



CODE ENFORCEMENT BOARD HEARING AGENDA

MONDAY
OCTOBER 23, 2023 - 9:30 AM

TOWN COUNCIL CHAMBERS
4300 S. ATLANTIC AVE., PONCE INLET, FL

SUNSHINE LAW NOTICE FOR BOARD MEMBERS – Notice is hereby provided that one or more members of the Town Council or other Town Boards may attend and speak at this meeting.

A complete copy of the materials for this agenda is available at Town Hall.

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL & DETERMINATION OF QUORUM.
4. ADOPTION OF AGENDA.
5. DISCLOSURE OF EX-PARTE COMMUNICATION. *Code Enforcement cases are quasi-judicial and receipt of any information or discussion of any case outside of the public hearing is strongly discouraged. If a board member obtains any information or discusses any case outside the public hearing process, this information must be disclosed in detail by the board member prior to the presentation of the case and may not be considered by the board member when making any decision related to the case.*
6. ADMINISTERING THE OATH TO WITNESSES: Attorney Cino
7. APPROVAL OF THE MINUTES:
 - A. September 25, 2023
8. OLD BUSINESS:
 - A. Case # 2023-601: Property Address: 76 Aurora Avenue
Owner(s): New Jersey Holding LLC
c/o Laszlo Szollas, Registered Agent
Violation(s): High Grass
9. NEW BUSINESS:
 - A. Case # 2023-635: Property Address: 86 Inlet Harbor Road
Owner(s): Roger & Karen Marshall
Alleged Violation(s): Parking and Storage of recreational Vehicle
 - B. Case # 2023-640: Property Address: 45 Tina Maria Circle
Owner(s) Indira Alvarez & Raul Landete
Alleged Violation(s): Inoperable Vehicle
 - C. Case # 2023-682: Property Address: 4835 South Peninsula Drive
Owner(s): Robert & Dordina Stone
Alleged Violation(s): Work Without Permits

10. ATTORNEY DISCUSSION.
11. BOARD/STAFF DISCUSSION.
 - A. Next meeting date: Monday, November 27, 2023
12. ADJOURNMENT.

The December Code Board meeting has been cancelled.

Please remember to indicate your interest in continuing to serve on this Board, via email to Ms. Stewart. Re-appointments will be done at the December 21st Town Council meeting.

If a person decides to appeal any decision made by the Code Enforcement Board with respect to any matter considered at a hearing, he/she will need a record of the proceedings and that 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 upon which the appeal is to be based. Persons who require accommodation to attend this hearing should contact the Clerk's office at 386-236-2150 by 4:00 pm at least 48 hours in advance of the meeting to request such assistance.



Meeting Date: October 23, 2023

Agenda Item: 7-A

Report to Code Enforcement Board

Topic: September 25, 2023 Hearing Minutes

Summary:

Staff has prepared the attached set of hearing minutes for the Board's review and approval.

Suggested motion:

To approve the attached set of hearing minutes As Presented -
OR - As Amended

Requested by:

Ms. Stewart, Assistant Deputy Clerk

Approved by:

Mr. Disher, Town Manager



**Town of Ponce Inlet
Code Enforcement Board
Meeting Minutes
September 25, 2023**

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3
4
5
6 **1. CALL TO ORDER:** The meeting was called to order at 9:30 a.m. in the Council
7 Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida.
8

9 **2. PLEDGE OF ALLEGIANCE:** Led by Chairman Finch.
10

11 **3. ROLL CALL & DETERMINATION OF QUORUM:**

12 **Board Members Present:**

13 Ms. Richards, Seat #1 - excused

14 Mr. Van Valkenburgh, Seat #2

15 Mr. Finch, Seat #3

16 Mr. Michel, Seat #4

17 Ms. Cannon, Seat #5

18 Mr. Fuess, Alternate #1

19 Mr. Young, Alternate #2
20

21 A quorum was established with five members and two alternates present. Ms. Richards, Seat #1 –
22 Absent.
23

24 **Staff Members Present:**

25 Attorney Smith, Town Attorney

26 Attorney Cino, Code Board Attorney

27 Mr. Disher, Town Manager

28 Mr. Hooker, Code Compliance Manager

29 Mr. Mincey, Rental Property Maintenance & Housing Inspector

30 Ms. Stewart, Assistant Deputy Clerk

31 Mr. Nieves, Administrative Assistant (Code Division)
32

33 **4. ADOPTION OF THE AGENDA:** Vice Chair Cannon moved to adopt the agenda as
34 presented; seconded by Mr. Michel. The motion PASSED 5-0, consensus.
35

