



VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES

January 20, 2021

Chairman Chad Lingenfelter called the regularly scheduled, Code Enforcement Board Meeting to order at 9:00 a.m. in the County Council Chambers, Second Floor, Thomas C Kelly Administration Building

MEMBERS PRESENT

**Chad Lingenfelter, Chair
Andrew Hall
Clement Nadeau
Donald Needham
Vikki Leonard
Pete Zahn
Rick Dwyer
Charles Cino, Board Attorney**

MEMBERS ABSENT

STAFF PRESENT

**Chris Hutchison, Code Compliance Manager
Margaret Godfrey, Code Compliance Coordinator
Robert Chayer, Code Compliance Officer
Isiah Pitts, Code Compliance Officer
Peter Hinson, Code Compliance Officer
Fred Eastwood, Code Compliance Officer
Debbie Zechnowitz, Code Compliance Officer
Sebrina Slack, Assistant County Attorney
Todd Hannah, Environmental Specialist II
Samantha West, Environmental Specialist III
Kerry Leuzinger, Chief Building Official
Ramona Jones, Code Board Clerk**

* * * * *

APPROVAL OF MINUTES

Member Nadeau moved to approve the minutes from the December 16, 2020 hearing. Member Needham seconded the motion which carried unanimously by voice votes.

* * * * *

January 20, 2021

All parties and witnesses who were to provide testimony were sworn in by the Clerk prior to any testimony being presented.

IX. Unfinished Business

CEB2007703 - THOMAS PETER & LILLIE M THOMAS Sheriff Served

Complaint No. 20070813045

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CH 72 ART II DIV 8 SEC 72-287 (b) Maintaining a r/v, boat and/or trailer without current tags/validation sticker

Property Location: 1151 S Adelle Ave, Deland 32720

Parcel No. 702012010100 Zoning: R-5

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on SEP 28, 2007

*Final Order of Non Compliance and Order Imposing Fine Lien issued at the April 2, 2008 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 18, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2007704 - THOMAS PETER & LILLIE M THOMAS Sheriff Served

Complaint No. 20070813046

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: 1151 S Adelle Ave, Deland 32720

Parcel No. 702012010100 Zoning: R-5

Code Compliance Officer – Isiah Pitts

Property owner was first notified of the violation on SEP 28, 2007

*Final Order of Non Compliance and Order Imposing Fine Lien issued at the April 2, 2008 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 18, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

January 20, 2021

CEB2018046 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20180126018

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

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 29, 2018

*Order of Non-Compliance issued at the April 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2018047 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20180126019

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: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 29, 2018

*Order of Non-Compliance issued at the April 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

January 20, 2021

CEB2019004 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20190104008

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Accessory structure and/or use without a principal structure

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Jan 07, 2019

*Order of Non-Compliance issued at the February 20, 2019 hearing:

*Final Order Imposing Fine Lien issued at the March 20, 2019 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2020064 - 231 W CARTER ST LLC

Served

Complaint No. 20200519014

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 unpermitted use of RV on a zoned MH1-MH5

Property Location: 231 W Carter St, Deland 32720

Parcel No. 702113000200

Zoning: MH-1, MH-5

Code Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on May 21, 2020

*Order of Non-Compliance issued at the July 15, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the September 16, 2020 hearing:

*2nd Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

*Final Order Imposing Fine Lien issued at the December 16, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 30, 2020:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

January 20, 2021

CEB2020106 - LOWER GREGORY

Served

Complaint No. 20200313014

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) have built shed w/o permits and in setbacks, a gazebo w/o permits and have a canopy over the boat probably built w/o permits

Property Location: 2 Beechwood Dr, Ormond Beach 32176

Parcel No. 420315000570

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Mar 16, 2020

*Order of Non-Compliance issued at the September 16, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 5, 2021:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2020116 - LOUCAKIS VICKI A

Served

Complaint No. 20200429023

Violation of ORDINANCE: Code OF Ordinance-County Of Volusia Chapter 58, Health & Sanitation SEC. 58-36: Violations And Declaration Of Nuisance. Article II Grass/weeds in excess of 12 inches, yard trash, rubble, debris, and/or waste

Property Location: 1681 Cadiz Ave, New Smyrna Beach 32168

Parcel No. 734410000330

Zoning: MH-5(1) A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jul 10, 2020

