



CODE ENFORCEMENT SPECIAL MAGISTRATE HEARING

MONDAY
February 23, 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. – Special Magistrate Nancy Stuparich
2. APPROVAL OF MINUTES:
 - A. January 26, 2026
3. ADMINISTERING THE OATH TO WITNESSES.
4. OLD BUSINESS:
5. NEW BUSINESS:
 - A. **Case # 2025-1923**
Salvatore Carollo
4932 South Peninsula Drive
Alleged Violation: Work requiring permits
 - B. **Case # 2025-1973**
William Edwards
4328 South Atlantic Avenue
Alleged Violation: Work requiring permits
 - C. **Case # 2026-052**
Edward & Linda Kossa
39 Marie Drive
Alleged Violation: Work requiring permits
6. ADJOURNMENT.

Next hearing date: Monday, March 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: February 23, 2026

Agenda Item: 2-A

Report to Code Enforcement Special Magistrate

Topic: January 26, 2026 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

January 26, 2026

1 **1. CALL TO ORDER:** The meeting was called to order at 9:30 a.m. in the Council
2 Chambers, 4300 S. Atlantic Avenue, Ponce Inlet, Florida. Special Magistrate Stuparich introduced
3 herself, provided her credentials, and reviewed the rules for the hearing.
4

5 **Staff Members Present:**

6 Mr. Hooker, Code Compliance Manager
7 Mr. Lear, Planning & Development Director
8 Ms. Stewart, Assistant Deputy Clerk
9 Special Magistrate Stuparich
10 Ms. Hawkins, Administrative Assistant
11

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

13
14 **A. October 27, 2025 -** Special Magistrate Stuparich approved the October 27, 2025,
15 meeting minutes as presented.
16

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

20 **4. OLD BUSINESS:**

21
22 **A. Case # 2025-1679**

23 Aisha Moore & Mt. LeConte Joint Venture LLC
24 4734 South Atlantic Avenue

25 Alleged Violation: Property maintenance issues involving lot and/or dwelling
26

27 Mr. Hooker explained that this is a repeat violation of the cited code and reviewed the alleged
28 violations, the case background and the steps taken to remedy the issues. He noted that the property
29 is under new ownership and that, as of today, all required permits have been issued by the Town
30 and work is steadily progressing. Special Magistrate Stuparich asked how the notice of today's
31 hearing was provided to the property owners. Mr. Hooker explained by first-class mail. He
32 continued to review the case and provided photographs of the progress made on the property.
33 Based on the foregoing information, staff requested that the property be found in compliance with
34 the original order date of July 28, 2025, and that the case be dismissed.
35

36 Special Magistrate Stuparich found the property in compliance and ordered the case dismissed.
37

38 **B. Case # 2025-1857**

39 Albert & Melinda Livingston
40 4565 South Atlantic Avenue #5410

41 Alleged Violation: Work without permits

42
43 Mr. Hooker explained that this case was heard on October 27, 2025, regarding unpermitted
44 construction work for the remodeling of two bathrooms. The property was found in violation of
45 the cited sections of code and was ordered to provide all documents needed to secure the necessary
46 permits no later than November 10, 2025. A status hearing was scheduled for November 24, 2025;
47 however, the hearing was cancelled. The owners have since completed all required work and the
48 final inspection was successful on December 15, 2025. In accordance with the Special Magistrate's
49 Order, the respondents paid the required \$250 administrative fee on December 11, 2025, and a
50 Satisfaction of Lien was recorded with the Volusia County Clerk of the Court's office on
51 December 22, 2025. Based on the foregoing information, staff requested the case be dismissed.

52
53 Special Magistrate Stuparich found the property in compliance and ordered the case dismissed.

