



CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MONDAY
May 19, 2025 - 9:30 AM

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

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

1. CALL TO ORDER.
2. APPROVAL OF MINUTES:
 - A. April 28, 2025
3. ADMINISTERING THE OATH TO WITNESSES.
4. OLD BUSINESS:
 - A. **Case # 2025-511**
Charles Doyle
57 Daggett Cove Drive
Alleged Violation: Property Maintenance issues involving roof
 - B. **Case # 2025-541**
Mountain View Enterprises LLC
Attention – David & Lorna Baker, Owners
4339 South Atlantic Avenue
Alleged Violation: Work performed requiring permit
 - C. **Case # 2025-572**
Arnoldo Larrazabal & Denese Carty
122 Old Carriage Road
Alleged Violation: Worked performed requiring permits
5. ADJOURNMENT.

Next hearing date: Monday, June 23, 2025

If a person decides to appeal any decision made by the Special Magistrate 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: May 19, 2025

Agenda Item: 2-A

Report to Code Enforcement Special Magistrate

Topic: April 28, 2025 Hearing Minutes

Summary:

Staff has prepared the attached set of hearing minutes for the Magistrate'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 Special Magistrate
Meeting Minutes
April 28, 2025

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

3
4 **Staff Members Present:**

5 Ms. Cherbano, Town Clerk
6 Mr. Hooker, Code Compliance Manager
7 Ms. Hornbuckle, Code Administrative Assistant
8 Mr. Lear, Planning & Development Director
9 Attorney Smith, Town Attorney
10 Ms. Stewart, Assistant Deputy Clerk
11 Special Magistrate Velo
12

13 **2. APPROVAL OF THE MINUTES:**

14
15 **A. March 24, 2025 - Special Magistrate Velo approved the March 24, 2025, meeting minutes**
16 **as presented.**
17

18 **3. ADMINISTERING THE OATH TO WITNESSES:** Assistant Deputy Clerk Stewart
19 administered the Oath to those intending to provide testimony.
20

21 **4. CONSENT AGENDA:**

22
23 **A. Case # 2025-275**
24 **Charles & Tenille Collins**
25 **4924 South Peninsula Drive**
26 **ORDER OF COMPLIANCE**
27

28 **B. Case # 2025-462**
29 **Ponce Inlet Club South**
30 **Attention – Randy Clark & Michelle Orr, Property Managers**
31 **4799 South Atlantic Avenue**
32 **ORDER OF COMPLIANCE**
33

34 Mr. Hooker provided an update on each case, noting that each property was brought into compliance prior
35 to the compliance date and the property owners were notified of this hearing.

36
37 Special Magistrate Velo APPROVED Orders of Compliance for Case #2025-275 and Case #2025-462.
38

39 **5. OLD BUSINESS:** *None.*
40
41

42 **6. NEW BUSINESS:**

43
44 **A. Case #2025-511**

45 Charles Doyle

46 57 Daggett Cove Drive

47 Alleged Violation: Property maintenance issues involving roof

48
49 Mr. Hooker presented evidence and testimony, outlining the timeline of events related to a roofing code
50 violation, noting that the property owner has not responded or taken corrective action. Staff recommends
51 finding the property in non-compliance, assessing the \$250 administrative fee and setting a compliance
52 deadline of May 16, 2025. Failure to comply would result in further adjudication at the May 19, 2025,
53 hearing. Attorney Smith inquired about potential fines and Mr. Hooker stated the Town would seek the
54 maximum fine of \$250 per day due to the deteriorating condition of the roof. Special Magistrate Velo
55 confirmed the property owners were not present, that notice was properly posted, and clarified that permit
56 processing typically takes three to seven days.

57
58 Special Magistrate Velo found the property in non-compliance; imposed a fine of \$250 per day; assessed
59 the \$250 administrative fee; and ordered the case brought back at the May 19, 2025, hearing for further
60 adjudication.

