

Volusia County Code Enforcement Board



Members

Brian Anderson
Donald Needham
Joe Rudolph
Kenneth Runge

Jerry Smith
Harry Wild, Jr., Chair
Pete Zahn, Vice Chair
Charles Cino, Board Attorney

June 17, 2015
Agenda for Hearing at 9:30 a.m.

**Thomas C. Kelly Administration Center
County Council Chambers - Second Floor
123 West Indiana Avenue, Deland, Florida**

I. Roll Call

II. Agenda Changes

III. Disclosure of Ex Parte Communications

Members of the Volusia County Code Enforcement Board are asked to please disclose, for the record, the substance of any ex parte communications that have occurred before or during the public hearing at which a vote is to be taken on any quasi-judicial matters.

IV. Approval of Minutes – May 20, 2015

V. Orders of Compliance

VI. Roll Call of Cases

VII. Swearing in of Witnesses

VIII. Explain Process for:

- A. Unfinished Business**
- B. New Cases**
- C. Discussion of Accumulated Fines**

IX. Unfinished Business

**CEB2009199-DEMAIO GERARD J Amanda's Properties, LLC new owner
Sheriff Served**

Complaint No. 20090219019

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 7 SECTION 72-241 Junk yard where not permitted

Property Location: 431 S Sparkman Av, Orange City 32763

Parcel No. 801000000050 Zoning: R-4

Building & Zoning Compliance Officer - Barbara Baldwin

Property owner was first notified of the violation on August 10, 2009

*Final Order of Non - Compliance/Imposing Fine Lien issued at the October 21, 2009 hearing:

*1st Amended Order Imposing Fine Lien issued at the November 18, 2009 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 10, 2014:

Order of Compliance

CEB2013159-1492 FLORIDA AVE ORANGE CITY**Served**

Complaint No. 20130805016

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1492 Florida Ave., Orange City, FL 32763

Parcel No. 802301190190**Zoning: R-4****Building & Zoning Compliance Officer – Building Compliance**

Property owner was first notified of the violation on August 7, 2013

*Final Order of Non-Compliance and Final Order Imposing Fine/Lien issued at the January 15, 2014 hearing:

*Report and Affidavit of Compliance issued with a compliance date of April 9, 2015:

Order of Compliance**CEB2013160-1492 FLORIDA AVE ORANGE CITY****Served**

Complaint No. 20130805018

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I, SECTION 58-3, MAINTENANCE ORDINANCE Improperly maintained structure(s) and/or system(s). Unsecured swimming pool.

Property Location: 1492 Florida Ave., Orange City, FL 32763

Parcel No. 802301190190**Zoning: R-4****Building & Zoning Compliance Officer – Building Compliance**

Property owner was first notified of the violation on August 7, 2013

*Final Order of Non-Compliance and Final Order Imposing Fine/Lien issued at the January 15, 2014 hearing:

*Report and Affidavit of Compliance issued with a compliance date of March 20, 2015:

Order of Compliance**CEB2015006-US Bank Nat'l Assoc. TR****Posted**

Complaint No. 20140811014

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1620 Old Daytona Rd, Deland 32724

Parcel No. 603504000150**Zoning: R-4****Building Compliance Officer-Building Compliance**

Property owner was first notified of the violation on December 3, 2014:

*The Enforcement Official continued this case from the March 18, 2015 hearing:

*Order of Non - Compliance issued at the April 15, 2015 hearing:

*Final Order Imposing Fine Lien issued at the May 20, 2015 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of May 27, 2015:

Order of Compliance

CEB2012076-BOLLMAN JOHN A III**Served**

Complaint No. 20120601004

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s)

Property Location: 6750 Turtlemound Rd, New Smyrna Beach 32169

Parcel No. 850501490210**Zoning: R-9W****Building Compliance Officer - Building Compliance**

Property owner was first notified of the violation on Jun 02, 2012

*Order of Non-Compliance issued at the June 19, 2013 hearing:

*1st Amended Order of Non-Compliance issued at the September 18, 2013 hearing:

*2nd Amended Order of Non-Compliance issued at the March 19, 2014 hearing:

*3rd Amended Order of Non-Compliance issued at the September 17, 2014 hearing:

*4th Amended Order of Non-Compliance issued at the April 15, 2015 hearing:

Hearing to Impose Fine/Lien**CEB2015018-Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis****Served**