*Order of Non-Compliance issued at the October 21, 2020 hearing:

*Final Order Imposing Fine Lien issued at the November 18, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 6, 2021:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

January 20, 2021

CEB2020256 - HARR ROBYN

Posted

Complaint No. 20190705021

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: 1907 Madre St, Suite 0750, New Smyrna Beach 32168

Parcel No. 734410000750

Zoning: MH-5(1) A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on June 10, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 6, 2021:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

CEB2020257 - HARR ROBYN

Posted

Complaint No. 20190705020

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: 1907 Madre St, Suite 0750, New Smyrna Beach 32168

Parcel No. 734410000750

Zoning: MH-5(1) A

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on June 10, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 6, 2021:

Order of Compliance

Based on a submitted Report and Affidavit of Compliance, Member Zahn **MOVED to issue an Order of Compliance as the Respondent(s) has achieved compliance**. After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

January 20, 2021

CEB2018425 – THREE D MANAGEMENT CORP/DOUG RUMERY

Posted

Complaint No. 20180820091

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (2 expired permits

Property Location: 1888 John Anderson Dr, Ormond Beach 32176

Parcel No. 324103000033

Zoning: R-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sept 21, 2018

*Order of Non-Compliance issued at the November 21, 2018 hearing:

*1st Amended Order of Non-Compliance issued at the August 21, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the February 19, 2020 hearing:

*3rd Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

*4th Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated the 2 expired permits have not been addressed but, there are more permit applications in that have nothing to do with these issues. She stated there had been conversation with Doug Rumery and Weston Perkins the contractor concerning the expired permits. There has been no further contact since.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$65,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2019137 - TROPICAL HAMMOCK INC

Posted

Complaint No. 20190329008

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. Construction without the required permit(s) and/or inspection approval(s). Building permits for RV hook ups and dock cover

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Apr 11, 2019

*Order of Non-Compliance issued at the July 17, 2019 hearing:

*1st Amended Order of Non-Compliance issued at the October 16, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

*4th Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

Hearing to Impose Fine/Lien

Mike Woods from Cobb/Cole was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated the RV's are still onsite and no permit has been applied for.

Mr. Woods stated he would like a continuance for 30 days as some of the issues have not been brought up and while working on issues other issues seem to pop up. He would like to have a meeting to go over all issues. Mr. Woods said that they are still working on the permits for the docks and is requesting a meeting to see how they move forward again and what needs to be done.

Samantha West, presented case 2019358 and stated she was looking into the history of the seawall permit and stated that the owners knew this was an issue as they were instructed they did need to come in for the docks in 2019.

Aaron Moore, CBH contractor, stated that Samantha was right, the dock issue was addressed in 2019. He said they have asked for an exact list and every time they compare the list they don't match. He is asking again for a comprehensive list so they can start the plan of action in order to come into compliance.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2019215 - TROPICAL HAMMOCK INC

Served

Complaint No. 20190703037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Business where not permitted (RV campground)
Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Jul 06, 2019

*Order of Non-Compliance issued at the July 17, 2019 hearing:

*1st Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

*4th Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 5th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2019358 - TROPICAL HAMMOCK INC

Served

Complaint No. 20180413017

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit. Specifically, dredging within wetlands and buffers on site.

Property Location: 1485 Lakeview Dr, Deland 32720

Parcel No. 792404000050

Zoning: B-7

Environmental Specialist III – Samantha West

Property owner was first notified of the violation on April 13, 2019

*Order of Non-Compliance issued at the November 20, 2019 hearing:

*1st Amended Order of Non-Compliance issued at the December 18, 2019 hearing:

*2nd Amended Order of Non-Compliance issued at the May 20, 2020 hearing:

*3rd Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 4th Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2019311 - KNIGHT TERRY JR

Served

Complaint No. 20190923035

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. (barns, sheds

Property Location: 1325 Pell Rd, Osteen 32764

Parcel No. 83300000160

Zoning: A-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Oct 2, 2019

*Order of Non-Compliance issued at the October 21, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

Mark Watts from Cobb/Cole was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 3 cases together. Margaret went over the case details, showing photos. Margaret stated the issue she has is that Ms. Knight testified there were no more weddings and she still had weddings, Margaret showed the reviews. Margaret stated there is a plumbing and mechanical application in. Margaret also said they got the Ag exemption, which is official in May. She also added that there should not be any weddings on this property until everything is in Compliance.

