



CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MONDAY

January 26, 2026 - 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. October 27, 2025
3. ADMINISTERING THE OATH TO WITNESSES.
4. OLD BUSINESS:
 - A. **Case # 2025-1679**
Aisha Moore & Mt. LeConte Joint Venture LLC
4734 South Atlantic Avenue
Alleged Violation: Property maintenance issues involving lot and/or dwelling
 - B. **Case # 2025-1857**
Albert & Melinda Livingston
4565 South Atlantic Avenue # 5410
Alleged Violation: Work without permits
5. NEW BUSINESS:
 - A. **Case # 2025-1961**
Ralph & Carole Page
60 Inlet Harbor Road
Alleged Violation: Recreational vehicle
6. ADJOURNMENT.

Next hearing date: Monday, February 23, 2026

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: January 26, 2026

Agenda Item: 2-A

Report to Code Enforcement Special Magistrate

Topic: October 27, 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
October 27, 2025

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

Staff Members Present:

Mr. Hooker, Code Compliance Manager
Attorney Smith, Town Attorney
Mr. Lear, Planning & Development Director
Ms. Stewart, Assistant Deputy Clerk
Special Magistrate Velo

2. **APPROVAL OF THE MINUTES:**

A. **September 22, 2025 - Special Magistrate Velo approved the September 22, 2025, meeting minutes as presented.**

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

4. **OLD BUSINESS:**

A. **Case # 2025-1741**

Brandi Swick
4746 South Peninsula Drive
Alleged Violation: Property maintenance issues involving lot and/or dwelling

Mr. Hooker reviewed the alleged violations of this case and explained that it was originally heard on August 25, 2025, at which time the property was found to be in non-compliance. The owner was granted until September 24, 2025, to bring the property into compliance and to pay the \$250 administrative fee. A status hearing was scheduled for September 22, 2025, during which staff informed Magistrate Velo that the property remained in non-compliance. However, staff reported ongoing communication with the owner and noted that progress was being made. Based on this update, staff requested additional time for compliance, which was granted until October 24, 2025. Staff presented photographs of the property received on October 24, 2025 and noted the property is in compliance as of this date. Staff requested that the property be found in compliance with the Magistrate's orders from August 25 and September 22, 2025, respectively. Once the \$250 administrative fee has been paid, the case can be dismissed. Special Magistrate Velo confirmed no one was present representing the owners.

Special Magistrate Velo found the property in compliance and ordered the case dismissed once the \$250 administrative fee is paid.

B. **Case # 2025-1694**

Ponce Inlet Club South COA

c/o Randy Clark, Property Manager
4799 South Atlantic Avenue
Alleged Violation: Work without permits

Mr. Hooker explained that this case was heard on September 22, 2025. The property was found in violation of the cited sections of code and was ordered to secure the necessary permits no later than October 6, 2025 and to pay the \$250 administrative fee. Furthermore, the case was ordered to be brought back at today's hearing for a status update. Mr. Clark is the registered agent for the property who obtained the general contractor needed to complete the necessary work on the property. The permit application was submitted on October 3, 2025, and the permit was issued on October 8, 2025. The property is currently in compliance with the Magistrate's original order, and staff requested the case be found in compliance and dismissed once the \$250 administrative fee is paid. Special Magistrate Velo confirmed no one was present representing the owner.

Special Magistrate Velo found the property in compliance and ordered the case dismissed once the \$250 administrative fee is paid.

C. Case # 2025-1774

Joanne Woida
4651 South Atlantic Avenue #205
Alleged Violation: Work without permits

Mr. Hooker explained that this case was heard on September 22, 2025, where the property was found in violation of the cited sections of code. The Magistrate granted the owner until October 6, 2025, to secure the proper permits and ordered payment of the \$250 administrative fee. It was further ordered that the case be brought back for a status hearing on today's date. As of this date, the property remains in violation; no permit has been applied for and there has been no communication with the owner. Staff requested that a fine of \$50.00 per day be imposed beginning today and continuing until the required permit has been issued, final inspection has taken place, and the \$250 administrative fee is paid. Special Magistrate Velo confirmed no one was present representing the owner.

Special Magistrate Velo found the property remaining in non-compliance, imposed a \$50 per day fine to accrue beginning today and ordered the outstanding \$250 administrative fee to be paid.

