive, mitigating weight.
21. As to other mitigating circumstances (factor (f)), this factor supports a meaningful reduction. The three violations arose from a single, related course of improvements at one residential property; the Requester pursued compliance in good faith notwithstanding contractor non-performance (including a contractor's unfulfilled representation that it would obtain the shed permit), the engineering requirements applicable to the pergola, and inconsistent guidance from permitting staff; the Requester expended substantial sums to achieve compliance; and full compliance has now been achieved as to all three cases.
22. Weighing the foregoing factors together, a substantial reduction is warranted, but not the near-waiver the Requester proposes. As a threshold matter, the Requester's proposed payment of \$1,352.50 would not reimburse even the City's documented enforcement cost of \$7,480.68; a recommendation set at that level

would require the City to absorb the expense of a meritorious enforcement action in which the Requester was adjudicated in violation and remained noncompliant for as long as two hundred nineteen (219) days. A sound recommendation should, at a minimum, make the City whole as to its documented costs and add a monetary sanction sufficient to reflect the gravity and extended duration of the violations and to preserve the deterrent function of the City's code enforcement regime, while crediting the Requester's good-faith remediation and the achievement of full compliance.

23. A residual fine of \$9,000.00 accomplishes that balance. It fully reimburses the City's documented enforcement cost of \$7,480.68 and imposes an additional monetary sanction of \$1,519.32—an amount that itself exceeds the total the Requester proposed to pay. It represents a reduction of approximately sixty-seven percent (67%) from the aggregate accrued fine, leaving the Requester responsible for roughly one-third of the accrued amount. The undersigned concludes that \$9,000.00 is a reasonable, proportionate, and equitable residual that vindicates the City's enforcement interest without imposing a punitive recovery disproportionate to the regulatory violations at issue.
24. Accordingly, the appropriate recommendation is one of approval with conditions, conditioned upon the timely payment of the residual amount, with the full accrued amount to remain due and enforceable in the event the condition is not satisfied.

RECOMMENDATION

NOW, THEREFORE, the undersigned Special Magistrate **RECOMMENDS** to the City Commission of the City of Deltona, pursuant to Section 2-156 of the City Code, as follows:

1. The application for reduction of code enforcement fines and liens in Case Nos. DEL-25-054A, DEL-25-054B, and DEL-25-054C should be **APPROVED WITH CONDITIONS**.
2. The aggregate accrued fine of \$27,050.00 should be reduced to a residual amount of \$9,000.00.
3. The reduction should be conditioned upon payment of the \$9,000.00 residual amount within thirty (30) days of the City Commission's final order, unless the City Commission directs otherwise. The City Commission may, in its discretion and as a condition of approval, permit payment of the residual amount on a reasonable installment schedule. Should the residual amount not be timely paid in accordance with any deadline or schedule established by the City Commission, the application should be deemed automatically denied pursuant to Section 2-156.05, and the full accrued amount of \$27,050.00 should remain due and enforceable, less any amount actually paid and credited by the City.
4. In accordance with Section 2-156.04, the City Clerk or designee shall place the application for reduction or release of lien/fine/judgment on the agenda of the next

regularly scheduled City Commission meeting. The City Commission retains the sole authority to approve, approve with conditions, or deny the application.

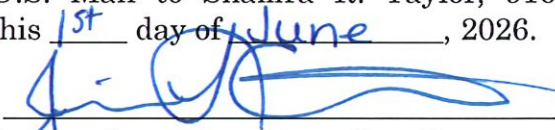
DONE AND ORDERED at the City of Deltona, Volusia County, Florida, this 1st day of June, 2026.



John C. Van Laningham, Special Magistrate

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Recommendation has been furnished by U.S. Mail to Shamra R. Taylor, 916 Shorecrest Avenue, Deltona, Florida 32725, this 1st day of June, 2026.



Jessica Cotterman, Recording Secretary