Chairman Lingenfelter asked if the Ag exemption affects the set back or wedding venue. Margaret stated the Ag exemption is for the land only, if the building was for the land use it would be okay but it is clear it was built for wedding venues.

Mr. Watts said the final determination of the Ag exemption will be determined in May. Mr. Watts stated the Electrical permit is still pending. Mr. Watts said the issue with the Electrical permit is that the Electrician has to attest that they did the work but since they did not they have to look at everything in order to sign off.

Chairman Lingenfelter stated his concern is the electrical not being signed off on, and life safety issue that could happen.

Member Hall asked if the Electrical contractor has walked the property and just needs to sign the affidavit because it is under review by his attorney. Mr. Watts said yes and 10 days would be sufficient to have this completed. Member Hall also asked if in the 10 days weddings are booked. Ms. Knight stated yes. Member Hall said this is what the Board has an issue with.

Kerry Leuzinger, Chief Building Inspector, added that the plumbing and mechanical permits have been applied for and neither one has been issued and requested additional comments on the mechanical as the mechanical permit said it was a change out but,

January 20, 2021

there is no evidence that there was any HVAC equipment there. He also added that the affidavit is great but he wants our inspection staff out there to do inspections as well.

Mr. Watts said they can commit to making sure that Electrical permit is in and will invite County staff out to do their inspections.

Member Zahn made the below motion for Case 311 and 186 and did a separate motion for case CEB2019345 to add the Electrical permit be turned in within 10 days Member Hall asked if we could add some sort of Fire watch be ordered. Member Zahn then amended his motion to include the fire watch.

Member Needham stated that there should be fire equipment on site for all events, it should be required.

Member Dwyer added that staff brought the case before us because the property owner was not compliant and that in his opinion the business should not be running at all until it is in compliance.

Mr. Watts added they will follow up on the permits as soon as possible.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277, with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Hall **SECONDED** the motion, Member Leonard opposed and it **then CARRIED** by voice vote.

CEB2019345 - KNIGHT TERRY JR

Served

Complaint No. 20191003002

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). ((accessory structures, electrical, plumbing, may not be a complete list

Property Location: 1325 Pell Rd, Osteen 32764

Parcel No. 833000000160

Zoning: A-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on May 8, 2019

*Order of Non-Compliance issued at the October 21, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance and ordered an Electrical Permit Application be turned in within 10 days and to have some sort of**

January 20, 2021

Fire Watch at all events for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the February 17, 2021 hearing. After Member Hall **SECONDED** the motion, Member Leonard, Member Needham and Member Dwyer opposed and it then **CARRIED** by voice vote.

CEB2020186 - KNIGHT TERRY JR

Served

Complaint No. 20200904002

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted (Wedding venue on A-1 zoned property

Property Location: 1325 Pell Rd, Osteen 32764

Parcel No. 833000000160

Zoning: A-1

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Sept 4, 2020

*Order of Non-Compliance issued at the October 21, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277, with a Hearing to Impose Fine set for the July 21, 2021 hearing.** After Member Hall **SECONDED** the motion, Member Leonard opposed and it then **CARRIED** by voice vote.

January 20, 2021

CEB2019384 - TURNER GWENDOLYN GRACE & LAMBERT YOLANDA MARIE

Complaint No. 20190826047

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) enclosed carport w/o permit. Using as living space window a/c unit installed. Property Location: 7 Seaview Dr, Ormond Beach 32176

Parcel No. 323405000640 Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 29, 2019

*Order of Non-Compliance issued at the October 21, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was on January 6th, he has had no contact with the owner.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$13,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020019 - SOARES LONETH & GAUDENCIO

Served

Complaint No. 20190225049

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) Added to the back of the house

Property Location: 124 Hibiscus Rd, Edgewater 32141

Parcel No. 841305003330

Zoning: R-4W

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on Feb 28, 2019

*Order of Non-Compliance issued at the September 16, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Gaudencio Soares was present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated that a Demo permit was obtained and that Mr. Legler was at the property and did an inspection and informed Mr. Soares he would need a new permit to reconstruct the room.