36 **5. DISCLOSURE OF EX-PARTE COMMUNICATION:** None disclosed.
37

38 **6. ADMINISTERING THE OATH TO WITNESSES:** Attorney Cino administered the
39 *Oath* to the witnesses who intend to provide testimony.
40

41 **7. APPROVAL OF THE MINUTES:**
42

43 **A. July 24, 2023** – Chairman Finch asked if there were any changes; minor
44 grammatical errors were corrected.
45

46 Chair Finch moved to adopt the minutes as amended; seconded by Vice Chair Cannon. The motion
47 PASSED 5-0, with the following vote: Chair Finch – yes; Vice Chair Cannon – yes; Mr. Van
48 Valkenburgh – yes; Mr. Michel – yes; Mr. Fuess - yes.

49

50 **8. OLD BUSINESS:**

51

52 **A. Case # 2023-076; Property Address: 4734 South Atlantic Avenue**

53 **Owner(s): Aisha Moore**

54 **Violation(s): Property Maintenance Issues with lot or dwelling**

55

56 Mr. Hooker reviewed the case history, noting that the case was presented to this board on July 24,
57 2023; he reviewed the items previously requested by the board for the owner to complete. The
58 owner has met the required deadlines thus far and on September 21, 2023, staff received a permit
59 application from David King, Due East, Inc., for demolition of the decks. Repairs are in progress
60 and ahead of the imposed timeline set by this board. The next deadline is to have a permit
61 application submitted to the town no later than November 17, 2023. At this time, staff is requesting
62 to continue this case to the January 22, 2024 hearing date since the majority of the requirements
63 have been met and we are coming upon the holiday season. Discussion ensued regarding the permit
64 applications and the processing. Mr. Hooker explained information has been received from the
65 engineer and contractor that they plan to submit the application by the end of October. He provided
66 a review of what has been accomplished since the July 24, 2023 hearing to-date; the goal is that
67 everything will be accomplished once the final permit application is submitted in October. The
68 board discussed with the property owner funding availability and resources to pay for the property
69 repairs. Mr. Van Valkenburgh asked what the consequences would be if the owner were to sell
70 during the renovations. Mr. Hooker stated there is an outstanding order with this property and,
71 until that order is satisfied, it would be difficult to obtain financing for it. Attorney Smith explained
72 the new owner would be buying the code enforcement order and would have to comply with that
73 order. Ms. Moore noted she prepared an updated letter of what has occurred since the July hearing
74 and a current timeline. Mr. Hooker acknowledged that Ms. Moore is on track with the board's
75 requirements.

76

77 Vice Chair Cannon moved to continue this case to the January 22, 2024 hearing; seconded by Mr.
78 Michel. The motion PASSED 5-0, with the following vote: Vice Chair Cannon – yes; Mr. Michel
79 – yes; Chairman Finch – yes; Mr. Van Valkenburgh – yes; Mr. Fuess - yes.

80

81 **B. Case # 2023-218; Property Address: 97 Maura Terrace**

82 **Owner(s): Barney & Susan Brookshire**

83 **Violation(s): Work Without Permits**

84

85 Mr. Hooker reviewed the case history regarding the installation of a fence without a permit. He
86 noted that at the July 24, 2023 hearing, Mr. Brookshire and his representative, Mr. Fox, informed
87 the board that Mr. Brookshire was not living in the home and was unaware of the violation. The
88 required survey has since been completed and Mr. Fox has applied for the required permit and the
89 \$250 administration fee has been paid.

90

91 Mr. Van Valkenburgh moved to dismiss this case provided the inspection passes; seconded by Vice
92 Chair Cannon. The motion PASSED 5-0, with the following vote: Mr. Van Valkenburgh – yes;
93 Vice Chair Cannon – yes; Chairman Finch - yes; Mr. Michel - yes; Mr. Fuess – yes.