54
55 **5. NEW BUSINESS:**

56
57 **A. Case # 2025-1961**

58 Ralph & Carole Page

59 60 Inlet Harbor Road

60 Alleged Violation: Recreational Vehicle

61
62 Mr. Hooker provided testimony and evidence, explaining this case involves a pontoon boat and
63 trailer that have repeatedly been parked in violation of the Town's Code provisions. He said Staff
64 engaged in multiple verbal discussions with the property owner, Mr. Page, regarding the improper
65 parking of the pontoon boat in front of his residence, which were acknowledged by Mr. Page. Mr.
66 Hooker recounted that despite this acknowledgment, staff continued to observe the pontoon boat
67 parked in violation; on each occasion, staff attempted to contact the owner by door hangers or
68 telephone, and compliance was typically achieved within a few days. Mr. Hooker summarized the
69 history of violations dating back to 2023, noting repeated instances in which the 72-hour allowance
70 for loading, unloading, or cleaning under the Code was exceeded. He explained the formal Notice
71 of Violation process and noted that the frequency of violations has required a disproportionate use
72 of staff time and resources. Staff requested that the property be found in noncompliance pursuant
73 to Florida Statutes Chapter 162, that any future violation exceeding the 72 hours be treated as a
74 repeat violation, and that the \$250 administrative fee be assessed in accordance with the Town's
75 fee schedule.

76
77 Special Magistrate Stuparich asked if anyone was present representing the property owners; there
78 were none. She asked for more information regarding the notice of violation, including the manner
79 and timeline in which it was provided to the owners. Mr. Hooker reviewed more details of past
80 violations, how long the vehicle remained in violation, and how each time, the owner
81 acknowledged he was in violation. Mr. Hooker explained how this is becoming a problem with
82 adjacent neighbors and that ensuring compliance enforcement has become increasingly difficult.
83 Special Magistrate Stuparich asked how the compliance date was determined, as the notice states
84 "immediately." Mr. Hooker answered that the property was noticed via certified mail on the day
85 of the 72-hour deadline. Staff requested the property be found in non-compliance, is now in
86 compliance, and to assess the \$250 administrative fee. Special Magistrate Stuparich stated she has

a concern with the compliance date formally provided to the respondent as “immediately”; this does not give him adequate time. He did go beyond the allotted 72 hours; however, she is not going to rule that there was a violation because of her concern that, for purposes of due process, the violation notice did not give a specific compliance date.

Special Magistrate Stuparich found the property to have no current violations and therefore made no ruling.

6. ADJOURNMENT: The hearing was adjourned at 10:04 a.m.

Next hearing date: Monday, February 23, 2026

Respectfully submitted by,

Draft

Nancy Stuparich

Prepared by: Debbie Stewart, Assistant Deputy Clerk



Meeting Date: February 23, 2026

Agenda Item: 5-A

Report to Code Enforcement Special Magistrate

Topic: Case #2025-1923
Salvatore Carollo
4932 South Peninsula Drive
Alleged Violation: Work requiring 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: Chole Berryman, Special Magistrate
FROM: David Hooker, Code Compliance Manager
DATE: February 9, 2026

DATE OF MEETING: February 23, 2026

Case Number: 2025-1923
Address: 4932 South Peninsula Drive
Alleged Violation: Work without permits
Property Owner(s): Salvatore Carollo

Synopsis of Violation:

On December 2, 2025, staff observed the presence of what appeared to be a tiki-style structure constructed within the rear yard of the subject property without a permit. Staff communicated with the owner on the same date and advised that appropriate permits were required for the structure. Mr. Carollo stated that he would coordinate with the contractors and secure the required permits.

Timeline of Events:

- **December 2, 2025** – Case established for tiki-style hut constructed on property without permits. Later the same day, staff spoke with owner about the structure and he agreed to obtain required permits.
- **December 18, 2025** – Staff received an email from the owner acknowledging receipt of the email from staff regarding the conversation on December 2, 2026; however, the owner advised that he could not open the link sent to the permit application.
- **January 2026** - Mr. Carollo stopped by the office to discuss his permit application. Staff advised him that if the contractor was filing based on Florida Statute

exemption, proper paperwork was required. Mr. Carollo was advised to reach out to contractor for information and have them apply for permit.

