

**Code Enforcement Hearing**  
**Minutes**  
**November 07, 2018**

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**Present:** D. John Morgeson Jr., Special Magistrate  
Debra Knutcher, City Attorney  
Officer Carrie Long  
Melani Beringer, Deputy City Clerk

**1. Call to Order/Rules of Procedure**

Special Magistrate D. John Morgeson Jr. called the Code Enforcement Hearing to order at 2:05 p.m. He stated that formal rules of evidence do not apply and fundamental fairness will be afforded to all. After hearing all of the relevant evidence a verbal order will be issued which will be reduced to writing and mailed to all participants. The order of the presentation will begin with the City presenting their evidence of the alleged violation(s) and then the Respondent shall present his case. All witnesses offering testimony or presenting evidence will be required to swear or affirm that the testimony they provide is the truth.

**2. Administration of Oath to Defendants/Witnesses**

Special Magistrate Morgeson asked that anyone who wished to testify to stand and be sworn in by the Clerk. The Clerk administered the oath.

**3. Additions, Deletions, Modifications**

**4. Cases**

A. Case # **1-17-7096**  
**New Case**  
Owner Information: **Darrell Costello**  
Loc. Address: 347 W. French Ave  
RE: 5-2 Roof without Permit

Code Enforcement Officer Long presented her case: Ms. Long stated that the above mentioned address is a single family residential property. This property has been found in violation of Orange City Code of Ordinance 5-2 (FBC 105.1), Permit required, for the roof erected. Ms. Long provided a brief history of the above mentioned property.

Recommendation: Staff recommends the Magistrate find the property owner in violation of the Orange City Code of Ordinances 5-2, (*FBC, Section 105.1 Permit Required*), for erecting a roof without a permit. Compliance shall be met by May 31, 2019 or a fine of \$250 a day will accrue until compliance is met. Compliance can be met by obtaining the required permit and allowing a satisfactory final inspection.

The Magistrate closed the public hearing. Mr. Morgeson found the Respondent is in violation of Orange City Code 5-2 (FBC 105.1) (FL Build. Code Permit Required). He noted that the

Respondent shall correct the violation on or before May 31, 2019 by taking the remedial actions identified in the Notice of Violation. If Respondent fails to timely correct all violations on or before May 31, 2019 a fine of \$250 will accrue for each day that any such violation exists after May 31, 2019. Respondent is further ordered to contact Code Enforcement to verify compliance with the order as may be necessary hereafter.

D. Case # 5-18-8110

**New Case**

Owner Information: **Cortes Holding Corp**

Loc. Address: 906 Shadick Dr.

RE: 8.7.2 (E) Use Permit for access

Code Enforcement Officer Long presented her case: Ms. Long stated that the above mentioned address is a commercial industrial property. This property has been found in violation of Orange City Code of Ordinance 8.7.2 (E) Use permit required for point of access. Ms. Long provided a brief history of the property.

Recommendation: Staff recommends the Magistrate find the property owner in violation of Orange City Code of Ordinances Chapter 8.7.2 (E) *Use permit required for point of access* with compliance by November 12, 2018 or a fine of \$250 a day fine will accrue until compliance is met. Compliance can be met by removing and refraining from accessing right of way without a permitted access to park vehicles.

The Magistrate closed the public hearing. Mr. Morgeson found that the Respondent is in violation of the above mentioned Ordinance. He ordered that the respondent shall correct the violation on or before November 16, 2018 by taking the remedial actions as identified in the Notice of Violation. If Respondent fails to timely correct all violations on or before November 16, 2018 a fine of \$250 a day will accrue for each day that any such violation exists after November 16, 2018. Respondent is further order to contact City Code Enforcement to verify compliance with this order as may be necessary hereafter.

G. Case # 8-18-8185

**New Case**

Owner Information: **Twenty Four Properties LLC**

Loc. Address: 301 N. Oak Ave.

RE: 5-3 Stop Work Order, 5-2 Permit required for work

Code Enforcement Officer Long presented her case: Ms. Long stated that the above stated property has been found in violation of Orange City Code of Ordinance 5-2 (*FBC, 105.1 Permit Required.*) for remodel work. Ms. Long provided a brief background of the property. She noted that on October 10, 2018 an incomplete application was submitted.

Recommendation: Staff recommends the Magistrate find the property owners in violation of the Orange City Code of Ordinance 5-2 (*FBC, 105.1 Permit Required.*) for remodel work. With compliance by May 31<sup>st</sup> 2019 or a fine of \$250 a day fine will accrue until compliance is met. Compliance can be met by obtaining required permitting and a satisfactory final inspection.

The Magistrate closed the public hearing. Mr. Morgeson found the Respondent is in violation of the above stated ordinance. He ordered that the respondent shall correct the violation on or before

May 31, 2019 by taking the remedial actions as identified in the Notice of Violation. If Respondent fails to timely correct all violations on or before May 31, 2019 a fine of \$250 will accrue for each day that any such violation exists after May 31, 2019. Respondent is ordered to contact Code Enforcement to verify compliance with this order as may be necessary hereafter.

### **Adjournment**

There being no further cases to discuss, the hearing was adjourned at 3:00 p.m.