94

95 **9. NEW BUSINESS:**

96
97 **A. Case # 2023-577; Property Address: 113 Rains Drive**

98 **Owner(s): Bosco Renovations, LLC**

99 **c/o Cori & Vincent Bosco, Manager**

100 **Alleged Violation(s): Property Maintenance Issues with lot or dwelling**

101
102 Mr. Mincey reviewed the case history and photographic evidence of high grass and storage of
103 personal property. The certified notice of violation letter was returned, and staff has been unable
104 to contact the owners; the property was posted in accordance with Florida statute. The property
105 was visited on September 22, 2023 where staff noticed that the lawn had been mowed and that the
106 materials originally stored in the driveway were for a fence that has now been permitted. Although
107 the lawn has been mowed, “weed eating” (trimming and edging) was not done; the flower beds
108 are also overgrown, with weeds reaching up to the front windows of the property. Staff requests
109 the owner be granted 14 days, on or before October 9, 2023, to bring the property into compliance
110 or brought back at the next regularly scheduled hearing on October 23, 2023 for further
111 adjudication; staff is also asking to impose the \$250 administrative fee. Chair Finch asked if the
112 fence that was permitted and installed is still a violation. Mr. Hooker explained that section of the
113 violation will be withdrawn; the weeds are the current issue. Mr. Van Valkenburgh commented
114 that it looks as if the owners have made an attempt to follow our process so he is hesitant to move
115 forward with an administrative fee or fine; there should be an attempt to contact the owners first.
116 The board discussed the case in detail, why the certified notice was returned, attempts to contact
117 the owners regarding the high weeds, and how to proceed.

118
119 Mr. Van Valkenburgh moved postpone this case until the October 23, 2023 hearing; directed staff
120 to post an additional notice on the door of the property in reference to the weeds and any other
121 items that need to be brought up to code; seconded by Chair Finch. The motion PASSED 5-0, with
122 the following vote: Mr. Van Valkenburgh – yes; Chair Finch - yes; Vice Chair Cannon – yes; Mr.
123 Michel - yes; Mr. Fuess – yes.

124
125 **B. Case # 2023-601; Property Address: 76 Aurora Avenue**

126 **Owner(s): New Jersey Holdings, LLC**

127 **c/o Laszlo Szollas, Registered Agent**

128 **Alleged Violation(s): High Grass**

129
130 Mr. Mincey reviewed the history and photographic evidence of high grass and weeds; the notice
131 of violation letter was returned unclaimed. The property was posted in accordance with Florida
132 statute. He noted that the property’s front yard is comprised entirely of rock with a paver driveway,
133 and no grass should be growing; however, the weeds are growing through the rocks. No
134 maintenance has recently occurred. Staff requests the owner be granted 14 days on or before
135 October 9, 2023, to bring the property into compliance or brought back at the October 23, 2023
136 hearing for further adjudication; staff is also asking to impose the \$250 administrative fee. Mr.
137 Van Valkenburgh asked what specifically the town is referring to as “growth.” Mr. Hooker
138 explained the term includes weeds, grass, vines, and all types of vegetation. Vice Chair Cannon
139 asked if the property is abandoned. Mr. Hooker noted that the property was noticed in August, and
140 the notice is still posted there. Mr. Michel asked if staff has spoken with the neighbors; the answer
141 is no. He explained that per Florida statute, the notice was also sent first class mail with no
142 response.

144 Vice Chair Cannon moved to find the property in non-compliance, granted 14 days to bring it into
145 compliance or bring back to the October 23, 2023 hearing for further adjudication and assessed
146 the \$250 administrative fee; seconded by Mr. Michel. The motion PASSED 5-0, with the following
147 vote: Vice Chair Cannon – yes; Mr. Michel - yes; Mr. Van Valkenburgh – yes; Chairman Finch -
148 yes; Mr. Fuess – yes.

149
150 **C. Case #2023-608; Property Address: 92 Inlet Harbor Road**
151 **Owner(s): James & Carolyn Michael**
152 **Alleged Violations(s): Work Without Permits**
153

154 Mr. Mincey provided the history and photographic evidence of a water heater change-out without
155 a permit; the corrective action was to obtain a building permit from the town and have it inspected.
156 As of September 22, 2023, no permits have been applied for. Staff requests that the property be
157 found in non-compliance and grant the owners 14 days, on or before October 9, 2023, to apply for
158 the permit. Failure to do so will result in the case being brought back for further adjudication at
159 the hearing on October 23, 2023. Staff also requests that the \$250 administrative fee be imposed.
160 Mr. Van Valkenburgh asked if the town has a process for applying for a permit online; the response
161 is yes. Chair Finch asked if there has been any communication with the owners other than the
162 letter. Mr. Hooker explained he spoke with Mrs. Michael, who was in South Carolina, and
163 explained a permit was required by the Florida Building Code; he emailed the permit application
164 to her, but a completed application has not been received.