Recommendation:

Staff recommends that the property be found in non-compliance. Grant the owner 15 days (on or before March 10, 2026) to have secured the required building permit for the work performed. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by the March 10, 2026, date shall cause this case to be brought back at the next scheduled hearing date of March 23, 2026, for further adjudication.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 293-0032

Case Number: **CODE2025-1923**

Case Type: **Code Enforcement**

Date Case Established: **12/02/2025**

Compliance Deadline: **02/15/2026**

Violation Notice

Owner: Salvatore Carollo

Mailing Address

4932 South Peninsula Drive
Ponce Inlet, Florida 32127

Notice of Violation for the following location:

Address

4932 SOUTH PENINSULA DRIVE
PONCE INLET, FL 32127

Parcel

6437-01-00-0070

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, the property is owned by you located in Ponce Inlet, Florida.

The violation and how to correct are as follows:

Violation:

1. Construction of a tiki style hut (chickees) without permits

How to correct:

Have contractor apply for required permits and obtain final inspection approvals.

You are hereby cited with the following adopted sections of the 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: 02/15/2026

This case has been referred over to the Town's Special Magistrate per Town code for a hearing that is scheduled for February 23, 2026 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 section of code, a daily fine of up to \$250 per day per violation 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).

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



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 293-0032

Case Number: **CODE2025-1923**

Case Type: **Code Enforcement**

Date Case Established: **12/02/2025**

Compliance Deadline: **02/15/2026**

Violation Notice

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail
9589-0710-5270-2728-0918-31



Meeting Date: February 23, 2026

Agenda Item: 5-B

Report to Code Enforcement Special Magistrate

Topic: Case #2025-1973
William Edwards
4328 South Atlantic Avenue
Alleged Violation: 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: Chole Berryman, Special Magistrate
FROM: David Hooker, Code Compliance Manager
DATE: February 9, 2026

DATE OF MEETING: February 23, 2026

Case Number: 2025-1973
Address: 4328 South Atlantic Avenue
Alleged Violation: Work without permits
Property Owner(s): William Edwards

Synopsis of Violation:

On December 18, 2025, staff received a complaint from the Town's Police Department regarding a vacant residence where construction activity was reportedly occurring and exterior doors had been left unsecured. Staff responded to the property and observed interior remodeling work in progress. The overhead garage door had been removed, and other violations of the building code were observed.

Timeline of Events:

- **December 18, 2025** – Police department staff received a call reporting a vacant home where the exterior doors were left open. Code Compliance staff responded to the home and witnessed interior and exterior remodel occurring. A stop work order was posted on job site. Staff attempted to contact the property owner without success.
- **January 19, 2026** – Contact with the owner was unsuccessful. Staff sent official notice of violation/notice of hearing to ownership at the two addresses on the property appraiser's records.

- **January 28, 2026** – The contractor submitted permit application for partial work that was being performed.
- **February 3, 2026** - Contact with the owner was unsuccessful again. Staff posted the property with notice of violation/notice of hearing at property, including Town Hall. A letter was sent via first class mail to the owners in accordance with Florida Statutes.
- **February 4, 2026** – The Building Division denied the permit application due to information being incomplete based on the work being performed.

Recommendation:

Staff recommends that the property be found in non-compliance. Grant the owner 15 days (on or before March 10, 2026) to have secured the required building permit for the work performed. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

Failure to comply by the March 10, 2026, date shall cause this case to be brought back at the next scheduled hearing date of March 23, 2026, for further adjudication.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 236-2182

Case Number: **CODE2025-001973**

Case Type: **Code Enforcement**

Date Case Established: **12/18/2025**

Compliance Deadline: **01/22/2026**

Violation Notice

Owner: William Edwards

Mailing Address

190 Lake Somerset Crest NW
Marietta, Georgia 30064-1759

Notice of Violation for the following location:

Address

4328 S ATLANTIC AV
PONCE INLET, FL 32127

Parcel

6313-01-00-0160

This Notice of Violation is to advise you that staff has observed a violation at that the property located in Ponce Inlet, Florida.

