



## 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

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**Case Number:** 50126  
**Address:** 4740 South Peninsula Drive  
**Owner:** Kevin Masters

**Alleged Violation:**  
Rental of a dwelling without valid rental permit

**Land Development Code**  
Section 3.18 – Regulation of a dwelling

**Brief History:**

December 2015, it was confirmed that the owner was renting his house to 2 separate individuals. A notice of violation was sent to the owners and subsequently over a period of a few months, the owner evicted the tenants and no further action was taken.

October 2016, Once again it was noticed that the owner was indeed renting his dwelling without a valid permit. Thus, a notice of violation and hearing was sent to the owner with hopes of voluntary compliance.

As of today's date, no rental permit has been issued for the home.

**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, Florida 32127  
Phone: (386)236-2182  
Fax: (386) 322-6717

## NOTICE OF HEARING

MASTERS KEVIN  
4740 S PENINSULA AVE  
PONCE INLET FL 32127-7122

December 20, 2016  
Method of Delivery: Via USPS Certified Mail  
7010-2780-0003-0472-5257

**RE: CODE ENFORCEMENT BOARD – NOTICE OF HEARING – CASE NUMBER 50126**  
**PROPERTY LOCATION: 4740 S PENINSULA DR**

Dear MASTERS KEVIN:

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.

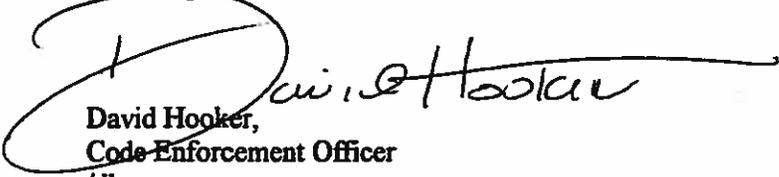
You are hereby notified that Case Number 50126 will be heard at a public hearing to be held at 9:30 am on Monday, January 23, 2017 before the Town of Ponce Inlet Code Enforcement Board, in the Council Chambers located at 4300 S Atlantic Avenue, Ponce Inlet, Florida.

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, PLANNING AND DEVELOPMENT DEPARTMENT**  
**BUILDING & CODE ENFORCEMENT DIVISION**  
*We strive to be professional, caring and fair*

**NOTICE OF VIOLATION**

Kevin Masters  
4740 South Peninsula Drive  
Ponce Inlet, Florida 32127

Method of Delivery:

December 20, 2016  
Via Certified Mail  
7010-2780-0003-0472-5257

RE: 4740 South Peninsula Drive; Code Enforcement case #50126

Dear Kevin Masters:

Please be advised that a code violation is hereby issued for the property located at 4740 South Peninsula Drive, Ponce Inlet, FL, having the parcel identification number #6419-03-00-0710 and legally described as: LOT 71 EXC N 10 FT & N 25 FT OF LOT 72 LIGHTHOUSE SHORES PER OR 2167 PG 776.

Description of violation: DWELLING UNIT IS RENTED WITHOUT A VALID RENTAL PERMIT. You are hereby cited with a violation of the Town of Ponce Inlet's Land Use and Development Code, Article 3, §3.18 (Regulation of Dwelling Rentals).

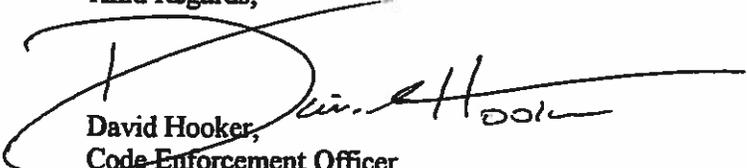
On February 1, 2016, a Notice of Hearing was issued to you for violation of rental ordinance. Subsequently, the following day, February 2, 2016, the Town of Ponce Inlet received a letter from you stating you understood you were in violation and as of February 25, 2016 you would no longer be renting out rooms.

For your convenience, I am enclosing a second Rental Permit Application packet. Furthermore, this violation must be corrected within ten (10) days of receipt of this letter, you are being scheduled for a hearing before the Code Enforcement Board of the Town of Ponce Inlet.

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, I may be reached at (386)236-2187, weekdays from 8:00am to 4:30pm or by e-mail at [dhooker@ponce-inlet.org](mailto:dhooker@ponce-inlet.org). Your cooperation is anticipated and appreciated.

Kind Regards,

  
David Hooker,  
Code Enforcement Officer

Enclosure(s): as stated

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