165
166 Vice Chair Cannon moved to find the property in non-compliance, granted 14 days to apply for
167 the permit or bring back to the October 23, 2023 hearing for further adjudication and to impose
168 the \$250 administrative fee; seconded by Mr. Michel. The motion PASSED 5-0, with the following
169 vote: Vice-Chair Cannon – yes; Mr. Michel – yes; Chair Finch; Mr. Van Valkenburgh – yes; Mr.
170 Fuess - yes.

171
172 **D. Case #2023-622; Property Address: 4770 South Peninsula Drive**
173 **Owner(s): KM O'Donnell Ponce Inlet, LLC**
174 **c/o Kevin & Mary O'Donnell, Registered Agents**
175 **Alleged Violation(s): Property Maintenance Issues with lot or dwelling**
176

177 Mr. Mincey reviewed the history and photographic evidence of high grass and weeds, a rusted
178 exterior electrical box, and outdoor storage of personal property. Necessary corrective actions
179 include mowing the high grass and weeds, removing the outdoor storage, and replacing the
180 electrical box, which will require a permit. He noted that town ground maintenance crews have
181 trimmed some of the overgrowth from the sidewalk. Staff requests that the property be found in
182 non-compliance and grant the owners 14 days, on or before October 9, 2023 and to bring the case
183 back for further adjudication at the October 23, 2023 hearing; staff also requests that the \$250
184 administrative fee be imposed.

185
186 Chair Finch moved to find the property in non-compliance, granted 14 days to bring it into
187 compliance and to bring it back to the October 23, 2023 hearing for further adjudication;
188 seconded by Vice Chair Cannon. The motion PASSED 5-0, with the following vote: Chair Finch –
189 yes; Vice-Chair Cannon – yes; Mr. Van Valkenburgh – yes; Mr. Michel - yes; Mr. Fuess - yes.

190
191 **E. Authorization of Lien Foreclosure Proceedings for Non-Homesteaded**
192 **Properties**

242 *Draft*
243 Debbie Stewart
244 Assistant Deputy Clerk

DRAFT



Meeting Date: October 23, 2023

Agenda Item: 8-A

Report to Code Enforcement Board

Topic: Case #2023-601
Owner(s): New Jersey Holding LLC
c/o Laszlo Szollas, Registered Agent
Property Address: 76 Aurora Avenue
Violation(s): High Grass

Summary: On September 25, 2023, this case was presented to the Board. The owner(s) were found in non-compliance and granted until October 9, 2023 to have the yard mowed.

Staff will provide updated testimony and evidence regarding this case. The Board will be asked to make a decision based on that evidence and testimony.

Suggested motion: To be determined by the Board after testimony and evidence has been provided on the case.

Requested by:

Mr. Hooker, Code Compliance Manager

Approved by:

Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

TO: Code Enforcement Board
THROUGH: Drew Smith, Town Attorney
FROM: David Hooker, Code Compliance Manager
DATE: October 12, 2023
DATE OF MEETING: October 23, 2023

Case Number: 2023-601
Address: 76 Aurora Avenue
Owner(s): New Jersey Holdings, LLC
c/o Laszlo Szollas, Registered Agent

Alleged Violation:
Property maintenance issues involving lot or dwelling.

Code of Ordinance
Section 82-111 – Growth in excess of 12 inches

Brief History:
In July 2023, it was noticed that this particular property appeared to be either vacant or the occupants were on an extended vacation.

Over the period of the next several weeks, it became apparent that the property was vacant, and nobody had been hired to maintain the property in general.

On August 14, 2023, staff sent a certified letter to the owner to have the yard mowed, with a compliance date of August 30, 2023.

This case was presented to the Code Enforcement Board on September 25, 2023. The owner was found to be in violation of the cited sections of code and the owner was granted until October 9, 2023, to have the yard mowed.

On October 3, 2023, staff spoke with Mr. Szollas. He indicated that he had someone that supposedly was taking care of the yard, but it appears that they haven't.

Mr. Szollas advised that he would ensure the yard be mowed by the compliance date in the Board order.

As of the date of this memorandum, the yard has not been mowed, and staff hasn't had any further contact with the owner.

Recommendation:

The property to be found in non-compliance and assess a fine in accordance with Florida statutes Chapter 162.09.

BEFORE THE CODE ENFORCEMENT BOARD
OF THE TOWN OF PONCE INLET, FLORIDA

TOWN OF PONCE INLET, FLORIDA,
a municipal corporation,

Petitioner,

vs.

