



MEMORANDUM
TOWN OF PONCE INLET – PLANNING & DEVELOPMENT DEPARTMENT

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

TO: Code Enforcement Board
THROUGH: Drew Smith, Town Attorney
FROM: David Hooker, Code Enforcement Officer
DATE: January 6, 2017
DATE OF MEETING: January 23, 2017

Case Number: 50125
Address: 92 Buschman Drive
Owner: Gregory & Sue Coppock

Alleged Violation: (REPEAT VIOLATION)
Dilapidated fence and a swimming pool not being maintained

Property Maintenance Code
Section 301.2 – Responsibility

Brief History:

Received complaint from an adjacent property owner that the fence had fallen down and they noticed the swimming pool not being maintained.

Made an onsite visit with property owner confirmed the alleged violations. Owner (Sue Coppock) stated that the pool pump needed replacing and the fence company would be out in a few weeks.

As of today's date, no further action has been taken to correct the violations

Recommendation:

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

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

TOWN OF PONCE INLET, FLORIDA,
A municipal corporation,

Petitioner,

vs.

CASE NO.: 41294

GREGORY COPPOCK and SUE COPPOCK

Respondents/Owners.

FINDINGS OF FACT, CONCLUSION OF LAW, AND ORDER

This cause was heard on the 26th day of October, 2015 by the Code Enforcement Board of the Town of Ponce Inlet after due notice to Respondents and a public hearing, and the Code Enforcement Board, having heard testimony and argument thereon, and being otherwise duly advised in the premises, makes the following FINDINGS OF FACT:

1. The property which is the subject of this code enforcement action is located at 92 Buschman Drive, Ponce Inlet, Florida with Volusia County Property Tax ID 6430-13-00-0120.
2. On September 4, 2015, the Code Enforcement Officer served Respondents with a Notice of Violation citing the Respondents with violations including a violation of International Property Maintenance Code Section 301.2 due to the siding and soffits of the structure located on the property being in disrepair.
3. On September 21, 2015, the Code Enforcement Officer served Respondents with a Notice of Hearing.
4. After the date set in the Notice of Violation for the Respondents to cure the violation, Respondents repaired the siding and soffits.
5. Based on the evidence and testimony received, Respondents are found to have been in violation of Section 301.2 of the International Property Maintenance Code but such violation was cured prior to the date of hearing.

BASED ON THE FOREGOING IT IS ORDERED AND ADJUDGED that:

6. Any violation of the same Code section by the Respondents within five years of the date of this Order may be prosecuted as a repeat violation.



Town of Ponce Inlet

4300 S. Atlantic Avenue
Ponce Inlet, Florida 32127
Phone: (386)236-2182
Fax: (386) 322-6717

NOTICE OF HEARING

SUE COPPOCK
92 BUSCHMAN DR.
PONCE INLET FL 32127

Method of Delivery:

Via USPS Certified Mail
7010-2780-0003-0472-5240

RE: CODE ENFORCEMENT BOARD – NOTICE OF HEARING – CASE NUMBER 50125
PROPERTY LOCATION: 92 BUSCHMAN DR

Dear SUE COPPOCK:

The Ponce Inlet Code Enforcement Board was created pursuant to Florida Statutes, Chapter 162 and Chapter 2, Article V of the Town's Code of Ordinances with the purpose of facilitating the enforcement of the town's code and rendering quick and fair decisions concerning violations of this code.

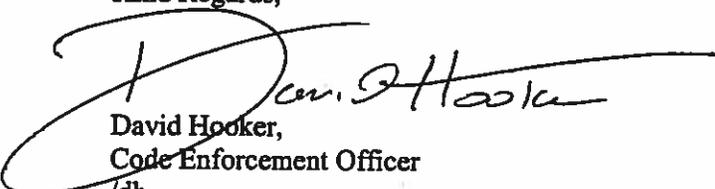
You are hereby notified that Case Number 50125 will be heard at a public hearing to be held at 9:30 am on Monday, January 23, 2017 before the Town of Ponce Inlet Code Enforcement Board, in the Council Chambers located at 4300 S Atlantic Avenue, Ponce Inlet, Florida.

You are hereby requested to appear before the Code Enforcement Board on Monday, January 23, 2017. Failure to attend this hearing shall be deemed as a waiver of the violator's right to contest the imposition of fines. You have the right to obtain an attorney at your own expense to represent you before the board should you desire.

If you wish to appeal any decision of the Board you will need a recorded copy of the proceedings, and, therefore, may need to ensure that a verbatim record of the proceedings, including all testimony and evidence, is made. The entire proceedings will be recorded. Should you desire, you may employ a court reporter, but it must be at your expense.

If you have any further questions, please contact the Code Enforcement office within five (5) days of receipt of this notice at (386) 236-2187.

Kind Regards,


David Hooker,
Code Enforcement Officer
/dh



Town of Ponce Inlet

4300 South Atlantic Avenue
Ponce Inlet, Florida 32127
Phone: (386) 236-2150
Fax: (386) 322-6717
www.ponce-inlet.org

NOTICE OF VIOLATION **REPEAT VIOLATION**

SUE COPPOCK
92 BUSCHMAN DR.
PONCE INLET FL 32127

December 20, 2016
Certified Return Receipt US Mail
7010-2780-0003-0472-5240

RE: 92 BUSCHMAN DR; Code Enforcement case #50125

Dear SUE COPPOCK:

Please be advised that a code violation is hereby issued for the property at 92 BUSCHMAN DR. in Ponce Inlet, Florida, having the parcel ID #6430-13-00-0120 and legally described as: .

DESCRIPTION OF VIOLATION: BUILDING/STRUCTURES PROPERTY MAINTENANCE, specifically, fence in disrepair and swimming pool not being maintained.

Therefore, you are hereby cited with the following violation(s) of the Ordinances of the Town of Ponce Inlet:

International Property Maintenance Code 2009 - 301.2 Responsibility. the owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupant of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

You are requested to correct the aforementioned violations and bring the property into compliance by taking the following actions within ten (10) days of the date of this Notice:

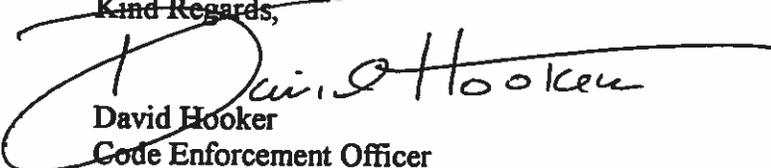
1. Repair fence around swimming pool to upright and plumb position;
2. Swimming pool pump must be repaired or replaced and to have water in pool clear to see bottom of pool

The Town of Ponce Inlet staff shall be professional, caring, and fair in delivering community excellence while ensuring Ponce Inlet citizens the greatest value for their dollar.

Please note that this case has been scheduled for a hearing before the Code Enforcement Board of the Town of Ponce Inlet, even if the violation(s) are corrected prior to the Board's hearing. Pursuant to Chapter 162.09(2)(a), Florida Statutes, "A fine imposed pursuant to this section shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (1). However, if a code enforcement board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000 per violation."

If you have any questions regarding this matter, I can be reached at (386) 236-2187, weekdays from 8:00 a.m. until 4:30 p.m. or via e-mail at dhooker@ponce-inlet.org.

Kind Regards,



David Hooker
Code Enforcement Officer