



**CITY OF SOUTH DAYTONA
SPECIAL MASTER CODE ENFORCEMENT**

Minutes

April 11, 2024 at 9:00 AM

CITY COUNCIL CHAMBERS

1672 S. Ridgewood Avenue, South Daytona, Florida

SPECIAL MASTER: Attorney Matthew Branz, Esquire

STAFF: Josh McEnany, Economic Development Director, Matt Miavez, Code Compliance Officer, Robert Kuhn, Code Compliance Officer, Ben Elkinton, Code Compliance Officer, and Becky Witte, Deputy City Clerk.

CALL TO ORDER: Special Master Matthew Branz called the City of South Daytona's Special Master Code Enforcement Hearing to Order at South Daytona's City Hall, City Council Chambers, 1672 S. Ridgewood Ave, South Daytona, Florida at 9:00 am.

PLEDGE OF ALLEGIANCE.

Special Master Branz welcomed those in attendance to the City of South Daytona Code Enforcement Special Master hearing. He said that today's proceedings are quasi-judicial in nature. Formal rules of evidence do not apply, but fundamental due process will be observed and govern all proceedings, he explained. Mr. Branz said that all testimony is under oath and will be recorded. There is no "public comment" portion of these proceedings, and all participants must have an active role in the case such as staff, respondent, and/or a witness, he said.

Special Master Branz continued to explain that at the conclusion of each hearing, he shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with the powers granted to the Code Enforcement Special Master. The order may include a notice that it must be complied with by a specified date, and that a fine may be imposed, he said.

Special Master Branz advised that if any party decides to appeal any decision made at this meeting, they will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based, per section 286.0105, Florida Statutes.

OATHS OF THE CITY OFFICIAL, RESPONDENTS AND WITNESSES: Executed by Deputy City Clerk, Becky Witte

APPROVAL OF MINUTES FOR: March 14, 2024 Special Master Hearing. Special Master Branz approved the minutes with a minor modification.

NEW BUSINESS:

Case: 24-000075 **Owner:** Goldstrom, Randy Michael
Address: 2856 Oak Lea Drive, South Daytona FL 32119 **Parcel Number:** 533305050060
VIOLATION(S): International Property Maintenance Code 304.7, Roofs and drainage
Status: Non-compliance **Findings of Fact, Conclusions of Law and Order**

Josh McEnany, Economic Development Director requested the case be dismissed as the property has come into compliance.

The respondent was not present.

Special Master Branz dismissed the case based on the request and testimony by the City.

Case: 24-000077 **Owner:** Figgins, Scot Alan and Philis Jean Curry
Address: 608 Ridge Blvd, South Daytona FL 32119 **Parcel Number:** 532804360080
VIOLATION(S): International Property Maintenance Code 111.1.3, Structure unfit for human occupancy
Status: Non-compliance **Findings of Fact, Conclusions of Law and Order**

Josh McEnany, Economic Development Director asked that the case be continued to next month as the property may be sold today.

Respondent was not present.

Based on the testimony and request of the City, Special Master Branz said he will continue the case to the May 9, 2024 hearing.

Case: 24-000078 **Owner:** Hill, Richard
Address: 2530 S. Nova Road, South Daytona FL 32119 **Parcel Number:** 534416001390
VIOLATION:
City of South Daytona Code of Ordinances 16-11, Business Tax Receipt required
Status: Non-compliance **Findings of Fact, Conclusions of Law and Order**

Josh McEnany, Economic Development Director requested the case be dismissed as the property has come into compliance.

Respondent, Richard Hill (973 Deer Springs Road, Port Orange) was present and had no objection to the request for dismissal.

Special Master Branz dismissed the case based on the request and testimony by the City.

Item 6: OLD BUSINESS:

Case: 24-000085 **Owner:** Jones, Vincent W

Address: 2947 Foxcroft Lane, South Daytona FL 32119 **Parcel Number:** 533316000410

VIOLATION:

City of South Daytona Land Development Regulations 7.5(B)(10)(c)(2), Miscellaneous parking regulations MRE

Status: Non-compliance

Findings of Fact, Conclusions of Law and Order

Rob Kuhn, Code Compliance Officer, said this case came on for public hearing on March 14, 2024, pursuant to the Special Master's Order, titled Findings of Facts, Conclusion of Law and Order, dated March 14, 2024, where the property was found in violation.

Respondent was not in attendance.

Based on the testimony and evidence received, the Special Master found that the property was in Compliance by **March 5, 2024** for violation of the following:

1. City of South Daytona Land Development Regulations Section 7.5(B)(10)(c)(1): No more than three pieces of MRE may be parked or stored outdoors (including carports) at any one residential property.

Special Master, based on the City's testimony and request, declared that the Respondent to be in compliance and that pending violation proceedings before the Special Master are concluded with a no fines due.

Case # 24-000090

Owner: Ginder, Ricky Lynn and Victoria Marie Maxwell

Location: 2821 Sauls Street, South Daytona, FL 32119 **Parcel Number:** 633701040021

VIOLATION(S): City of South Daytona Land Development Regulations 7.5(B)(10)(c)(1), Miscellaneous parking regulations MRE-No more than 3

Comments: REPEAT VIOLATION FROM FILE #: 23-000399- NO MORE THAN THREE (3) PIECES OF MRE MAY BE PARKED OR STORED OUTDOORS AT ANY ONE RESIDENTIAL PROPERTY.

Status: Request Order of Compliance

Josh McEnany, Economic Development Director, said this case came on for public hearing on March 14, 2024, pursuant to the Special Master's Order, titled Findings of Facts, Conclusion of Law and Order, dated March 14, 2024, where the property was found in violation.

Respondent was not in attendance.

Based on the testimony and evidence received, the Special Master found that the property was in Compliance by **March 15, 2024** for a repeat violation of the following:

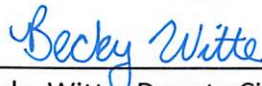
1. City of South Daytona Land Development Regulations Section 7.5(B)(10)(c)(1): No more than three pieces of MRE may be parked or stored outdoors (including carports) at any one residential property.

Special Master declared that the Respondent to be in compliance and that pending violation proceedings before the Special Master are concluded with a fine of \$5,125 is due for 10 days of non-compliance including the \$125 Administrative Fee.

NEXT MEETING: May 9, 2024

ADJOURNMENT. Hearing adjourned at 9:17 am.

Respectfully submitted,



Becky Witte, Deputy City Clerk