CASE NO.: 2023-601

NEW JERSEY HOLDINGS, LLC,
c/o LASZLO SZOLLAS, Registered Agent

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This cause was heard on the 25TH day of September, 2023 by the Code Enforcement Board of the Town of Ponce Inlet after due notice to Respondent and a public hearing, and the Code Enforcement Board, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

1. Respondent is the owner of property located at 76 Aurora Avenue, Ponce Inlet, Florida, 32127 with Volusia County Parcel ID 6419-03-00-2010 (the "Subject Property").
2. On August 14, 2023, the Code Compliance Manager issued a Notice of Violation to Respondent citing a violation of Sections 82-111 of the Code of Ordinance, as adopted by the Town of Ponce Inlet for high grass and weeds.

BASED ON THE FOREGOING IT IS ORDERED AND ADJUDGED that:

3. Respondent is in violation of 82-111 of the Code of Ordinance as adopted by the Town of Ponce Inlet.
4. Respondent shall pay to the Town of Ponce Inlet the administrative costs incurred by the Town in prosecuting this case in the amount of \$250.00.
5. Respondent shall cure the violation on or before October 9, 2023, by removing all grass and weeds that are over 12 inches in height. Failure to obtain compliance will result in this case being brought back for further consideration at the October 22, 2023 hearing date and potential imposition of fines.
6. Any violation of the same code section by any Respondent within five years of the date of this Order may be prosecuted as a repeat violation pursuant to Chapter 162, Florida Statutes.

ORDERED at Ponce Inlet, Volusia County, Florida on this 25th day of September 2023.

Peter Finch
Peter Finch, Chairperson
Code Enforcement Board

ATTEST:

Debbie Stewart
Recording Secretary

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the Respondent by U.S. Mail, First Class, the 28TH day of September, 2023.

David Hooker
David Hooker, Code Compliance Manager



Meeting Date: October 23, 2023

Agenda Item: 9-A

Report to Code Enforcement Board

Topic: Case #2023-635
Owner(s): Roger & Karen Marshall
Property Address: 86 Inlet Harbor Road
Alleged Violation(s): Parking and Storage of Recreational
Vehicle

Summary: Staff will provide testimony and evidence regarding this case. The Board will be asked to make a decision based on that evidence and testimony.

Suggested motion: To be determined by the Board after testimony and evidence has been provided on the case.

Requested by:

Mr. Hooker, Code Compliance Manager

Approved by:

Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

TO: Code Enforcement Board
THROUGH: Drew Smith, Town Attorney
FROM: David Hooker, Code Compliance Manager
DATE: October 12, 2023
DATE OF MEETING: October 23, 2023

Case Number: 2023-635
Address: 86 Inlet Harbor Road
Owner(s): Roger & Karen Marshall

Alleged Violation:
Parking and Storage of vehicles or watercraft.

Land Development Code

Section 4.7.11(B) – Parking and storage of vehicles and watercraft in residential districts.

Brief History:

September 7, 2023, staff noticed a vessel parked in the driveway of the residence. Contact was attempted with the owners, but to no avail. Over the next several weeks, Code Compliance staff visited the property to contact owners, but the attempts failed.

Thus, on October 9, 2023, staff sent a notice of violation/hearing to the owners, with a compliance date of October 20, 2023.

As of the date of this memorandum, no contact has been made with the ownership.

Recommendation:

The property to be found in non-compliance and assess a fine in accordance with Florida statutes Chapter 162.09.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000635**

Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Owner: Roger & Karen Marshall

Mailing Address

86 Inlet Harbor Road
PONCE INLET, FL 32127

Notice of Violation for the following location:

Address

86 Inlet Harbor Road
PONCE INLET, FL 32127

Parcel

6430-13-00-0390

This violation letter is to inform you that staff has observed a violation at that the property in which according to the Volusia County Property Appraiser's Office, is owned by you.

The violation and how to correct are as follows:

1 – Boat parked in driveway of home

How to correct the violation:

Item number 1 – Boats are to be parked either in garage or behind front most part of the home from the street.

You are hereby cited with the following adopted sections of Town code.

Land Development Code

Section 4.7.11 (B) - Parking and storage of vehicles or watercraft in residential districts.