Complaint No. 20141223038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E) Parking motor vehicle(s) on front yard, other than on driveway

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121**Zoning: R-3, R-4****Zoning Compliance Coordinator - Tammy Proulx**

Property owner was first notified of the violation on Feb 06, 2015

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien**CEB2015019- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis****Served**

Complaint No. 20141223039

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Boat and/or trailer improperly parked

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121**Zoning: R-3, R-4****Zoning Compliance Coordinator - Tammy Proulx**

Property owner was first notified of the violation on Dec 30, 2014

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

**CEB2015020- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis
Served**

Complaint No. 20141223040

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 8 SECTION 72-287 (A) Parking truck tractor, semi trailer, commercial bus,
cutaway van, or chassis cab, truck where not permitted

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121

Zoning: R-3, R-4

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Dec 30, 2014

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

**CEB2015021- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis
Served**

Complaint No. 20141223041

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 7 SECTION 72-241 Heavy equipment stored/parked where not permitted

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121

Zoning: R-3, R-4

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Dec 30, 2014

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

**CEB2015022- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis
Served**

Complaint No. 20141223042

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 8 SECTION 72-287(B) Maintaining a r/v, boat and/or trailer without current
tags/validation sticker

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121

Zoning: R-3, R-4

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Dec 30, 2014

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

**CEB2015024- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis
Served**

Complaint No. 20141223044

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 7 SECTION 72-241 Junk yard where not permitted

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121

Zoning: R-3, R-4

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Dec 30, 2014:

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

**CEB2015025- Hopson, Carla Jane, McCarthy, Gordon Dean, & McCarthy, Dennis
Served**

Complaint No. 20141223045

Violation of CODE OF ORDINANCES-COUNTY OF VOLUSIA CHAPTER 118-TRAFFIC &
VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34 Vehicle(s) that is
inoperative and/or without current state license tag

Property Location: 2627 John Anderson Dr, Ormond Beach 32176

Parcel No. 322106000121

Zoning: R-3, R-4

Zoning Compliance Coordinator - Tammy Proulx

Property owner was first notified of the violation on Dec 30, 2014

*Order of Non - Compliance issued at the March 18, 2015 hearing:

*1st Amended Order of Non-Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

CEB2015061-STEARNES LISA L & MICHAEL J

Served

Complaint No. 20150309034

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 8 SECTION 72-277 You have failed to observe the required setbacks

Property Location: 24 Lake Ruby Dr, Deland 32724

Parcel No. 700103530080

Zoning: R-4

Zoning Compliance Manager - Bryan Jiles

Property owner was first notified of the violation on Mar 13, 2015

*Order of Non - Compliance issued at the May 20, 2015 hearing:

Hearing to Impose Fine/Lien

X. Hearings and Presentation of Filed Notices of Violations

CEB2014173-MASSEY FAMILY ENTERPRISES LLC

Served

Complaint No. 20140723023

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Excavation without the required permits, exemptions and/or approval

Property Location: 1600 Old Mission Rd, Edgewater 32132

Parcel No. 840500000030

Zoning: A-2

Zoning Compliance Manager - Bryan Jiles

Property owner was first notified of the violation on Jul 24, 2014

CEB2014210-BAILEY W JEAN

Served

Complaint No. 20140724003

Violation of FLORIDA BUILDING CODE SECTIONS 105.1 AND 109.3. ALL CONSTRUCTION REQUIRES BUILDING PERMIT (S) AND INSPECTION APPROVAL(S).

The aforementioned violation would require a building permit and/or inspection approvals

Property Location: 26 Seacrest Dr, Ormond Beach 32176

Parcel No. 324106000590

Zoning: R-4

Zoning Compliance Officer - Ann Allen

Property owner was first notified of the violation on Jul 30, 2014

CEB2015030-TRIGGIANI THOMAS N

Served

Complaint No. 20140805008

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1605 Palmer Dr, Ormond Beach 32174

Parcel No. 423317020970

Zoning: R-5

Building Compliance Officer - Building Compliance

Property owner was first notified of the violation on Aug 12, 2014

CEB2015046-HATLEY PARTNERS LLC

Served

Complaint No. 20150212003

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1893 E Spruce Creek Blvd, Port Orange 32128

Parcel No. 622505000210

Zoning: PUD

Building Compliance Officer – Building Compliance

Property owner was first notified of the violation on Mar 15, 2014

CEB2015050-PIPER LISA KAYE**Served**

Complaint No. 20131121042

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II
DIVISION 7 SECTION 72-241 Junk yard where not permitted