The violation and how to correct are:

Violation:

1 – Interior remodel without permits

How to correct:

Secure the necessary building permit through a contractor for the work before performed

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

Florida Building Code

Section 105.1 – Required

Any owner or authorized 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 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: 01/22/2026

If you are unable to meet the required compliance date, this case will be referred to the Town's Special Magistrate for a hearing scheduled for February 23, 2026 at 9:30 am. 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 you owe 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: **CODE2025-001973**

Case Type: **Code Enforcement**

Date Case Established: **12/18/2025**

Compliance Deadline: **01/22/2026**

Violation Notice

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

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail

9589-0710-5270-2428-0916-64 – South Atlantic Avenue, Ponce Inlet, Florida

9589-0170-5270-2728-0916-71 – Lake Somerset Crst NW, Marietta, Georgia



Meeting Date: February 23, 2026

Agenda Item: 5-C

Report to Code Enforcement Special Magistrate

Topic: Case #2026-052
Edward & Linda Kossa
39 Marie Drive
Alleged Violation: 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: Chole Berryman, Special Magistrate
FROM: David Hooker, Code Compliance Manager
DATE: February 9, 2026

DATE OF MEETING: February 23, 2026

Case Number: 2026-052
Address: 39 Marie Drive
Alleged Violation: Work without permits
Property Owner(s): Edward & Linda Kossa

Synopsis of Violation:

On January 29, 2026, staff observed Total Comfort Air and Heat engaged in the replacement of approximately 200 linear feet of ductwork at the residence. Staff initiated contact with the on-site technician, who indicated that his supervisor was on the way to the site.

Upon verification that no permit application had been submitted for the work being performed, staff informed the Total Comfort Air and Heat supervisor and the homeowner that a permit was required and that no permit application had been filed for the subject work.

Timeline of Events:

- **January 29, 2026** – Staff noticed approximately 200 feet of duct work being replaced in home by Total Comfort Air and Heat; staff spoke with homeowner and job supervisor that permits were required.

- **February 4, 2026** – No permit application has been submitted for the work performed. A formal notice of violation/hearing issued to the homeowner and air conditioning company with a compliance date of February 15, 2026. Later that day, staff received a phone call from homeowner advising that a permit application would be submitted in the next few days

Recommendation:

Staff recommends that the property be found in non-compliance. Grant the owner 15 days (on or before March 10, 2026) to have secured the required building permit for the work performed. Furthermore, an administrative fee of \$250 shall be applied per the Town's adopted fee schedule.

If there is failure to comply by the March 10, 2026, date, this case shall be brought back at the next scheduled hearing date of March 23, 2026, for further adjudication.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 293-0032

Case Number: **CODE2026-0052**

Case Type: **Code Enforcement**

Date Case Established: **1/29/2026**

Compliance Deadline: **02/15/2026**

Violation Notice

Owner: Edward & Linda Kossa

Mailing Address

404 Adams Street
Annapolis, MD 21403

Notice of Violation for the following location:

Address

39 MARIE DRIVE
PONCE INLET, FL 32127

Parcel

6419-25-00-0080

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, the property is owned by you located in Ponce Inlet, Florida.

The violation and how to correct are as follows:

Violation:

1.Replacement of air ducts by Total Comfort – no permits

How to correct:

Contractor will have to apply for permit for duct replacement and obtain final inspections.

You are hereby cited with the following adopted sections of the 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: 02/15/2026

This case has been referred over to the Town's Special Magistrate per Town code for a hearing that is scheduled for February 23, 2026 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 section of code, a daily fine of up to \$250 per day per violation 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).

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



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, FL 32127

(386) 293-0032

Case Number: **CODE2026-0052**

Case Type: **Code Enforcement**

Date Case Established: **1/29/2026**

Compliance Deadline: **02/15/2026**

Violation Notice

Kindest Regards,

David Hooker, CEP
Code Compliance Manager

Certified Mail

9589-0710-5270-2728-0918-00 – 39 Marie Drive, Ponce Inlet
9589-0710-5270-2728-0918-17 – 404 Adams Street, Annapolis, Maryland
9589-0710-5270-2728-0918-24 – 1345 US 1, Ormond Beach, Florida