Mr. Soares stated that they replaced the wood since it was rotted and put the frame back up. He didn't think he would need a permit to do this work. It was explained that when you start to remove damage material that permits need to be pulled. It was also explained that he needs to get with the Building department on what is needed to get the permits.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 21, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020023 - LAYNE TAMARA

Served

Complaint No. 20190516007

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) (Appears to be the enclosure of existing residential porch to enclosed living space. New block work, windows. Possible electrical, HVAC, covered work. This may not be a complete list.)

Property Location: 1435 2nd St, Orange City 32763

Parcel No. 800401620130

Zoning: R-4

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 16, 2019

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Tamara Layne was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated she has had a conversation with Ms. Layne and that no applications have been submitted.

Ms. Layne stated that she has bears in the area that have ripped the screen on the porch and her husband assumed that they could just block it up. She stated that she had spoken with Mike and worked on getting a survey, then Covid hit, she was in the process of getting drawings done but now her husband was thinking to just take it down. It was explained to her that is her choice. She was confused with the process. She asked if she has to get a permit to remove the blocks, Margaret stated that she would need to get a permit for what was built or remove the construction.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 21, 2021 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020058 - AMARAL MARIA

Served

Complaint No. 20191125046

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Maintaining a (duplex/multifamily) dwelling and/or use where not permitted

Property Location: 1301 Wright St, Daytona Beach 32117

Parcel No. 423306000010

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on 5-13-20

*Order of Non-Compliance issued at the July 15, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated that according to the owner, she got the stove out of the 2nd kitchen and is in the process of evicting the tenants, so we cannot gain access to the home. Robert said he was looking to give more time since the owner is in litigation on the eviction.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020059 - AMARAL MARIA

Served

Complaint No. 20191125045

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s)

Property Location: 1301 Wright St, Daytona Beach 32117

Parcel No. 423306000010

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on 5-13-20

*Order of Non-Compliance issued at the July 15, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the August 19, 2020 hearing:

*2nd Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an 3rd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020083 – PERKINS ROGER

Served

Complaint No. 20200131015

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: 1246 Mcglon Rd, Seville 32180

Parcel No. 481000000250

Zoning: A-1

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on 6-20-20

*Order of Non-Compliance issued at the September 16, 2020 hearing:

Hearing to Impose Fine/Lien

Mark Watts from Cobb/Cole was present at the hearing for this case.

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated the last inspection was on January 8th and the conditions remain the same. He stated the property owners are seeking administrative remedies.

Mr. Watts stated that this is a case going through the Ag exemption and would know more info in May.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241, with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020088 - SLUDER DOROTHY ELLEN

Posted

Complaint No. 20190822071

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: 1111 Avenue I, Ormond Beach 32174

Parcel No. 422901250090

Zoning: MH-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jan 28, 2020

*Order of Non-Compliance issued at the September 16, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was yesterday. Robert said she got a demo permit and wanted to do the work herself, they started to demo but didn't get too far. Robert said he spoke with her over the phone and she was asking for an extension as she is out of town for an unknown amount of time. Robert recommended sending this to the CLCA board for possible demo.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non Compliance and Order of Dismissal to be referred to the CLCA Board for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020154 - Douglas S and Kristy M Harrell

Served

Complaint No. 20200603055

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). 2 structures on the property with no permits .Not complete list

Property Location: 1350 Hamilton Ave, Orange City 32763

Parcel No. 800304040010

Zoning: R-4

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on Aug 20, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated that the owners have since purchased the little piece of property and are working on getting the lot combination, once approved it would clear the violation for the set back.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020232 - Douglas S and Kristy M Harrell

Served

Complaint No. 20200925037

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. (Unpermitted structure crossing over the property line

Property Location: 1350 Hamilton Ave, Orange City 32763

Parcel No. 800304040010

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on 9-28-20

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020212 - KILLEBREW LOGAN T

Served

Complaint No. 20200729034

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: 876 Pratt St, Deland 32720

Parcel No. 701703000780

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 01, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated she was out at the property on January 6th and the truck was parked in the driveway so he was in compliance and that she had went back out to find out about the boats and the truck was parked back on the lawn and the boat was parked off the driveway. Margaret added that she has had no contact with the property owner but that the Notice of Hearing was received.

