



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Minutes

Special Magistrate

Wednesday, May 22, 2024

5:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

The meeting was called to order at 5:46 pm.

2. ROLL CALL:

Special Magistrate Kristin Eick
Code Compliance Manager Danny Ron
Code & Building Admin. Supervisor Renée Cairney
Hearing Clerk Jessica Cotterman
Customer Service Representative Bryanna Ron
Officer Janice Polascik
Officer Nick Lopez
Captain / Assistant Fire Marshal Sam Schaller

3. PLEDGE TO THE FLAG:

4. SPECIAL MAGISTRATE STATEMENT:

5. DISCLOSURE OF EX PARTE COMMUNICATIONS:

Presented by Kristin Eick
Ms. Eick has taken a Judicial Notice of all City of Deltona Ordinances, State Statutes, Florida Building and Fire Codes and the International Property Maintenance Code.

6. APPROVAL OF AGENDA & MINUTES:

The Minutes of the Special Magistrate Hearing for April 24, 2024 were approved by the Special Magistrate Kristin Eick.

7. ANNOUNCEMENTS:

FIRE24-0028 - 2090 Saxon Blvd. STE 102 - Continued to July
FIRE24-0030 - 305 Fort Smith Blvd - Continue to July
DEL-24-055 (A&B) - 1743 W Chapel - Continued to July

DEL-24-036 - 1250 Courtland Blvd. - Withdrawn in compliance
DEL-24-017 (A & B) - 2435 Academy Avenue - Withdraw in Compliance
DEL-24-039 -MASSEY - 1812 N Akron - Withdrawn in Compliance
DEL-24-056 - 2543 Maximus Court - Withdraw in Compliance
DEL-24-058 - 1962 English Dr. - Withdrawn in Compliance

DEL-24-059 - 1962 English Dr. - Withdrawn in Compliance
DEL-24-060 - 1962 English Dr. - Withdrawn in Compliance
FIRE24-0016 Massey - 1120 Elkcam Blvd. - Withdrawn in Compliance
FIRE24-0017 Massey - 2820 Doyle Rd. Ste. 12 - Withdrawn in Compliance
FIRE24-0019 Massey - 3151 Howland Blvd. - Withdrawn in Compliance
FIRE24-0023 - 1680 Doyle Road - Withdrawn in Compliance
FIRE24-0025 MASSEY - 1800 Elkcam Blvd. Ste. D - Withdrawn in Compliance

8. SWEARING IN OF OFFICERS AND WITNESSES:

9. OLD BUSINESS:

FIRE24-018 MASSEY

Property Address:

2320 N. Normandy Blvd., Deltona, FL 32725

Parcel ID: 811805000020

Property Owner:

2320 N. Normandy SP LLC

201 Wilshire Blvd. STE 102

Santa Monica, CA 90401

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.
– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 18.2.2.2,
Ch. 18.2.3, Ch. 1.7.12.10, Ch. 10.11.1.6.

Corrective action:

Obtain a permit for the installation of the newly installed access control devices. Provide a Know Key Switch, that is accessible for the fire department usage for emergency access into the gated area and "YELP" emergency access gate function. Provide the approved address numbers on each building, per the approved site plan, and remove the non-approved numbers.

Captain / Assistant Fire Marshal Samuel Schaller

Special Magistrate found the Respondent did not correct the violation within the time specified in the prior Order. A fine in the amount of \$2700, representing 54 days at \$50 per day (consistent with prior Order). The fine will continue to accrue for each and every day thereafter that there continues to be non-compliance with the City Code. Mr. Mike Trout was present and testified that the vendor who is contracted to correct the violations, has not followed through to bring the violation in compliance.