B. Recreational vehicles, watercraft, and trailers. Recreational vehicles as defined in this code, watercraft, and trailers that are parked in any R-1 through R-3 district or in any other zoning district on a premise on which the principal use is a single-family dwelling, shall meet the following standards:

1. *Principal use required.* No recreational vehicle, watercraft or trailer shall be parked or stored except on a developed lot or parcel where a single-family principal structure exists.
2. *Temporary parking.* Recreational vehicles, watercraft, and/or trailers may be parked in the driveway for a maximum time period of 72 consecutive hours per consecutive seven-day period. Dead storage in the abutting public right-of-way shall not exceed 24 hours per Code of Ordinances section 74-35.
3. *long-term parking and storage.* Parking and storage on the premises other than for temporary purposes per paragraph B.2 above shall be allowed only as follows:
 - a. Located under a carport, within an enclosed garage or building, within the rear yard, or within one side yard located behind the portion of the principal structure closest to the street (front plane of the dwelling unit), unless subparagraph b. applies;



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000635**

Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

- b. Parked within the building area outside of all required yards, subject to screening requirements per paragraph B.4 below;
 - c. Carports used for purposes of this code shall meet applicable setback requirements and must be permanent permitted structures pursuant to the Florida Building Code;
 - d. No recreational vehicle, watercraft, and/or trailer shall be parked or stored in manner that extend onto the abutting public right-of-way or obstructs any required emergency access to or from the dwelling.
4. *Screening.* Recreational vehicles, watercraft, and/or trailers parked in the building area shall be screened from adjacent properties and rights-of-way as follows:
- a. Screening shall consist of a minimum six-foot tall opaque fence, wall, or hedge. Screening may also include gates, doors, trees, existing natural vegetation, or a combination of such items provided the minimum height is met. Fabric tarpaulins or vehicle covers, or other similar non-permanent materials shall not count as screening for this purpose.
 - b. Screening fences and walls located within the building area may exceed six feet in height only in compliance with courtyard standards in section 3.16. Fences and walls within required yards shall comply with the height limits in section 4.4.
 - c. Hedges and other plant material shall be selected, located, and maintained to provide a visual barrier that is no less than 75 percent opaque within 180 days from the time of planting.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000635**

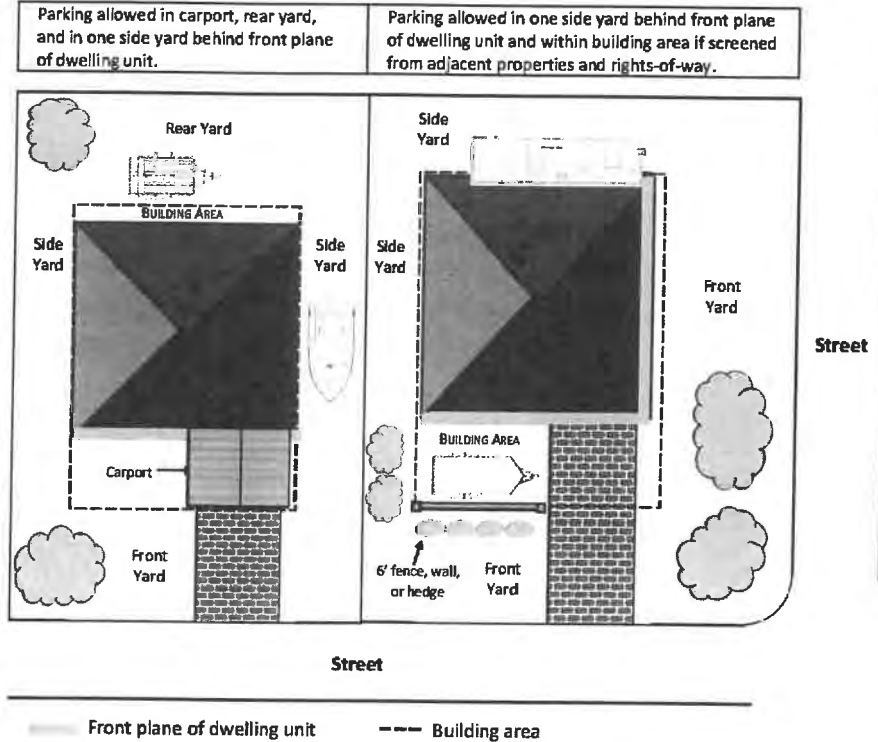
Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Figure 4-12A



- d. All recreational vehicles, watercraft, and trailers that are parked in the building area of the property and are not screened from abutting properties and rights-of-way pursuant to this section as of January 23, 2020, shall be deemed legal nonconforming uses and shall be grandfathered from compliance. Legal nonconforming status shall only apply to the owner of the real property on which the recreational vehicle, watercraft, or trailer is parked as of that date.