D. Case # 2025-1679

Aisha Moore & MT LeConte Joint Venture LLC
4734 South Atlantic Avenue
Alleged Violation: Property maintenance issues involving lot and/or dwelling

Mr. Hooker explained that this case was heard on July 28, 2025, where the property was found in violation of the cited sections of code. The owner and potential buyer were at the hearing and provided testimony, a history of the property and plans moving forward. They were granted until January 26, 2026, to bring the property into compliance, with a status hearing scheduled for today. As of today, a permit has been issued for demolition for the interior work. They have obtained the required engineer's drawings for the remainder of the work being proposed. They will need to obtain a permit for the work being proposed and are working toward that goal by meeting with staff, including the Building Official. Staff requested the case be brought back to the January 26, 2026, hearing for a status update and further adjudication if needed. Mr. Hooker noted the representative for MT LeConte is proactive in getting the property into compliance and needs more time. Magistrate Velo confirmed no one was present representing the owner. She noted

the owner was previously ordered to bring the exterior of the property into compliance by January 26, 2026 and the interior by July 28, 2025. This status update is regarding the interior. Mr. Hooker confirmed that is correct. Special Magistrate Velo asked if the property is out of compliance with all the cited sections of code. Mr. Hooker explained yes; however, a permit has been obtained for the interior work and engineering plans for the home and decking have been obtained and he is working towards obtaining that permit. Special Magistrate Velo asked if a new compliance date was requested for the interior of the property. Mr. Hooker stated he would prefer to leave it as a status update on January 26, 2026; as the owner is working on the interior and he is uncovering things done improperly. When he applies for the permit, it will be all encompassing, and the inspections will take care of the rest.

Special Magistrate Velo found the property in non-compliance with the cited sections of code; ordered the parties appear for a status hearing on January 26, 2026.

115. NEW BUSINESS:

A. Case # 2025-1857

Albert & Melinda Livingston

4565 South Atlantic Avenue

Alleged Violation: Work without permits

Mr. Hooker explained this case was established on September 12, 2025, with a compliance date of October 3, 2025, for two bathrooms being renovated without the valid permits. He presented photographic evidence and testimony regarding the alleged violations of the cited sections of code. As of today's date, no permit application has been submitted. Staff requested that the owner be found in non-compliance, grant 14-days, or until November 10, 2025 to secure the required permit and pay the \$250 administrative fee. Failure to do so will bring this case back for further adjudication on November 24, 2025. Special Magistrate Velo asked how the photos of the inside of the unit were obtained. Mr. Hooker explained that Mr. Mincey, Rental Housing Inspector, accessed the screened lanai to post the Stop-Work Order and was able to visually see inside. Mr. Mincey subsequently gained access to the unit itself through an individual present at the unit; it is unknown if that individual was the owner or a contractor. Special Magistrate Velo noted for the record that no one representing the property was present. Special Magistrate Velo requested that the hearing materials for this case be sent to her for review and that she will take this under advisement and issue an order later this week. She confirmed that staff is requesting the property be found in non-compliance for the cited section of code and the compliance date be on November 10, 2025. She asked if compliance meant applying for the permit or having the permit issued. Mr. Hooker confirmed it was to apply for the permit.

Special Magistrate Velo has this case under review and will issue an order within the week.

6. ADJOURNMENT: The hearing was adjourned at 10:00 a.m.

Next hearing date: Monday, November 24, 2025

Respectfully submitted by,

Draft

Stephanie Velo

Prepared by: Debbie Stewart, Assistant Deputy Clerk



Meeting Date: January 26, 2026

Agenda Item: 4-A

Report to Code Enforcement Special Magistrate

Topic: Case #2025-1679
Aisha Moore & Mr. LeConte Joint Venture LLC
4734 South Atlantic Avenue
Alleged Violation(s): Property Maintenance issues involving
a lot and/or dwelling

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: Nancy Stuparich, Special Magistrate

FROM: David Hooker, Code Compliance Manager

DATE: January 8, 2026

DATE OF MEETING: January 26, 2026

Case Number: 2025-1679

Address: 4734 South Atlantic Avenue

Alleged Violation: Property maintenance issues involving lot and/or dwelling

Property Owner(s): Aisha Moore / Mt. LeConte Joint Ventures LLC

Synopsis of Violation:

This case originally was heard by the Town's Code Enforcement Board on March 27, 2023, due to several property maintenance issues involving the lot and dwelling on the property.

