

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

**CITY OF DELTONA
FLORIDA**, a municipal corporation,

Petitioner,

vs.

DEL 22 – 168 MASSEY

**Brian K Bromagen
1197 Acorn Ct
Deltona, FL 32725**

Respondent.

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**FINDINGS OF NOTICE AND NON-COMPLIANCE,
CONCLUSIONS OF LAW, AND ORDER OF FINE**

THIS CAUSE was heard on July 27, 2022, before the undersigned Special Magistrate after due and legal notice to Respondent, and the undersigned, at public hearing, having heard testimony, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT AND CONCLUSIONS OF LAW:

1. The property which is the subject of this code enforcement action is described as **Parcel ID# 813002200270** with physical address **1197 Acorn Ct., Deltona, FL 32725**.

2. The Respondent was properly and legally noticed on July 4, 2022, of this July 27, 2022 hearing, consistent with City Code and Chapter 162, Fla. Stat. The Respondent was not present to testify.

3. The testimony and evidence given to the Special Magistrate at this legally noticed hearing was that the aforesaid property did not come into compliance on or before July 6, 2022, as required by the Order Finding Violation and Requiring Compliance, entered by the Special Magistrate on June 22, 2022. Therefore, the Respondent did not timely comply with the Special Magistrate's Order, and a fine may be imposed as set forth in that Order.

4. The City's Code Compliance Officer Bashir Tourkzi inspected the property for compliance on July 27, 2022. The violation City of Deltona Ordinance, Section 38-110 (B)(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. continued past the deadline of the Order Imposing Penalty, and the property did not come into compliance on the date and at the time of this July 27, 2022 hearing.

Certified

BASED ON THE FOREGOING IT IS ORDERED that:

1. Respondent, **Brian K Bromagen**, is not in compliance with the City of Deltona Ordinance, Section 38-110 (B)(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.

2. Based on the evidence that the time provided to comply in the Order of June 22, 2022, was sufficient to fully correct the violation, a fine in the amount of \$4,200, representing 21 days (consistent with prior Order) is hereby imposed this date of July 27, 2022, at a rate of \$200 per day, to continue to accrue for each and every day thereafter that there continues to be non-compliance with the City Code.

3. A Certified copy of this Order may be recorded in the Public Records of Volusia County and shall constitute notice to any subsequent purchasers, successors in interest, or assigns of all real and personal property owned by the Respondent, and the findings herein shall be binding upon the Respondent and any subsequent purchasers, successors in interest, or assigns.

This Order may be appealed to the Circuit Court within thirty (30) days of its execution.

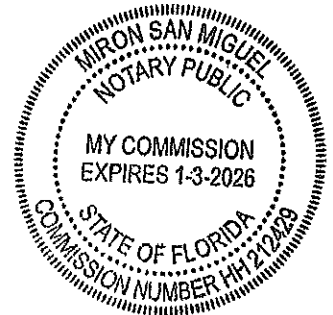
ORDERED at City of Deltona, Florida on July 27, 2022.

Special Magistrate William E. Reischmann, Jr.

WITNESS my hand and official seal this 27 day of July 2022.

Notary Public, Miron San Miguel
My Commission Expires: January 3, 2026

Seal



I HEREBY CERTIFY that a true and correct copy of the above and foregoing FINDINGS OF NOTICE AND NON-COMPLIANCE, CONCLUSIONS OF LAW, AND ORDER OF FINE has been furnished by mail to: **Brian K Bromagen, 1197 Acorn Ct., Deltona, FL 32725** this 27 day of July 2022

Miron San Miguel Hearing Clerk

STATE OF FLORIDA
COUNTY OF VOLUSIA

This is to certify that the foregoing is a true and correct copy of ~~findings or conclusions of non-compliance~~ witness my hand and official Seal this 17th day of August 2022 of law and order of Fine
Joyce Rattery, CMC, MMC
City Clerk, City of Deltona Florida