FIRE24-025 MASSEY

Property Address:**1800 Elkcam Blvd., Deltona, FL 32725****Parcel ID: 813015150170****Property Owner:****Marilyn Medina****1042 Elgrove Drive****Deltona, FL 32725****Violation:****City of Deltona Ordinance, : Chapter 42, Article IV, Fire Codes, Ch. 42-186. – Adopted.****Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 1.7.12.10 - No construction work shall proceed until the AHJ has reviewed the plans for compliance with the applicable codes and standards and the applicable permits have been issued, Ch. 11.1.5.5 - Extension cords and flexible cords shall not be affixed to structures; extend through walls, ceilings, or floors, or under doors or floor coverings; or be subject to environmental or physical damage.****Corrective action:****Obtain a building permit for the installation of the wall opening and construction of the small room/what appears to be storage closet inside of the shop. Obtain an electrical permit for the altered electrical work. Remove the extension cords that are extending through the walls and ceiling.****Captain / Assistant Fire Marshal Samuel Schaller**

This case was withdrawn by the City.

FIRE24-001 MASSEY**Property Address:****1712 Doyle Road, Deltona, FL 32725****Parcel ID: 813023080010****Property Owner:****Circle K Stores Inc****PO BOX 52085 DC-17****Phoenix, AZ 85072-2085****Violation:****City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.**

– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 11.1.2.2, Ch. 11.1.8, Ch.1.7.12.10.

Corrective action:

Repair the damaged electrical fixture located outside, provide an approved cover plate for the opening inside of the electrical panel.
Obtain a permit for the installation of the new cooking appliances.

Captain / Assistant Fire Marshal Samuel Schaller

Special Magistrate found the Respondent did not correct the violation within the time specified in the prior Order. A fine in the amount of \$1,475, representing 59 days at \$25 per day (consistent with prior Order). The fine will continue to accrue for each and every day thereafter that there continues to be non-compliance with the City Code. Property owner was not present to testify.

FIRE24-014 MASSEY

Property Address:

2901 Howland Blvd., Deltona, FL 32738

Parcel ID: 813039130080

Property Owner:

Family Dollar Stores Inc

500 Volvo PKWY

Chesapeake, VA 23320

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.

– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 13.1.1.

Corrective action:

Obtain a permit for the installation of fire alarm cellular communicator device.

Captain / Assistant Fire Marshal Samuel Schaller

Special Magistrate found the Respondent did not correct the violation within the time specified in the prior Order. A fine in the amount of \$1,350, representing 54 days at \$25 per day (consistent with prior Order). The fine will continue to accrue for each and every day thereafter that there continues to be non-compliance with the City Code. Property owner was not present to testify.

FIRE24-016 MASSEY

Property Address:

1120 Elkcam Blvd., Deltona, FL 32725

Parcel ID: 813026010010

Property Owner:

The Deltona Club/Cahoon Deltona LLC

1120 Elkcam Blvd.

Deltona, FL 32725-2809

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.

– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch.

1.7.12.10, Ch. 11.1.2.1, Ch. 4.5.8.3, Ch. 14.4.2.1, NFPA 101 Ch. 7.9.2.1.

Corrective action:

Obtain a permit for the construction of the wall inside of the pro shop, and all associated electrical work. Obtain a permit for the newly installed electrical conduit in the kitchen, and bring the electrical conduit into compliance with NEC 70, National Electric Code, remove all remaining fire sprinkler heads from the golf cart barn, remove all items obstructing the means of egress in the golf cart barn, and repair the non-functioning exit emergency light combination inside the golf cart barn.

Captain / Assistant Fire Marshal Samuel Schaller

This case was withdrawn by the City.

FIRE24-017 MASSEY

Property Address:

2820 Doyle Road, Deltona, FL 32738

Parcel ID: 911104000010

Property Owner:

JDH Properties LLC

2845 Enterprise Road STE 107 A

Debary, FL 32713

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.

– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch.

1.7.12.10, Ch. 1.15.1, Ch. 13.3.3.2, Ch. 13.1.8, Ch. 10.18.1.

Corrective action:

Obtain a permit for the newley installed emergency lighting. Provide a

technical analysis, prepared by a registered design professional, stating an analysis of the hazards present within the occupancy, and whether or not changes to the amount of storage within, or to the building's fire protection systems are required, including an evaluation of the fire sprinkler system's capability for the storage throughout the occupancy, in accordance with NFPA 25 Ch. 4.1.6-4.1.6.2. Remove all stored furniture within 18 inches of the sprinkler head deflector, and replace the missing escutcheon plate on sprinkler head located in the southeast portion of store. Remove all furniture, decorations, and other obstructions covering fire alarm notification devices. Provide an orderly manner of storage for all combustible materials.