Compliance Date: 10/20/2023

If you are unable to meet the required compliance date, this case will be referred to the Town's Code Enforcement Board for a hearing scheduled for October 23, 2023, at 9:30 a.m. located at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

If you are found to be in violation of the cited sections of Town code, a daily fine of up to \$250 per day may be imposed. Furthermore, an administrative fee of \$250 shall also be imposed.

Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that is owned by you in the state of Florida in accordance with Florida statutes 162.09 (3).



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000635**

Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

If you should have any questions related to this matter, please do not hesitate to contact my office.

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail
7020-2450-0000-8209-5466



Meeting Date: October 23, 2023

Agenda Item: 9-B

Report to Code Enforcement Board

Topic: Case #2023-640
Owner(s): Indira Alvarez & Raul Landete
Property Address: 45 Tina Marie Circle
Alleged Violation(s): Inoperable Vehicle

Summary: Staff will provide testimony and evidence regarding the following case. The Board will be asked to make a decision based on that evidence and testimony.

Suggested motion: To be determined by the Board after testimony and evidence has been provided on the case.

Requested by:

Mr. Hooker, Code Compliance Manager

Approved by:

Mr. Disher, Town Manager



MEMORANDUM

TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR THEIR TAX DOLLAR.

TO: Code Enforcement Board
THROUGH: Drew Smith, Town Attorney
FROM: David Hooker, Code Compliance Manager
DATE: October 12, 2023
DATE OF MEETING: October 23, 2023

Case Number: 2023-640
Address: 45 Tina Maria Circle
Owner(s): Indira Alvarez & Raul Landete

Alleged Violation:
Inoperable Vehicle

Code of Ordinance

Section 34-36 – repair of motor vehicle; storage of unlicensed or inoperable vehicles.

Brief History:

September 7, 2023, staff noticed an inoperable vehicle (Infiniti), parked in the driveway of the residence. Contact was attempted with the owners, but to no avail. Over the next several weeks, Code Compliance staff visited the property to contact owners, but the attempts failed.

Thus, on October 9, 2023, staff sent a notice of violation/hearing to the owners, with a compliance date of October 20, 2023.

As of the date of this memorandum, no contact has been made with the ownership.

Recommendation:

The property to be found in non-compliance and assess fine in accordance with Florida statutes Chapter 162.09.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000640**

Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Owner: Indira Alvarez & Raul Landete

Mailing Address

45 Tina Maria Circle
PONCE INLET, FL 32127

Notice of Violation for the following location:

Address

45 TINA MARIA CIR
PONCE INLET, FL 32127

Parcel

6313-20-00-0100

This violation letter is to inform you that staff has observed a violation at that the property in which according to the Volusia County Property Appraiser's Office, is owned by you.

The violation and how to correct are as follows:

1 – Inoperable vehicle in driveway (grey vehicle without a valid tag affixed to vehicle)

How to correct the violation:

Item number 1 – vehicle is required to have a valid tag affixed to vehicle. In lieu of valid tag, the vehicle must be parked in garage or removed from the property.

You are hereby cited with the following adopted sections of Town code.

Code of Ordinance

Section 34-36 – Repair of motor vehicles; storage of unlicensed or inoperable vehicles.

- (a) All motor vehicles, including but not limited to cars, motorcycles, trucks, three-wheelers, and tractors, being repaired within residentially zoned areas of the town must be currently registered to the property owner or resident of such property and any such repair must be performed in an enclosed garage or carport.
- (b) All unlicensed or inoperable vehicles located in the town shall be parked in an enclosed garage or carport at all times except at those properties zoned to allow automotive repair businesses which have a properly licensed automotive repair business operating.

Compliance Date: 10/20/2023

If you are unable to meet the required compliance date, this case will be referred to the Town's Code Enforcement Board for a hearing scheduled for October 23, 2023, at 9:30 a.m. located at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

If you are found to be in violation of the cited sections of Town code, a daily fine of up to \$250 per day may be imposed. Furthermore, an administrative fee of \$250 shall also be imposed.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000640**

Case Type: **Code Enforcement**

Date Case Established: **09/07/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that is owned by you in the state of Florida in accordance with Florida statutes 162.09 (3).

If you should have any questions related to this matter, please do not hesitate to contact my office.