61
62 **B. Case #2025-541**

63 Mountain View Enterprises LLC

64 Attention: David & Lorna Baker, Owners

65 4339 South Atlantic Avenue

66 Alleged Violation: Work performed requiring permit

67
68 Mr. Hooker presented evidence detailing a code violation involving unpermitted fence installation. Liberty
69 Fencing was approved for a permit but never picked it up, so it was not officially issued. After installation,
70 a neighbor reported possible non-compliance. Attempts to contact the contractor and property owner were
71 unsuccessful, leading to a notice of violation. The property is an investment owned by Mountain View
72 Enterprises LLC, which is not registered with SunBiz. Mr. Hooker presented photos showing the fence
73 exceeding the 4-foot height limit. Although Liberty Fencing later modified the permit to meet code and
74 paid the fee, the permit remains uncollected, with last contact on April 14, 2025. Staff recommends a non-
75 compliance finding, a \$250 administrative fee, and a May 16, 2025, compliance deadline, with further
76 adjudication set for May 19, 2025, if unresolved. Mr. Hooker confirmed the violation involves both
77 unpermitted work and non-compliant fence height. To resolve the violation, the permit must be picked up
78 and the fence brought into compliance. No representative appeared on behalf of the property owner, and
79 Mr. Hooker confirmed that he posted the notice at Town Hall.

80
81 Special Magistrate Velo found the property in non-compliance; ordered a compliance date of May 16,
82 2025; assessed the \$250 administrative fee; and ordered the case brought back for further adjudication
83 at the May 19, 2025, hearing.

84
85 Steve Taylor, 4338 South Atlantic Avenue, neighboring property, asked if the fence company would be
86 held liable for knowingly installing a non-compliant fence without a permit. Special Magistrate Velo
87 explained her role is limited to determining the property owner's code compliance; contractor liability
88 must be addressed through legal channels. She clarified the case pertains only to the property owner, not
89 the contractor.

90 **C. Case # 2025-572**
91 **Arnoldo Larrazabal & Denese Carty**
92 **122 Old Carriage Road**
93 **Alleged Violation: Worked performed requiring permits**
94

95 Mr. Hooker presented evidence of code violations involving construction work without permits, noting
96 that a stop work order was posted. No permit application has been submitted. Staff recommends a non-
97 compliance finding, a \$250 administrative fee, and a May 16, 2025 compliance deadline, with a hearing
98 on May 19 if unresolved. Attorney Smith inquired about fines or a Massey hearing (a hearing to determine
99 property owner received proper notice). Mr. Hooker responded that no fine is being requested at this time,
100 and a Massey hearing would be pursued only if necessary. Special Magistrate Velo confirmed that the
101 mailed notice was signed, so posting the property was not required. Mr. Hooker said neither is requested
102 at this time. Special Magistrate Velo confirmed the notice was signed, so posting wasn't required. Mr.
103 Hooker reported no direct contact with the owner's representative, though a neighbor had expressed
104 concern about permitting.
105

106 Special Magistrate Velo found the property in non-compliance; ordered a compliance date of May 16,
107 2025, assessed the \$250 administrative fee; and ordered the case brought back at the May 19, 2025,
108 hearing for further adjudication.
109

110 **6. ADJOURNMENT:** The hearing was adjourned at 10:06 a.m.
111

112 Next hearing date: Monday, May 19, 2025
113

114 Respectfully submitted by,
115

116 Draft

117 Stephanie Velo
118 Special Magistrate



Meeting Date: May 19, 2025

Agenda Item: 4-A

Report to Code Enforcement Special Magistrate

Topic: Case #2025-511
Charles Doyle
57 Daggett Cove Drive
Alleged Violation(s): Property maintenance issues involving roof

Summary: Staff will provide testimony and evidence regarding the following case.

Suggested motion: To be determined by the Magistrate 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: Stephaine Velo, Special Magistrate

FROM: David Hooker, Code Compliance Manager

DATE: May 7, 2025

DATE OF MEETING: May 19, 2025

Case Number: 2025-511

Address: 57 Daggett Cove Drive

Alleged Violation: Property maintenance issues involving roof

Property Owner(s): Charles Doyle

Synopsis of Violation:

On February 25, 2025, staff observed a significant portion of roofing shingles missing from the single-family structure on the property. Initial attempts to contact the property owner were unsuccessful.