Captain / Assistant Fire Marshal Samuel Schaller

This case was withdrawn by the City.

DEL-24-017 MASSEY (A & B)

Property Address:

2435 Academy Avenue, Deltona, FL 32738

Parcel ID: 813032150060

Property Owner:

Karen Blekicki

2435 Academy Avenue

Deltona, FL 32738

Violation: A

City of Deltona Ordinance, Section 66-18 (e), which states that no vehicles may be parked or stored in the front yard forward of the edge of the principal dwelling except on the approved driveway or driveway extension.

Corrective action:

All vehicles parked in the front portion of the property must be on an approved driveway or driveway extension. Vehicles may also be parked on the side of the house behind the front face or in the rear yard. All vehicles must have a current tag and be operable, or they must be stored in an enclosed garage.d.

Violation: B

City of Deltona Ordinance, Section 66-19(3), which states that boats/trailers/recreational vehicles shall not be parked or stored either

within a public right-of-way, or within that portion of the lot lying across the full width of the lot between the front lot line and front most part of the principal structure.

Corrective action:

Park boat/trailer/rv on the side of the house behind the front face or in the rear yard but not within the side street yard. Please move the vehicle to proper parking area or remove from the property. All vehicles must have a current tag and be operable, or they must be stored in an enclosed garage.

Officer Janice Polascik

This case was withdrawn by the City.

DEL-24-004 MASSEY (A & B)

Property Address:

1139 Humphrey Blvd., Deltona, FL 32738

Parcel ID: 813044020060

Property Owner:

Hugh H Harvey & Sonia A Harvey TR

1139 Humphrey Blvd.

Deltona, FL 32738

Violation: A

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. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment.

Corrective action:

Repair or replace damaged Garage Door.

Violation: B

City of Deltona Ordinance, Section 18-5, adopting the latest edition of the International Property Maintenance Code, Section 304.3, which states that all buildings will have approved address numbers placed in a

position to be plainly legible and visible from the street or road fronting the property. These numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.

Corrective action:

Properly display the address number on the front of the building, or to a separate structure (mailbox, post, wall, fence, etc.) in front of the building; numbers shall be Arabic and shall not be less than four inches in height and one-half inch in width.

Officer Janice Polascik

Special Magistrate found the Respondent did not correct the violation within the time specified in the prior Order. A fine in the amount of \$4500, representing 90 days at \$25 per day (consistent with prior Order) \$50 combined for Violation A & Violation B. The fine will continue to accrue for each and every day thereafter that there continues to be non-compliance with the City Code. Property owner was not present to testify.

DEL-24-023 MASSEY

Property Address:

2857 Courtland Blvd., Deltona, FL 32738

Parcel ID: 813032840060

Property Owner:

Sway 2014 Borrower LLC

8665 E. Hartford Drive STE 200

Scottsdale, AZ 85255

Violation:

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.

Corrective action:

Repair or remove the structure/ obtain permit if needed

Officer Janice Polascik

Special Magistrate found the Respondent did not correct the violation within the time specified in the prior Order. A fine in the amount of \$1375, representing 55 days at \$25 per day (consistent with prior Order). The fine will continue to accrue for each and every

day thereafter that there continues to be non-compliance with the City Code. Property owner was not present to testify.

DEL-24-039 MASSEY

Property Address:

1812 N. Akron Drive, Deltona, FL 32738

Parcel ID: 813016130090

Property Owner:

John Michael Granfield JR EST

1812 N. Akron Drive

Deltona, FL 32736-4862

Violation:

City of Deltona Ordinance, Section 38-110 (1), which states that nuisance weeds where the greater portion of the weeds on the lot exceeds 12 inches in height, are declared to be a nuisance and must be abated in their entirety.