The Code Enforcement Board heard testimony on this case during six separate hearings between March 2023 to March 25, 2024, at which point a contractor finally applied for and was issued building permit #234-2024 for repairs to the home.

The Florida Building Code (FBC) allows a permit to remain valid for six months once issued and after an approved inspection. On January 6, 2025, the contractor asked for an extension of the building permit under the FBC. The Building Official granted an additional 180 days to complete the repairs.

On June 15, 2025, the contractor asked the building official to cancel building permit #234-2024 for the alteration and repair work at this address. There was no work completed under this permit.

Since the building permit has been canceled by the contractor, there is no active permit for this property. The outstanding property maintenance issues still remain.

Timeline of Events:

November 2022 - Staff began working with owner, outlining the violations and attempted to establish timelines when the work would be started.

December 1, 2022 – Staff received a bid package from the owner stating that they anticipated that a contractor would be hired by end of the month.

January 3, 2023 – Staff received an email from the owner stating that she was close to choosing a contractor.

February 3, 2023 – After staff received no further contact from the owner and no permit application for the required work, staff issued a Notice of Violation and Hearing. The certified notice was signed for by Ms. Moore.

March 27, 2023 – The case was presented to the Town's Code Enforcement Board, with Ms. Moore in attendance to provide testimony. Following a thorough discussion, the Board found the property in violation of the cited code sections and ordered the owner to complete specific corrective actions within 30 days. These corrective actions included obtaining an engineer's report on the structural stability of the front and rear porches and addressing the overall appearance of the property to ensure it is aesthetically pleasing. The case was scheduled to be revisited at the next Code Enforcement Board hearing.

May 22, 2023 – At the Code Enforcement Board hearing, Ms. Moore was again present. Staff reported that while some items had been addressed, the required structural engineering report remained incomplete. Ms. Moore stated she had hired a home inspector to assess the needed work but was unable to begin repairs at this time. The Board granted a 60-day extension for her to develop a detailed action plan, update the repair status and provide a budget for any remaining work.

July 24, 2023 - Ms. Moore provided an update to the Code Enforcement Board with estimates and cost analysis. Ms. Moore advised that she will be able to secure a contractor by November 2023 to make the necessary repairs. The Code Enforcement Board reiterated the order of noncompliance and issued the \$250 administrative fee and the owner to have a building permit submitted for the repairs no later than September 25, 2023.

September 21, 2023 – A demolition permit application was submitted for the demolition of the exterior decks and to secure all exterior openings.

September 25, 2023 – The case was again heard by the Code Enforcement Board, with Ms. Moore present to provide testimony. She stated that demolition has started and a building permit for the repair work will be submitted by December 2023.

September 26, 2023 – The demolition permit #1287-2023 was paid for and issued by the Town.

December 25, 2023 – No code enforcement board meeting was held due to holidays.

February 2024 – Staff spoke with Ms. Moore and her contractor about obtaining the required plans for the remodeling. The owner advised that the application should be submitted soon.

February 26, 2024 – Staff was asked for an update on the property at the code enforcement board hearing. Staff advised that nothing has been done to the property and the unsafe conditions remain. Staff explained that there is an active permit for the deck, roof and other repairs. The permit was valid for six months after an approved inspection.

March 1, 2024 – A permit application was submitted for the replacement of decking, installation of new doors and windows, reroofing of the home and removal of load-bearing walls.

March 25, 2024 – Staff advised the Code Enforcement Board that permits had been secured for the demolition per the board order. However, a new permit had been submitted for the repair work to be done on the rest of the home.

August 1, 2024 – Permit #234-2024 was issued for the interior demolition and replacement of decks and new windows. The permit did not include any electrical or HVAC work.

January 6, 2025 – The contractor asked for an extension of building permit #234-2024. A 180-day extension was granted per the building official.

June 15, 2025 – The contractor submitted a letter to the Town requesting that the permit be canceled. The correspondence indicated that the work was not completed under the permit.

July 28, 2025 – The Owner and the new potential owners (Mt. LeConte Joint Venture LLC) were both present at the hearing. The Special Magistrate heard testimony from both parties as well as from staff. Mt. LeConte Joint Venture LLC advised that they are under contract and will soon purchase the home.