On April 28, 2025, this case was presented to the Special Magistrate and was found to be in violation of the cited sections of adopted code, and was granted until May 16, 2025, to have the property in compliance.

A re-inspection of the property performed on May 1, 2025, indicated that the repairs were completed.

Timeline of Events:

- **February 25, 2025** – Case established for property maintenance issues involving missing shingles on roof.

- **February 26, 2025** – Staff left a voice message with the phone number on record advising of the situation found and asked for a return call to discuss violation further.
- **March 10, 2025** – A Notice of Violation / Hearing issued by certified mail.
- **March 31, 2025** – Certified Mail returned to Town as “unclaimed”.
- **April 4, 2025** – Property posted with notice of violation/hearing – affidavit of the posting is in the records with picture taken. Posting of the violation/hearing letter at Town Hall, with picture taken, and a first-class letter sent to address on record in accordance with FS 162.12.
- **April 28, 2025** – Case heard by Special Magistrate. Owner found to be in violation of the adopted codes. Owner granted until May 16, 2025 to have property in compliance, and a \$250 administrative fee was also imposed.
- **May 1, 2025** – Following a re-inspection of the property, the repair work was completed within the timeframe of the Special Magistrate Order. The \$250 administrative fee remains unpaid.

Recommendation:

Staff recommends that the property be found in compliance with the Special Magistrate’s order of April 28, 2025.

The one-time administrative fee of \$250 remains unpaid and shall be recorded into the public records of Volusia County which will constitute a lien of this property and any other properties that the owner owns in the state of Florida in accordance with Florida statute 162.09(3).

**hBEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE TOWN OF PONCE INLET, FLORIDA**

TOWN OF PONCE INLET, FLORIDA,
a municipal corporation,

Petitioner,

vs.

CASE NO.: 2025-511

Charles Doyle,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This cause was heard on the 28th day of April 2025 by the Code Enforcement Special Magistrate of the Town of Ponce Inlet after due notice to Respondent and a public hearing, and the Code Enforcement Special Magistrate, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

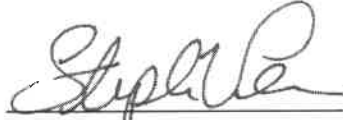
1. Respondent is the record owner of property located at 57 Daggett Cove Drive, Ponce Inlet, Florida, 32127 with Volusia County Parcel ID 6419-22-00-0030 (the "Subject Property").
2. On March 19, 2025, the Code Compliance Manager issued a Notice of Violation to Respondent citing a violation of Sections 304.4 and 304.7 of the International Property Maintenance Code, as adopted by Section 18-411 of the Town of Ponce Inlet Code of Ordinances.
3. Respondents were properly served with the Notice of Violation as specified in Section 162.12, Florida Statutes.

BASED ON THE FOREGOING IT IS ORDERED AND ADJUDGED that:

4. Respondent and the Subject Property are in violation of Sections 304.4 and 304.7 of the International Property Maintenance Code, as adopted by Section 18-411 of the Town of Ponce Inlet Code of Ordinances, and as further described in the Notice of Violation served upon Respondent.
5. Respondent and the Subject Property have remained in violation of the cited code provisions after the compliance deadline set forth in the Notice of Violation.
6. Respondents 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.


7. Respondents shall bring the Subject Property into compliance with Sections 304.4 and 304.7 of the International Property Maintenance Code, as adopted by Section 18-411 of the Town of Ponce Inlet Code of Ordinances, on or before May 16, 2025. A Town of Ponce Inlet building permit may be required. Failure to bring the Subject Property into compliance as ordered herein, including obtaining any required building permits, will result in this case being brought back for further adjudication at the May 19, 2025, hearing, at which daily code enforcement fines in the amount of up to \$250.00 per day may be imposed.
8. Any violation of the same code provisions by 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 12th day of May 2025.