Corrective action:

Mow the yard and maintain lawn so that grass and weeds do not exceed 12 inches in height.

Officer Nick Lopez

This case was withdrawn by the City.

10. NEW BUSINESS:

FIRE-24-0023

Property Address:

1680 DOyle Road, Deltona, FL 32725

Parcel ID: 813023000040

Property Owner:

Forcam LLC

1680 Doyle Road

Deltona, FL 32725

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186. - Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 36.9.2.1, For other than vehicles equipped for and using compressed gas as a fuel for propelling the, vehicle, an operational permit shall be required

for liquid carbon dioxide systems in excess of 100 lb (45.4 kg) of carbon dioxide.

Corrective Action:

Obtain an operational use permit for the liquid carbon dioxide system.

Captain / Assistant Fire Marshal Samuel Schaller

This case was withdrawn by the City.

FIRE-24-0028

Property Address:

2090 Saxon Blvd., Deltona, FL 32725

Parcel ID: 802402000010

Property Owner:

HN Saxon

823 Georgia Ave STE 300

Chattanooga, TN 37402

Violation:

City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.

- Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 13.1.1 -

The AHJ shall have the authority to require that construction documents for all fire protection systems be submitted for review and approval and a permit be issued prior to the installation rehabilitation, or modification.

(For additional information concerning construction documents, see Section 1.14.) Further, the AHJ shall have the authority to require that full acceptance tests of the systems be performed in the AHJ's presence prior to final system certification.

Corrective Action:

Obtain a permit for the installation of the fire alarm cellular communicator and pass all final inspections.

Captain / Assistant Fire Marshal Samuel Schaller

This case was continued by the City.

FIRE-24-0030

Property Address:

305 Fort Smith Blvd., Deltona, FL 32738

Parcel ID: 813042250070

Property Owner:**Par-Man Inc****2840 Elkcam Blvd.****Deltona, FL 32725****Violation:****City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.****– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch.****1.7.12.10 - No construction work shall proceed until the AHJ has reviewed the plans for compliance with the applicable codes and standards and the applicable permits have been issued,****Corrective Action:****Obtain a building permit for the installation of the front entry doors****Captain / Assistant Fire Marshal Samuel Schaller**

This case was continued by the City.

FIRE-24-0031**Property Address:****840 Deltona Blvd., Deltona, FL 32725****Parcel ID: 813614000030****Property Owner:****Just In Deltona LP****PO BOX 280****Lawerence, NY 11559-0280****Violation:****City of Deltona Ordinance, Chapter 42, Article IV, Fire Codes, Ch. 42-186.****– Adopted Florida Fire Prevention Code 8th Edition, NFPA 1, Ch. 12.3.3.1****- Required fire-resistive construction, including fire barriers, fire walls, exterior walls due to location on property, fire-resistive requirements based on type of construction, draft-stop partitions, and roof coverings, shall be maintained and shall be properly repaired, restored, or replaced where damaged, altered, breached, penetrated, removed, or improperly installed.****Corrective Action:****Provide the UL-listed design that was utilized for the repair of the penetration in the fire-rated wall between Suite C & D.**

Captain / Assistant Fire Marshal Samuel Schaller

This case was withdrawn by the City.

DEL-24-055 (A, B & C)**Property Address:**

1743 W. Chapel Drive, Deltona, FL 32725

Parcel ID: 813065130060

Property Owner:

Bank of New York Mellon TR

CO:% Deluca Law Group PLLC

2101 NE 26th Street

Fort Lauderdale, FL 33305-1535

Violation: A

City of Deltona Ordinance, Section 18-5 , adopting the latest edition of the International Property Maintenance Code, Section 304.1, which states the exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

Corrective Action:

Repair, replace, or maintain in good repair any exterior surfaces (roof). Obtain permits if required.

Violation: B

City of Deltona Ordinance, Section 18-5 , adopting the latest edition of the International Property Maintenance Code, Section 304.6, which states that all exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Corrective Action:

Repair the exterior walls and paint with a proper treatment.

Violation: C

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.