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$5,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020213 - KILLEBREW LOGAN T

Served

Complaint No. 20200729035

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: 876 Pratt St, Deland 32720

Parcel No. 701703000780

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 01, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of January 6, 2021:

Order of Compliance Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Leonard **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$5,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E).** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020217 - ABOOD ROBERT CHASE

Served

Complaint No. 20191219026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) Appears renovation and or remodel with no evidence of required permits / inspections or approvals. Interior renovations. Kitchen, interior partition re-work including new electrical devices, wiring or circuits. Plumbing. May not be a complete list.

Property Location: 1095 S Ridgewood Ave, Deland 32720

Parcel No. 701900000492

Zoning: A-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jan 17, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 2 cases together. Margaret went over the case details, showing photos. Margaret stated Mr. Abood purchased the house in April 2020 and inherited the violations. He is in litigation proceedings as none of this was disclosed at the time of purchase. Mr. & Mrs. Abood and Travis Martin, the contractor, came into the office on January 6th to see what needs to be done to come into compliance.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 21, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020218 - ABOOD ROBERT CHASE

Served

Complaint No. 20200921007

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (expired roof permit #20191210007

Property Location: 1095 S Ridgewood Ave, Deland 32720

Parcel No. 701900000492

Zoning: A-3

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Chase Abood 9-25-20

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the April 21, 2021 hearing.** After Member Hall **SECONDED** the motion, and it **CARRIED** unanimously January 20, 2021

by voice vote.

CEB2020241 - BALKAM LLC

Served

Complaint No. 20201005017

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit.

Property Location: 3630 W Intl Speedway Blvd, Daytona Beach 32124

Parcel No. 620601420050

Zoning: I-1C (5) A

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on 9-28-20

*Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

There was no one present at the hearing for this case.

Todd Hannah, Environmental Specialist II, presented the 2 cases together. Todd went over the case details, showing photos. Todd stated the property owner is now working with a different consultant than he originally had and going over the options on what to do with the property.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020231 - BALKAM LLC

Served

Complaint No. 20190514006

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) Description: Removal of any tree without first obtaining a tree removal permit from the County Forester

Property Location: 3630 W Intl Speedway Blvd, Daytona Beach 32124

Parcel No. 620601420050

Zoning: I-1C (5) A

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on 9-28-20

*Order of Non-Compliance issued at the October 21, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2), with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020239 - JESKE FRANK D ETAL

Served

Complaint No. 20200626026

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) have moved and expanded dock w/o permits

Property Location: 3216 S Peninsula Dr, Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3/B-7

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on Oct 03, 2020

*Order of Non-Compliance issued at the November 18, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Frank Jeske was present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated there are applications for the permit that are in review. Todd Hannah said he was requesting the same as Debbie.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020237 - JESKE FRANK D ETAL

Served

Complaint No. 20200821017

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit.

Property Location: 3216 S Peninsula Dr, Daytona Beach 32118

Parcel No. 533501100230

Zoning: R-3/B-7

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on DW C-19 1810 10-5-20

*Order of Non-Compliance issued at the November 18, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Frank Jeske was present at the hearing for this case.

Todd Hannah, Environmental Specialist II, presented the case. Todd went over the case details, showing photos.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 2nd Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the June 16, 2021 hearing.** After Member Leonard **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020258 - Spa 2 LLC

Posted

Complaint No. 20191011011

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: 101 Town And Country Ln, Ormond Beach 32176

Parcel No. 323411020100

Zoning: B-4, R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on 10-11-20

*Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

Joe Labella was present via Webinar at the hearing for this case.

Robert Chayer, code compliance, presented the 3 cases together. Robert went over the case details, showing photos. Robert stated there were permits for remodel but the scope didn't include the windows, extension have been applied for and to add the windows to the permit.

Member Leonard asked if anyone was living in them and Robert stated no they are vacant and the property is secured.