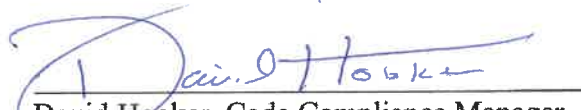
Stephaine Velo
Special Magistrate

ATTEST:


Debbie Stewart
Deputy Clerk

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 12 day of May 2025.


David Hooker, Code Compliance Manager



Meeting Date: May 19, 2025

Agenda Item: 4-B

Report to Code Enforcement Special Magistrate

Topic: Case #2025-541
Mountain View Enterprises, LLC
Attention: David & Lorna Baker, Owners
4339 South Atlantic Avenue
Alleged Violation(s): Work performed requiring permit

Summary: Staff will provide testimony and evidence regarding the following case.

Suggested motion: To be determined by the Magistrate 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: Stephaine Velo, Special Magistrate

FROM: David Hooker, Code Compliance Manager

DATE: May 7, 2025

DATE OF MEETING: May 19, 2025

Case Number: 2025-541

Address: 4339 South Atlantic Avenue

Alleged Violation: Installation of a fence east of the Coastal Construction Line and without valid permit

Property Owner(s): Mountain View Enterprises 1 & 2 LLC
c/o David & Lorna Baker

Synopsis of Violation:

On November 25, 2024, Liberty Fencing applied for a building permit to install fencing around the property. Ultimately, the permit was approved and paid for by the contractor. However, the permit was never picked up, and as a result, the permit was never officially issued, pursuant to the Florida Building Code.

After the work was completed, a neighboring property owner notified Town staff that the fence work performed did not appear to meet the adopted codes.

Staff reached out to the ownership and contractor to no avail. Subsequently, this led to the Notice of Violation and Hearing being issued.

On April 28, 2025, this case was presented to the Special Magistrate, which found the owners in violation of sections 105.1 and 105.4.1 of the Florida Building Code. Owners were granted until May 16, 2025 to bring the property in compliance or have the case be brought back for further adjudication at the next hearing date of May 19, 2025.

Timeline of Events:

- **November 25, 2024** – Liberty Fencing applied for the building permit to install fencing around property.
- **December 3, 2024** – Permit application approved. Contractor was called.
- **December 10, 2024** – Permit was paid for by Liberty Fencing group
- **February 21, 2025** – Complaint received from neighboring property owner (Joseph Swinski) about the height of the fence. Research on the permit indicated that the permit was paid for but, not picked up.
- **February 24, 2025** - Code enforcement staff visited the job site and noticed the fence installed without a permit and took pictures. Contact was attempted with the owner and contractor, to no avail.
- **February 27, 2025** – Permit revoked by the Building Official after noticing that the permit was not picked up and the fence was installed. Code enforcement staff attempted to contact the owners and fence company again.
- **March 19, 2025** – Notice of Violation and Hearing issued and sent certified mail to owner's addresses in Kentucky and Florida as well as to the fencing company.
- **March 25, 2025** – Received a call from Jessica with Liberty Fence requesting information on what needed to be accomplished for the property to become compliant.
- **April 5, 2025** – The property was posted with the Notice of Violation and Hearing. The affidavit of posting is in record. Pictures were taken of the posting of the violation/hearing letter at Town Hall. A first-class letter was sent to addresses on record in accordance with F.S. 162.12
- **April 9, 2025** – Liberty Fence applied for a new permit to modify the work performed. Currently the permit application is under review.
- **April 28, 2025** – The case was presented to the Special Magistrate, who determined the property was in violation of the Florida Building Code 105.1 and 105.4.1 as adopted by the Town. Owners were granted until May 16, 2025 to obtain the building permit for the work already performed.

Recommendation:

Staff recommends that the original order of April 28, 2025, be reiterated as an order of non-compliance. If the property remains in violation past May 16, 2025, the required compliance date, a daily fine of \$250 per day shall be imposed until the building permit application has been picked up by the permit holder and corrections are made to the fence to comply with the Town's adopted regulations.

A one-time fee of \$250 shall be imposed per the Town's fee schedule for administrative processing of a violation.

This imposition of fine shall be recorded into the public records of Volusia County which will constitute a lien of this property and any other properties that the owner owns in the state of Florida in accordance with Florida statute 162.09(3).