The respondents were ordered to bring all exterior portions of the subject property into compliance no later than January 24, 2026, and all interior portions to be completed by July 28, 2026. This case was to be brought back for a status update on October 27, 2025

October 2, 2025 – An interior demolition permit was issued for existing drywall, plumbing, flooring and electrical wiring that needs repair.

October 27, 2025 – A status report was presented to the Special Magistrate. A demolition permit issued and a building permit application were to be submitted in the coming days for remainder of the project.

October 29, 2025 – A building permit was applied for the remaining repairs required to bring home into compliance. This permit was issued on November 14, 2025

Recommendation:

All necessary permits have now been issued for the repair of the home and the property owner has been working diligently to address and correct the outstanding violations.

Staff respectfully recommends that the property be found in compliance with the original Order dated July 28, 2025 and that this case be dismissed.

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

TOWN OF PONCE INLET, FLORIDA,
a municipal corporation,

RECEIVED

Petitioner,

NOV 17 2025

vs.

BY: ds CASE NO.: 2025-1679

AISHA MOORE,

Respondent.

ORDER SCHEDULING STATUS HEARING

This cause was heard on the 27th day of October 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 owner of property located at 4734 South Atlantic Avenue, Ponce Inlet, Florida 32127, with Volusia County Parcel ID 6419-03-00-2820 (the "Subject Property").
2. On July 29, 2025, a Final Order, Conclusions of Law, and Order ("Final Order") was entered, finding Respondent and the Subject Property in violation of Sections 105.1 and 105.4.1 of the Building Officials Association of Florida (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, and Sections 102.2, 301.3, 302.1, and 304.1 of the International Property Maintenance Code, as adopted by Section 18-411 of the Town of Ponce Inlet Code of Ordinances; imposing administrative costs in the amount of \$250.00; ordering Respondent to bring all exterior portions of the Subject Property into compliance with the cited provisions of the Town of Ponce Inlet Code of Ordinances by taking the corrective actions specified in the Notice of Violation on or before January 24, 2026, and to bring all interior portions of the Subject Property into compliance with the cited provisions of the Town of Ponce Inlet Code of Ordinances by taking the corrective actions specified in the Notice of Violation on or before July 28, 2026; and scheduling a status update hearing for October 27, 2025.
3. At the status hearing on October 27, 2025, the Town presented evidence that the Subject Property remains in violation of the cited Code provisions. Respondent did not appear at the status hearing.

Based on the foregoing, it is hereby ORDERED AND ADJUDGED that:

4. This case will be brought before the Special Magistrate for further adjudication at a second status hearing to occur on January 26, 2026.

DONE AND ORDERED at the Town of Ponce Inlet, Volusia County, Florida on this 31st day of October 2025.



Stephanie Velo, Esq.
Town of Ponce Inlet Special Magistrate

ATTEST:

Asst 
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the Respondents by U.S. Mail, First Class, the 5 day of November 2025.


David Hooker, Code Compliance Manager



Meeting Date: January 26, 2026

Agenda Item: 4-B

Report to Code Enforcement Special Magistrate

Topic: Case #2025-1857
Albert & Melinda Livingston
4565 South Atlantic Avenue #5410
Alleged Violation(s): Work without permits

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: Nancy Stuparich, Special Magistrate

FROM: David Hooker, Code Compliance Manager

DATE: January 8, 2026

DATE OF MEETING: January 26, 2026

Case Number: 2025-1857

Address: 4565 South Atlantic Avenue #5410

Alleged Violation: Work without required permit

Property Owner(s): Albert & Melinda Livingston

Synopsis of Violation:

On September 12, 2025, Town staff was contacted by a concerned citizen regarding possible unpermitted construction occurring at unit #5410. Upon inspection, staff observed construction materials stored on the front exterior porch entrance. No contact could be made with the property owner at the time; a Stop Work Order was posted at the property.

Timeline of Events:

September 17, 2025 – Staff returned to the property and observed additional construction materials had been placed on the porch when attempting to contact the property owner. The original Stop Work Order had been removed and the property was reposted.

Contact was made with the property owner, Mrs. Livingston and her contractor onsite. Both bathroom renovations were photo documented. The owner was advised that a building permit is required for the work being performed. The second Stop Work Order had also been removed; the property was then reposted again.

September 25, 2025 – A Notice of Violation and Hearing was issued and sent via certified and first-class mail to the property owner. The notice included a compliance deadline of October 3, 2025.