Mr. Labella stated that Robert said everything he was going to say. He said his GC is in the process of submitting the forms.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020271 - Spa 2 LLC

Posted

Complaint No. 20201106011

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) Expired underpinning permit #20200311052

Property Location: 101 Town And Country Ln, Ormond Beach 32176

Parcel No. 323411020100

Zoning: B-4, R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Nov 09, 2020

*Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

January 20, 2021

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

CEB2020272 - Spa 2 LLC

Posted

Complaint No. 20201106015

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) Working outside of permit scope. Installing windows

Property Location: 101 Town And Country Ln, Ormond Beach 32176

Parcel No. 323411020100

Zoning: B-4, R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Nov 09, 2020

*Order of Non-Compliance issued at the November 18, 2020 hearing:

Hearing to Impose Fine/Lien

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an 1st Amended Order of Non-Compliance for violation of VOLUSIA COUNTY CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 22-2, SECTIONS 105.1 AND 110.1, with a Hearing to Impose Fine set for the March 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020293 - SAPP SEAN MICHAEL

Served

Complaint No. 20200908031

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Accessory building or structure on lot that does not have a completed principal structure

Property Location: 172 Conifer Ln, Ormond Beach 32174

Parcel No. 403501002030

Zoning: RR

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Sep 08, 2020

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Robert Stanfield, concerned neighbor, was present via Webinar at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated he has had no contact with the property owner, and no permits have been submitted.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$4,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1) (C).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020292 – SAPP SEAN MICHAEL

Served

Complaint No. 20200813003

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit.

Property Location: 172 Conifer Ln, Ormond Beach 32174

Parcel No. 403501002030

Zoning: RR

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on

*Order of Non-Compliance issued at the December 16, 2020 hearing:

Hearing to Impose Fine/Lien

Robert Stanfield, concerned neighbor, was present via Webinar at the hearing for this case.

Todd Hannah, Environmental Specialist II, presented the case. Todd went over the case details, showing photos. Todd stated that there still has been no contact with the owners and no permits have been submitted.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing February 18, 2021 and to continue until compliance is achieved, but not to exceed \$4,000.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

X. Hearings and Presentation of Filed Notices of Violations

CEB2020143 - HOUNSOM SUSAN E

Served

Complaint No. 20200615064

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (dock and decking

Property Location: 811 Garfish Ave, New Smyrna Beach 32169

Parcel No. 850501700180

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jun 22, 2020

Jason Livingston, General Contractor, was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated we received a complaint about dock work being done late in the day and on the weekends. Margaret stated a permit application was submitted but then expired. Margaret said requests for additional information were sent to Jason and it was never responded to. She said a new application was submitted and now expires on 6-13-21 after meeting with Jason in January. Todd Hannah stated his case follows Margaret's as no permit was pulled for the docks so the Wetland alteration part was not addressed.

Mr. Livingston stated he is good with the June timeline.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of June 13, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing.**

After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020138 - HOUNSOM SUSAN E

Served

Complaint No. 20200727058

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit. Specifically, constructing a dock on site without the necessary permits.

Property Location: 811 Garfish Ave, New Smyrna Beach 32169

Parcel No. 850501700180

Zoning: R-9W

Environmental Specialist II - Todd Hannah

Property owner was first notified of the violation on July 28, 2020

After discussion and based on the testimony and evidence presented, Member Zahn

MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 With a compliance date of June 13, 2021 and a Hearing to Impose Fine is set for the June 16, 2021 hearing. After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020167 - BICKEL ROBERT JOHN

Served

Complaint No. 20200609032

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

Property Location: 1205 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219150050

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jun 11, 2020

There was no one present at the hearing for this case.

Robert Chayer, code compliance, presented the 2 cases together. Robert went over the case details, showing photos. Robert stated the photos were taken by Margaret on 6-8-2020 regardless of the time stamp on the photos. Robert's last inspection was on January 14, 2021 and all but one of the vehicles had been moved. Robert also stated there has been no contact with the owner.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of February 5, 2021 and a Hearing to Impose Fine is set for the February 17, 2021 hearing.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2020242 - BICKEL ROBERT JOHN

Served

Complaint No. 20200609033

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: 1205 San Jose Blvd, Daytona Beach 32117

Parcel No. 424219150050

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Jun 11, 2020

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE With a compliance date of February 5, 2021 and a Hearing to Impose Fine is set for the February 17, 2021 hearing.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020235 - PINTO FRANKLIN