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail
7020-2450-0000-8209-5459



Meeting Date: October 23, 2023

Agenda Item: 9-C

Report to Code Enforcement Board

Topic: Case #2023-682
Owner(s): Robert & Dorinda Stone
Property Address: 4835 South Peninsula Drive
Alleged Violation(s): Work requiring permits

Summary: Staff will provide testimony and evidence regarding the following case. The Board will be asked to make a decision based on that evidence and testimony.

Suggested motion: To be determined by the Board after testimony and evidence has been provided on the case.

Requested by:

Mr. Hooker, Code Compliance Manager

Approved by:

Mr. Disher, Town Manager



MEMORANDUM
TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

*THE TOWN OF PONCE INLET STAFF SHALL BE PROFESSIONAL, CARING, AND FAIR IN DELIVERING
COMMUNITY EXCELLENCE WHILE ENSURING PONCE INLET CITIZENS OBTAIN THE GREATEST VALUE FOR
THEIR TAX DOLLAR.*

TO: Code Enforcement Board
THROUGH: Drew Smith, Town Attorney
FROM: David Hooker, Code Compliance Manager
DATE: October 12, 2023
DATE OF MEETING: October 23, 2023

Case Number: 2023-682
Address: 4835 South Peninsula Drive
Owner(s): Robert & Dorinda Stone

Alleged Violation:
Work requiring permits.

Florida Building Code
Section 105.1 - Required

Brief History:

October 5, 2023, staff noticed a large carport structure approximately 15 feet wide and 20 feet deep made of 4x4 posts (5 posts in total) with a white canvas top which was connected to the home and supporting posts.

Contact with the owners was attempted but failed. Thus, on October 9, 2023, a formal notice of violation / hearing letter was issued, with a compliance date of October 20, 2023.

As of the date of this memorandum, no contact has been made with the ownership.

Recommendation:

The property to be found in non-compliance and assess fine in accordance with Florida statutes Chapter 162.09.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000682**

Case Type: **Code Enforcement**

Date Case Established: **10/5/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Owner: Robert & Dorinda Stone

Mailing Address

4835 South Peninsula Drive
PONCE INLET, FL 32127

Notice of Violation for the following location:

Address

4835 South Peninsula Drive
PONCE INLET, FL 32127

Parcel

6430-00-03-0090

This violation letter is to inform you that staff has observed a violation at that the property in which according to the Volusia County Property Appraiser's Office, is owned by you.

The violation and how to correct are as follows:

1 – Construction of a canvas type carport without permits

How to correct the violation:

Item number 1 – Either remove canvas type carport including the 5 posts, or obtain permitting which will include engineering for the structure.

You are hereby cited with the following adopted sections of Town code.

Florida Building Code

Section 105.1 - Required.

Any owner or 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 required impact-resistant coverings, 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.

Compliance Date: 10/20/2023

If you are unable to meet the required compliance date, this case will be referred to the Town's Code Enforcement Board for a hearing scheduled for October 23, 2023, at 9:30 a.m. located at 4300 South Atlantic Avenue, Ponce Inlet, Florida.

If you are found to be in violation of the cited sections of Town code, a daily fine of up to \$250 per day may be imposed. Furthermore, an administrative fee of \$250 shall also be imposed.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2023-000682**

Case Type: **Code Enforcement**

Date Case Established: **10/5/2023**

Compliance Deadline: **10/20/2023**

Violation Notice

Both these charges will be recorded into the public records of Volusia County and will constitute a lien of your property, as well as any other property that is owned by you in the state of Florida in accordance with Florida statutes 162.09 (3).

If you should have any questions related to this matter, please do not hesitate to contact my office.

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail
7020-2450-0000-8209-5473



Meeting Date: October 23, 2023

Agenda Item: 11

Report to Code Enforcement Board

Topic: Discussion of the November 27th meeting date.

Summary:

The November 2023 meeting is scheduled for the Monday immediately following Thanksgiving. Staff is requesting the Board discuss moving the meeting date to the 20th or the 13th or to leave it as scheduled.

Suggested motion:

To be determined by the Board.

Requested by:

Ms. Stewart, Assistant Deputy Clerk
Ms. Hunt, Deputy Clerk

Approved by:

Mr. Disher, Town Manager

November 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	<u>2</u>	3	4
5	<u>6</u>	7	8	9	<u>10</u>	11
12	13	14	15	<u>16</u>	17	18
19	20	21	22	<u>23</u>	<u>24</u>	25
26	<u>27</u>	<u>28</u>	29	30		