October 27, 2025 – This case was presented to the Special Magistrate. Case was found to be in violation of the cited sections of adopted code. Owners were directed to apply for the necessary building permits on or before November 10, 2025, and a status hearing to be scheduled for November 24, 2025.

November 10, 2025 – The owners applied for building permit (permit number 1257-2025). Permit issued on November 16, 2025.

December 11, 2025 – The owners pay the \$250 administrative fee.

December 16, 2025 – A final inspection has passed for the work performed.

Recommendation:

Staff respectfully recommends that the property be found in compliance with the original Order dated October 27, 2025, and that this case be dismissed.

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

TOWN OF PONCE INLET, FLORIDA,
a municipal corporation,

Petitioner,

vs.

ALBERT LIVINGSTON & MELINDA
LIVINGSTON,

Respondents.

RECEIVED
NOV 17 2025
BY: ds

CASE NO.: 2025-1857

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

This cause was heard on the 27th day of October 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. Respondents are the owners of real property located at 4565 South Atlantic Avenue #5410, Ponce Inlet, Florida 32127, with Volusia County Parcel ID 6419-27-05-5410 (the "Subject Property").
2. A Notice of Violation was issued to Respondents, citing Respondents and the Subject Property for violation of Section 105.1 of the Building Officials Association of Florida (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, and requiring Respondents to bring the Subject Property into compliance with said Code provision on or before October 3, 2025. Respondents were properly served with the Notice of Violation as specified in Section 162.12, Florida Statutes.
3. Respondents and the Subject Property are in violation of the cited Code provision and have remained in violation of the cited Code provision past the compliance date set forth in the Notice of Violation.

Based on the foregoing, it is hereby ORDERED AND ADJUDGED that:

4. Respondents shall apply for the necessary building permit(s) on or before November 10, 2025.
5. A status update hearing is hereby scheduled for November 24, 2025 at 9:30 a.m.

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. Failure to bring the Subject Property into compliance as ordered herein shall result in this case being brought before the Special Magistrate for further adjudication.
8. Any violation of the same Code provision 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.

DONE AND ORDERED at the Town of Ponce Inlet, Volusia County, Florida on this 31st day of October 2025.



Stephanie Velo, Esq.
Town of Ponce Inlet Special Magistrate

ATTEST:



~~Asst~~ Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon the Respondents by U.S. Mail, First Class, the 5 day of November 2025.



David Hooker, Code Compliance Manager

This Instrument prepared by
and to be returned to:

Town of Ponce Inlet
4300 South Atlantic Avenue
Ponce Inlet Florida, 32127

SATISFACTION OF LIEN

WHEREAS, the undersigned, on behalf of the Town of Ponce Inlet, Florida, for good and valuable consideration paid by Melinda Livingston, to the Town of Ponce Inlet, Florida, the receipt and sufficiency of which is hereby acknowledged, do hereby acknowledge satisfaction of the Order Imposing Fine and Creating Lien related to property with an address of 4565 S Atlantic Ave Unit: 5410, Ponce Inlet, Florida 32127 and more particularly described as:

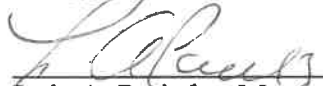
UNIT 5410 THE TOWERS AT PONCE INLET V PER OR 4045 PG 2600 PE
R OR 4660 PGS 2227-2228 PER OR 7160 PG 3572 PER UNREC D/C PE
R OR 7998 PG 3663

dated the 10 day of November 2025, and recorded in Official Record Book 8777, Page 3399, and do direct the Clerk of said Court to cancel and discharge the Code Enforcement Lien created thereby.

Signed, sealed, and delivered this 15th day of December, 2025.

TOWN OF PONCE INLET


By:


Lois A. Paritsky, Mayor

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 15th day of December 2025, by Lois A. Paritsky, Mayor of the Town of Ponce Inlet, Florida on behalf of the Town of Ponce Inlet, Florida. She is ☒ personally known to me or ☐ has produced _____ as identification.