Corrective Action:**Repair or replace damaged window.****Officer Kristen Coulter**

This case was continued by the City.

DEL-24-056**Property Address:****2534 Maximus Court, Deltona, FL 32738****Parcel ID: 811403000040****Property Owner:****Homes Constructors LLC****2295 S. Hiawassee Road STE 213****Orlando, FL 32835****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.

Corrective Action:

You must obtain a permit. Applications must be submitted to the City of Deltona, 2345 Providence Boulevard, Deltona, FL 32725. The structure must meet all requirements of city ordinance and be approved on final inspection. Contact our office with the permit number when obtained.

Officer Janice Polascik

This case was withdrawn by the City.

DEL-24-057**Property Address:****1832 Villa Drive, Deltona, FL 32738****Parcel ID: 813036150210**

Property Owner:

Adam C. Kavern

1832 Villa Drive

Deltona, FL 32738

Violation:

City of Deltona Ordinance, Section 66-57, which states that no person in charge or control of any property in the city, whether public or private property, whether as owner, tenant, occupant or otherwise shall allow any wrecked, discarded, junked, abandoned, inoperative, discarded and/or partially dismantled vehicle or parts of vehicles to remain in such property longer than five days, unless such vehicle is located in a fully enclosed (or capable of being fully enclosed) building such as a garage or shed. For purposes of this section, a carport does not constitute an enclosed building.

Corrective Action:

Remove, repair, have current tag on vehicle, or put inside fully enclosed structure.

Officer Janice Polascik

This case was continued by the City.

DEL-24-058

Property Address:

1962 English Drive, Deltona, FL 32738

Parcel ID: 813074540210

Property Owner:

Joshua A Taylor & Jamie Taylor

1962 English Drive

Deltona, FL 32738

Violation:

City of Deltona Ordinance, Section 14-7 (a)(1) No owner, keeper or agent of an animal shall fail to provide the animal with adequate food, water, shelter or veterinary care; or restrain the animal by any means other than those defined in this chapter.

Corrective Action:

Provide food, clean water at all times and proper shelter. Care must Comply with Deltona Ordinance Section 14-7. Shelter must be compliant with Deltona Ordinance Section 14-7(b,1).

Officer Steve Braukhoff

This case was withdrawn by the City.

DEL-24-059

Property Address:

1962 English Drive, Deltona, FL 32738

Parcel ID: 813074540210

Property Owner:

Joshua A Taylor & Jamie Taylor

1962 English Drive

Deltona, FL 32738

Violation:

City of Deltona Ordinance, Section 14-3 (c), which states 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.

Corrective Action:

Must relocate the animals within 72 hours.

Officer Steve Braukhoff

This case was withdrawn by the City.

DEL-24-060

Property Address:

1962 English Drive, Deltona, FL 32738

Parcel ID: 813074540210

Property Owner:

Joshua A Taylor & Jamie Taylor

1962 English Drive

Deltona, FL 32738

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.

Corrective Action:

You must obtain a permit for the Kennels compliant with Deltona Ordinance Section 14-7(b,1). Applications must be submitted to the City of Deltona, 2345 Providence Boulevard, Deltona, FL 32725. The structure must meet all requirements of city ordinance and be approved on final inspection. Contact our office with the permit number when obtained.

Officer Steve Braukhoff

This case was withdrawn by the City.

DEL-24-061

Property Address:

1510 Howland Blvd., Deltona, FL 32738

Parcel ID: 813043620250

Property Owner:

William Waldman

1510 Howland Blvd.

Deltona, FL 32738

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.

Corrective Action:

You must obtain a permit for the shed addition. Applications must be submitted to the City of Deltona, 2345 Providence Boulevard, Deltona, FL 32725. The structure must meet all requirements of city ordinance and be approved on final inspection. Contact our office with the permit number when obtained.

Officer Nick Lopez

The case was continued by the City.

11. OTHER AND REPEAT BUSINESS:

13. ADJOURNMENT:

The meeting was adjourned at 6:40 pm.

Special Magistrate Kristin Eick

Hearing Clerk Jessica Cotterman