Posted

Complaint No. 20200210095

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s). (Renovation/remodel

Property Location: 605 Miles St, Deland 32720

Parcel No. 702006050070

Zoning: R-4

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Jul 08, 2020

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated a Stop work order was posted in February 2020. She said that a call was received from Offer Up Investments LLC saying they were going to be getting a contractor, another call from the contractor was received wanting to know what permits were needed and then in April the property was sold to Franklin Pinto and Gabriela Carrasquillo. Staff spoke with Ms. Carrasquillo in June 2020 about the violation. Margaret said there have been no permits applied for to date and the conditions remain the same.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of March 3, 2021 and a Hearing to Impose Fine is set for the March 17, 2021 hearing.**

After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020267 - BERBERICH BRIAN

Served

Complaint No. 20190711020

Violation of ORDINANCE: Code OF Ordinance-County Of Volusia Chapter 58, Health & Sanitation SEC. 58-36: Violations And Declaration Of Nuisance. Article II Grass/weeds in excess of 12 inches, yard trash, rubble, debris, and/or waste

Property Location: 1964 Carolina Ave, Ormond Beach 32174

Parcel No. 424214000180

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on July 21, 2020

Brian Berberich was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated this is a Lot Maintenance case and his last inspection was yesterday. Robert also added until now he has had no contact with the owner.

Mr. Berberich stated his property was just mowed. Robert stated he would be out there to re inspect in a couple of days.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances Chapter 58, Health & Sanitation SEC. 58-36 With a compliance date of February 5, 2021 and a Hearing to Impose Fine is set for the February 17, 2021 hearing.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020283 - HOYT BRYAN

Served

Complaint No. 20201008009

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Accessory use or Structure

Property Location: Herin Dr, New Smyrna Beach 32168

Parcel No. 723000000580

Zoning: A-1

Zoning Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on Oct 28, 2020

Bryan Hoyt was present at the hearing for this case.

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated this case was originally heard on June 17, 2020 and was found in violation but it was discovered that the property was incorrectly noticed, which resulted in this case.

Mr. Hoyt said that he had hired an attorney to get a non-conforming letter and was discovered it could not be done, he said he had been trying to get his camper to a camp ground but does not have the funds. Chairman Lingenfelter asked what his plan was to get a house on the property or to be able to get in a campground. Mr. Hoyt said it is his property and he pays his taxes, this is his home and he plans to build a home but has financial issues. Mr. Hoyt also said he tried getting a survey but due to Covid things got pushed back.

Member Leonard asked Debbie, just so Mr. Hoyt knows everything on the property needs to be removed and Debbie said yes until there is a building permit.

Debbie added that she wanted to speak on behave of the complainant who is very upset this has been going on for so long. Mr. Hoyt stated that the neighbor has people living in a trailer on her front yard and her family has been poaching on his property and running four wheelers. He has had to call the VCSO 3 times because the neighbors were harassing him. The other neighbor is doing the same thing and has 3 people paying rent to live on that property. Chairman Lingenfelter said he understands and that he has the same rights as they do but in his situation he doesn't have a principal to have an accessory. Member Needham asked about the police reports and to make sure records are being made. Mr. Hoyt said yes and there are restraining orders.

Member Leonard asked if there was water and sewer on the property. Mr. Hoyt stated there is a well and he has an outhouse with buckets and leaves nothing on the property. There was a motion with a compliance date of February which Member Hall, Member Dwyer and Chairman Lingenfelter opposed. Member Zahn asked if it was opposed due to the time frame and Member Hall said yes. Member Zahn then amended his motion to allow more time.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 With a compliance date of May 12, 2021 and a Hearing to Impose Fine is set for the May 19, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED**

January 20, 2021

unanimously by voice vote.