NOTARY PUBLIC




State of Florida, at Large

CN 2025-1857



Meeting Date: January 26, 2026

Agenda Item: 5-A

Report to Code Enforcement Special Magistrate

Topic: Case #2025-1961
Ralph & Carole Page
60Inlet Harbor Road
Alleged Violation: Recreational vehicle

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: Nancy Stuparich, Special Magistrate
FROM: David Hooker, Code Compliance Manager
DATE: January 8, 2026

DATE OF MEETING: January 26, 2026

Case Number: 2025-1961
Address: 60 Inlet Harbor Road
Alleged Violation: Recreational Vehicles
Property Owner(s): Ralph & Carole Page

Synopsis of Violation:

Between December 16 and December 19, 2025, staff observed and documented a pontoon boat parked in the driveway of the residence. Attempts to contact the property owner during this time period were unsuccessful.

The property owner has been advised for several years through both direct conversations and certified correspondence regarding the regulations for recreational vehicles. The Code permits a recreational vehicle to be parked in the driveway for up to 72 hours for the limited purpose of cleaning, loading or unloading. Once this timeframe expires, the recreational vehicle must either be parked behind the front plane of the home, stored within the garage or removed from the property entirely.

Throughout 2025, Staff documented seven separate instances where the recreational vehicle remained in violation beyond the allotted 72-hour period:

Case No.	Start date	Compliance date	Total days
2025-470	February 4	February 13	9
2025-636	March 10	March 17	7
2025-1492	April 16	April 21	5
2025-1677	June 20	June 25	5
2025-1728	July 10	July 23	13
2025-1821	August 26	September 8	13
2025-1961	December 16	December 23	7

In every one of these cases a formal notice of violation was issued granting the owner additional time to remove the recreational vehicle, prior to the hearing, in which the ownership has always complied.

The regularity of the violations at this property has been a concern with neighboring property owners when asking them to comply with the same regulation.

Timeline of Events:

December 16, 2025 – Noticed pontoon boat parked in the driveway of home. Staff attempted contact but was unsuccessful. Pictures were taken.

December 17, 2025 – Day two of boat parked in same location. Pictures again taken. Contact with owners again was unsuccessful.

December 18, 2025 – Day three of boat being parked in driveway, with pictures taken documenting violation.

December 19, 2025 – Day four of boat being parked in driveway. Pictures were taken and formal notice of violation and hearing was sent certified mail

December 23, 2025 – Property owner receives notice of violation

December 23, 2025 – Staff performs reinspection and the boat has been removed.

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) 293-0032

Case Number: **CODE2025-001961**

Case Type: **Code Enforcement**

Date Case Established: **12/16/2025**

Compliance Deadline: **IMMEDIATELY**

Violation Notice

Owner: Ralph & Carole Page

Mailing Address

60 Inlet Harbor Road
Ponce Inlet, Florida 32127

Notice of Violation for the following location:**Address**

60 INLET HARBOR ROAD
PONCE INLET, FL 32127

Parcel

6430-13-00-0330

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

The violation is for the recreational vehicle (Pontoon boat with trailer) parked in violation of the adopted codes. Staff has communicated with you on several occasions, and you have acknowledged the adopted codes.

This violation marks the 7 time in 2025 that your recreational vehicle has been noticed in violation after the 72 hour allotted time.

The dates of the previous violations are as follows:

Case No.	Establish Date	Compliance Ddate	Days in violation
2025-0636	3-10	3-17	7
2025-1492	4-16	4-21	5
2025-1677	6-20	6-25	5
2025-1728	7-10	7-23	13
2025-1735	7-15	7-21	6
2025-1821	8-26	9-8	13
2025-1961	12-16	12-19	

The violation and how to correct are as follows:**Violation:**

Recreational vehicle (Camper) parked in front parking area for more than 72 hours.

How to correct:

Recreational vehicles must be parked behind the front most part of the home, in a garage, or removed from the property



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 293-0032

Case Number: **CODE2025-001961**

Case Type: **Code Enforcement**

Date Case Established: **12/16/2025**

Compliance Deadline: **IMMEDIATELY**

Violation Notice

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

Land Development Code

Section 4.7.11 - *Parking and storage of vehicles or watercraft in residential districts.*

A. *Trucks and large vehicles.* On residentially zoned property, overnight parking of trucks and large vehicles shall be limited to the following:

1. FHWA Class 1 (manufacturer gross vehicle weight rating of 6,000 lbs or less).
2. FHWA Class 2 (manufacturer gross vehicle weight rating of 6,001—10,000 lbs),
3. FHWA Class 3 (manufacturer gross vehicle weight rating of 10,001—14,000 lbs) van conversions per F.S. 320.01(1)(b)6 and pickup trucks for personal use only.