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE TOWN OF PONCE INLET, FLORIDA

TOWN OF PONCE INLET, FLORIDA, a
municipal corporation,

Petitioner,

vs.

CASE NO.: 2025-541

Mountain View Enterprise I LLC, Mountain
View Enterprise II LLC, David L. Baker &
Lorna G. Baker,

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This cause was heard on the 28th day of April 2025 by the Code Enforcement Special Magistrate of the Town of Ponce Inlet after due notice to Respondents and a public hearing, and the Code Enforcement Special Magistrate, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

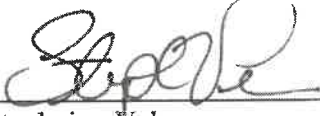
1. Respondents are the record owners of property located at 4339 S. Atlantic Avenue, Ponce Inlet, Florida, 32127 with Volusia County Parcel ID 6313-00-02-0360 (the "Subject Property").
2. On March 19, 2025, the Code Compliance Manager issued a Notice of Violation to Respondents citing a violation of Sections 105.1 and 105.4.1 of the Building Officials Association of Florida's (BOAF) Model Administrative Code (2023) for the Florida Building Code, 8th Edition (2023), as adopted by Section 18-31 of the Town of Ponce Inlet Code of Ordinances.
3. Respondents were properly served with the Notice of Violation as specified in Section 162.12, Florida Statutes.

BASED ON THE FOREGOING IT IS ORDERED AND ADJUDGED that:

4. Respondents are in violation of the above cited code provisions, as further described in the Notice of Violation served upon Respondents.
5. Respondents and the Subject Property have remained in violation of the cited code provisions after the compliance deadline set forth in the Notice of Violation.
6. Respondents 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.

7. Respondents shall bring the Subject Property into compliance with the cited code provisions on or before May 16, 2025, by obtaining the required building permit from the Town of Ponce Inlet. Failure to obtain the required building permit will result in this case being brought back for further adjudication at the May 19, 2025, hearing, at which daily code enforcement fines in the amount of up to \$250.00 per day may be imposed.
8. 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 12th day of May 2025.

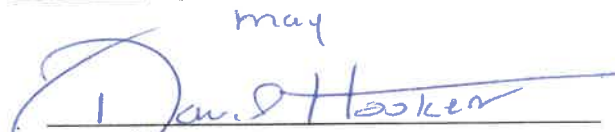

Stephaine Velo
Special Magistrate

ATTEST:


Debbie Stewart
Deputy Clerk

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 12 day of ~~April~~ ^{May} 2025.


David Hooker, Code Compliance Manager



Meeting Date: May 19, 2025

Agenda Item: 4-C

Report to Code Enforcement Special Magistrate

Topic: Case #2025-572
Arnoldo Larrazabal & Denese Carty
122 Old Carriage Road
Alleged Violation(s): Work performed requiring permit

Summary: Staff will provide testimony and evidence regarding the following case.

Suggested motion: To be determined by the Magistrate 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: Stephaine Velo, Special Magistrate

FROM: David Hooker, Code Compliance Manager

DATE: May 7, 2025

DATE OF MEETING: May 19, 2025

Case Number: 2025-572

Address: 122 Old Carriage Road

Alleged Violation: Construction requiring permits

Property Owner(s): Arnaldo Larrazabal & Denese Carty

Synopsis of Violation:

On March 6, 2025, staff observed construction work being done on the front of this home. Staff spoke with the contractor and discovered that additional work was being performed at the rear of the home also.

After further investigation, the rear porch was also being worked on involving new supporting posts, electrical wiring and reframing of the porch ceiling. This amount of work being performed required permits; therefore a Stop Work order was posted.

On March 13, 2025, after no further communication with owner or contractor, a formal Notice of violation and hearing was sent via certified mail, which the owners received on March 19, 2025.

On March 25, 2025, a neighbor stopped into Town Hall to discuss this case with staff and advised that the owners will apply for a permit in the next few days.

