



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: March 7, 2016
DATE OF MEETING: March 28, 2016

Case Number: 43994
Address: 46 Oceanway Drive
Owner: Real Estate Solution Home Sellers
Ms. Maria Helmick, Registered Agent

Alleged Violation:
Construction work without permits or inspection approvals.

Florida Building Code
Section 105.1 - Required

Brief History:

This property has had several violations of Town code, involving construction work without permits or inspection approvals.

The first incident, (July 2015), involved an air condition change out (CN # 40543). During this process it was learned that the owners purchased the property and had intentions of “flipping” their investment.

Second incident, (February 2016), involved window change outs (CN# 43683). Once again after owners were notified, staff reiterated the regulations.

This most recent case involves a fence that had been installed without permits or inspection approvals. Staff has reiterated the Town codes and advised them on several occasions of the permitting process established by the Town as well as with the State.

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

NOTICE OF VIOLATION

REAL ESTATE SOLUTIONS
1648 TAYLOR ROAD
PORT ORANGE FL 32128

February 17, 2016
Certified Return Receipt US Mail
7012-1010-0001-7579-4283

RE: 46 OCEAN WAY DR; Code Enforcement case #43994

Dear REAL ESTATE SOLUTIONS:
C/O Maria Helmick, Registered Agent

Please be advised that a code violation is hereby issued for the property at 46 Ocean Way Drive in Ponce Inlet, Florida, having the parcel ID #6430-18-00-0110 and legally described as: LOT 11 LIGHTHOUSE PLACE MB 42 PG 13 PER OR 0702-0703 PER OR 5433 PG 2499 PER OR 5805 PGS 4177-4178 PER OR 6050 PG 3674 PER OR 6050 PGS 3674-3675 PER OR 7127 PG 3703 PER OR 7133 PG 1158.

DESCRIPTION OF VIOLATION: CE-UNPERMITTED WORK, specifically, wood fence installed without permits or inspection approvals.

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

**2014 BOAF Model Administrative Code
Florida Building Code
Section 105.1 – Required**

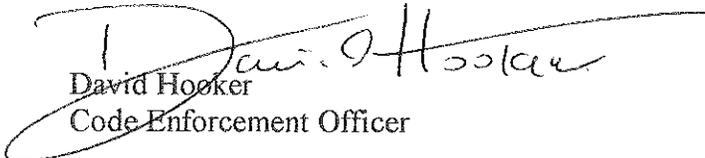
Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any impact resistant coverings, electrical, gas, mechanical or plumbing system, 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.

Please note that this case is 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."

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.

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