Overnight parking of larger vehicles such as delivery trucks, semis, commercial buses, beach concession wagons, or similar vehicles shall be prohibited.

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;
 - 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;



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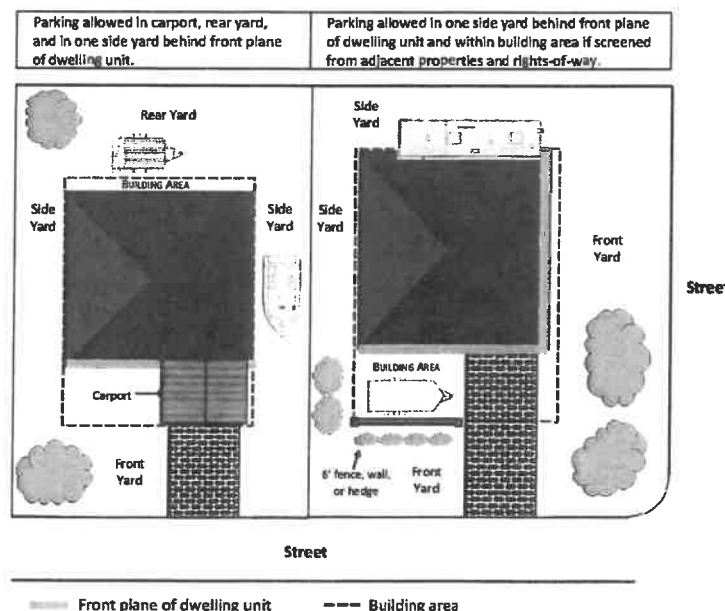
Violation Notice

d. No recreational vehicle, watercraft, and/or trailer shall be parked or stored in manner that extends 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.

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



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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.

5. *Maintenance and operational standards.* Recreational vehicles, watercraft, and trailers parked outside of a fully enclosed structure shall:
 - a. Have a current, valid license plate and/or decal;
 - b. Be owned by an occupant of the property on which it is parked or stored;
 - c. Where visible from the street, be placed in a reasonably neat and orderly manner, with the ground beneath kept free from debris and excessive weed growth;
 - d. Be maintained in an operable and moveable condition and ready for highway use, with mounted and inflated tires, attached to the site only by quick-disconnect utilities and security devices, and free of permanent attachments such as additions, rooms, stairs, decks, and porches; and
 - e. Have wastewater line caps secured at all times to preclude any leakage onto a lot or street.
 6. *Usage.* Recreational vehicles shall not be used for living, sleeping, or housekeeping purposes when parked or stored on a residential lot, as consistent with Code of Ordinances section 42-4. However, the town council, through an emergency declaration, may allow recreational vehicles to be used as temporary shelters on the subject property following a terrorist act, accidental fire or natural disaster. The duration of such temporary use shall be at the sole discretion of the town council. In such cases, the recreational vehicle shall be parked in compliance with the provisions of this section to the greatest extent possible; however, in no case shall the recreational vehicle be parked in the abutting right-of-way except as allowed per Code of Ordinances Chapter 74, Art. II, Div. 1.
 7. *Hours of engine operation.* Operation of recreational vehicle engines or associated equipment engines for maintenance purposes shall not occur between the hours of 9:00 p.m. and 7:00 a.m.
- C. *Sale of vehicles, watercraft, and trailers in residential districts prohibited.* Parking and display of any vehicle, watercraft, or trailer "for sale" in the front yard or in the abutting public right-of-way as per Code of Ordinances Section 74-35, is prohibited. Such vehicles, watercraft, or trailers are presumed to be offered for sale if:
1. A "for sale" sign is displayed on or near the vehicle, watercraft, or trailer.



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2. The vehicle, watercraft, or trailer is parked in a location other than the driveway in a manner intended to attract the view of passersby.

Compliance Date: IMMEDIATELY

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 January 26, 2025, at 9:30 A.M., located at 4300 South Atlantic Avenue, Ponce Inlet, Florida 32127.

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 you own in the state of Florida in accordance with Florida Statutes 162.09(3).

If you have any questions related to this matter, please feel free to contact my office.

Kind Regards,

A handwritten signature in black ink that reads "David Hooker". The signature is written in a cursive style and is positioned above the printed name.

David Hooker, CEP
Code Compliance Manager

Certified Mail:
9589-0710-5270-2428-0916-57