Property Location: 1645 Spring Garden Dr, Astor 32102

Parcel No. 581900050011**Zoning: R-4, RC, RC****Zoning Compliance Manager - Bryan Jiles**

Property owner was first notified of the violation on Nov 25, 2013

CEB2015051-JOHN ROBERT**Served**

Complaint No. 20140103025

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 2708 S Ridgewood Av, Edgewater 32141

Parcel No. 840200000560**Zoning: B-4, R-3, R-3****Building Compliance Officer – Building Compliance**

Property owner was first notified of the violation on Jan 04, 2014

CEB2015052-ABSTRACT BUILDERS INC**Served**

Complaint No. 20140326019

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 2728 S Ridgewood Av, Edgewater 32141

Parcel No. 840200000601**Zoning: B-4****Building & Zoning Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Mar 28, 2014

CEB2015053-RIZZUTO RAYMOND & DENISE**Served**

Complaint No. 20120224039

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 109.3 Construction without the required permit(s) and/or inspection approval(s)

Property Location: 3140 Lori Ct, Deltona 32738

Parcel No. 810100000021**Zoning: A-3****Building Compliance Officer – Building Compliance**

Property owner was first notified of the violation on Jan 26, 2014

CEB2015054-Federal Nat'l Mortgage Association**Served**

Complaint No. 20141027014

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS
105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 409 Alhambra Av, DeLeon Springs 32130

Parcel No. 694003180340**Zoning: R-3****Building Compliance Officer – Building Compliance**

Property owner was first notified of the violation on Nov 05, 2014

CEB2015056-VOLUSIA OPERATIONS LLC**Served**

Complaint No. 20150123026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1500 E SR 40, Pierson 32180

Parcel No. 591200000040**Zoning: A-1,BPUD****Building Compliance Officer - Beverly J Abrahamson**

Property owner was first notified of the violation on Jan 30, 2015

CEB2015057-Jones, Edison Dwayne, Moore, Edry Gamal Anwar, & Outerbridge Lesa

Complaint No. 20150127003

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s)

Property Location: 700 Grand Plaza Dr, Orange City 32763

Parcel No. 801420060070**Zoning: PUD****Building Compliance Officer – Building Compliance**

Property owner was first notified of the violation on Feb 16, 2015

CEB2015060-LOCKHART JIM**Posted**

Complaint No. 20140424026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 109.3 All construction requires building permit(s) and inspection approval(s).

Property Location: 1690 James St, New Smyrna Beach 32168

Parcel No. 743005030400**Zoning: R-3****Building Compliance Officer – Building Compliance**

Property owner was first notified of the violation on May 02, 2014

CEB2015062-ORR, Robert & Mary

Complaint No. 20150303051

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 72, ARTICLE II, DIVISION 7, SECTION 72-241 Junkyard where not permitted.

Property Location: 1592 Cypress Ave, Daytona Beach, FL 32119

Parcel No. 5331-03-00-0110**Zoning: R-5****Zoning Compliance Coordinator-Tammy Proulx**

Property owner was first notified of the violation on April 27, 2015

XI. Requests for Discussion of Accumulated Fines

XII. New Business

- A. Tally Sheets (Quarterly)
- B. As Entertained by Chairman
- C. As Entertained by Board Attorney
- D. As Entertained by Staff Attorney
- E. As Entertained By Staff

XIII. Adjournment



**COUNTY OF VOLUSIA
NOTICE UNDER THE AMERICANS
WITH DISABILITIES ACT (TITLE II)**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the County of Volusia ("County") will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

County does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in County programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

The ADA does not require the County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

County will make such reasonable modification to policies and programs for qualified persons with disabilities to ensure they have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in County offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of County, should contact the office of the County's ADA Title II Coordinator, Mr. George Baker, at (386) 248-1760 as soon as possible but no later than 2 business days before the scheduled event or meeting. This paragraph shall likewise apply to written requests by a physically handicapped person needing a special accommodation to attend a public meeting in accordance with section 286.26, Florida Statutes.

Complaints that a program, service, or activity of County is not accessible to persons with disabilities should be directed to the County in accordance with the *County of Volusia Grievance Procedure under the Americans with Disabilities Act (Title II)*. A copy of the procedure may be obtained by contacting the office of the County's ADA Coordinator, (386) 248-1760.

County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