On April 28, 2025, this case was presented to the Special Magistrate and found to be in violation of section 105.1 of the Florida Building Code, as adopted by Town code. Owners

were granted until May 16, 2025, to submit the required building permit application for the work performed.

As of the date of this memorandum, no further contact has been made by the owner or owners' representatives, and no permit application has been submitted for the work involved.

Timeline of Events:

- **March 6, 2025** – Staff observes work requiring permits. Staff contacts individual performing work. A stop work order is posted.
- **March 13, 2025** – Staff sends a formal Notice of Violation and Hearing by certified mail.
- **March 19, 2025** – Owners receive certified letter.
- **March 25, 2025** – Owners' representative stops at Town Hall to discuss violation and states that a permit will be applied for prior to compliance date.
- **April 15, 2025** – No further communication from owners or their representative. Additionally, no permit application has been submitted for the work involved.
- **April 28, 2025** – Case presented to the Special Magistrate. The owner was found to be in violation of the adopted sections of Town code. Owner was granted until May 16, 2025 to submit the required building application and a \$250 administrative fee was also imposed.

Recommendation:

Staff recommends that the original order of April 28, 2025, be reiterated as an order of non-compliance. The property remains in violation past May 16, 2025, the required compliance date. A daily fine of \$250 per day shall be imposed until a building permit application has been submitted and the permit holder pays for and picks up the required building permit.

A one-time fee of \$250 shall be imposed per the Town's fee schedule for administrative processing of a violation.

This imposition of fine shall be recorded into the public records of Volusia County which will constitute a lien of this property and any other properties that the owner owns in the state of Florida in accordance with Florida Statute 162.09(3).

BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE TOWN OF PONCE INLET, FLORIDA

TOWN OF PONCE INLET, FLORIDA,
a municipal corporation,

Petitioner,

vs.

CASE NO.: 2025-572

Arnaldo Larrazabal & Denese Carty,

Respondents.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This cause was heard on the 28th day of April 2025 by the Code Enforcement Special Magistrate of the Town of Ponce Inlet after due notice to Respondents and a public hearing, and the Code Enforcement Special Magistrate, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

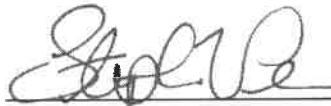
1. Respondents are the record owners of property located at 122 Old Carriage Road, Ponce Inlet, Florida, 32127 with Volusia County Parcel ID 6313-01-00-0720 (the "Subject Property").
2. On March 19, 2025, the Code Compliance Manager issued a Notice of Violation to Respondents citing a violation of Section 105.1 of the Building Officials Association of Florida's (BOAF) Model Administrative Code (2023) for the Florida Building Code, 8th Edition (2023), as adopted by Section 18-31 of the Town of Ponce Inlet Code of Ordinances.
3. Respondents were properly served with the Notice of Violation as specified in Section 162.12, Florida Statutes.

BASED ON THE FOREGOING IT IS ORDERED AND ADJUDGED that:

4. Respondents are in violation of the above cited code provisions, as further described in the Notice of Violation served upon Respondents.
5. Respondents and the Subject Property have remained in violation of the cited code provisions after the compliance deadline set forth in the Notice of Violation.
6. Respondents 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.

7. Respondents shall bring the Subject Property into compliance with the cited code provisions on or before May 16, 2025, by obtaining the required building permit from the Town of Ponce Inlet. Failure to obtain the required building permit will result in this case being brought back for further adjudication at the May 19, 2025, hearing, at which daily code enforcement fines in the amount of up to \$250.00 per day may be imposed.
8. 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 12th day of May 2025.



Stephaine Velo
Special Magistrate

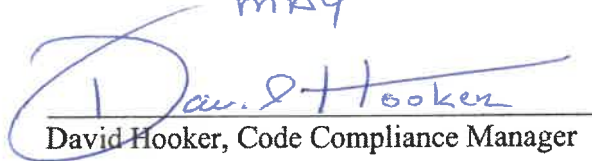
ATTEST:



Deputy Clerk

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 12 day of ~~April~~ ^{may} 2025.



David Hooker, Code Compliance Manager