CEB2020284 - Smith Tammy & William

Served

Complaint No. 20200806073

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s).(expired deck and gazebo permit

Property Location: 7035 S Atlantic Ave, New Smyrna Beach 32169

Parcel No. 850501180350

Zoning: R-9W

Code Compliance Coordinator - Margaret Godfrey

Property owner was first notified of the violation on Aug 11, 2020

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated the expired permits were noticed when doing research for a short term rental case at the above property. The permit was extended to 9-24-20 and the roof underlayment inspection had failed due to the roof being done.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1 With a compliance date of March 3, 2021 and a Hearing to Impose Fine is set for the March 17, 2021 hearing.**

After Member Hall **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020285 - WETHERELL GLENN D & DONNA

Served

Complaint No. 20200928069

Violation of ORDINANCE: Code OF Ordinance-County Of Volusia Chapter 58, Health & Sanitation SEC. 58-36: Violations And Declaration Of Nuisance. Article II Grass/weeds in excess of 12 inches, yard trash, rubble, debris, and/or waste

Property Location: 17 Dolphin Ave, Ormond Beach 32176

Parcel No. 321601000540

Zoning: R-4

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Oct 29, 2020

Glenn Wetherell was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated that his last inspection showed the property was mowed. Mr. Wetherell stated this was due to his tenants and will be sure to keep a better eye out on making sure the property is mowed.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance and Order of Dismissal for violation of Volusia County Code of Ordinances Chapter 58, Health & Sanitation SEC. 58-36**

After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020291 - BRADYS BOUNCERS LLC

Served

Complaint No. 20200415008

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Accessory building or structure on lot that does not have a completed principal structure

Property Location: 1285 Granada Ave, Daytona Beach 32117

Parcel No. 424219070060

Zoning: R-5

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on Aug 11, 2020

Gary Brady was present at the hearing for this case.

Robert Chayer, code compliance, presented the case. Robert went over the case details, showing photos. Robert stated his last inspection was yesterday and that the camper has been removed but the utility trailers and truck are still on the property.

Chairman Lingenfelter asked if his principal structure was around the corner and if they shared property lines. Mr. Brady said no. Chairman Lingenfelter said the rule is to have accessory structures you have to have a principal structure. You cannot park something on a vacant lot. Mr. Brady said he understands the rule and for the simple fact that it is his property and all the vehicles are tagged and licensed. Member Zahn said because Zoning doesn't allow it. Mr. Brady said that to him this infringes on his rights. This is his issues, he has neighbors they are upset with him and constantly call on him. His neighbors are all in violation but he never calls. Member Zahn explained the process of zoning. Mr. Brady said these are vehicles, they are not structures there is no foundation. Mr. Brady again stated he is contesting this because the definition is not correct, he also added that he is in the process of having a survey done.

Member Leonard asked if he could get a fence permit and put up a fence without having a primary structure. Robert stated he can do that.

Member Hall asked how long Mr. Brady would need to get into compliance.

Robert added that he just noticed that this case was cited incorrectly, it should have been cited as 287 1 C and not 277 1 C. Robert then added that he would like to withdraw this now and start a new case.

January 20, 2021

CEB2020299 - BONGARD RYAN

Served

Complaint No. 20200830001

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 Description: Altering any Volusia County jurisdictional wetland and/or wetland buffer without first obtaining a wetland alteration permit.

Property Location: 4101 Swamp Deer Rd, New Smyrna Beach 32168

Parcel No. 820101060370

Zoning: RA

Environmental Specialist III - Samantha West

Property owner was first notified of the violation on Aug 31, 2020

Ryan Bongard was present at the hearing for this case.

Samantha West, Environmental Specialist III, presented the case. Samantha went over the case details, showing photos. Samantha stated the violation was observed in October 2019, a Stop work was posted in August 2020. There was discussion with the property owner on submitting the Wetland Alteration Permit, as of yesterday no Permit has been submitted.

Ryan stated he would like to put a Single Family home on the property, he said there was lack of communication and trying to figure out who else to use for this project. Ryan stated he will have a plan within 2 or 3 months.

Member Zahn asked Samantha if you can get a wetland alteration permit without putting on a house on it. Samantha stated no, there has to be a reason for the impact. Member Zahn asked so the only way to restore it is to fill it in, Samantha said yes he would have to bring it back to the natural grade and provide a replanting plan.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 With a compliance date of April 17, 2021 and a Hearing to Impose Fine is set for the April 21, 2021 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

XI. Requests for Discussion of Accumulated Fines

CEB2005254 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20050215013

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: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 23, 2005

*Order of Non-Compliance & Order Imposing Fine/Lien issued at the Sept 21, 2005 hearing:

*Order of Compliance issued at the April 29, 2008 hearing:

Request for Discussion of Fine of \$22,350.00

Lonnie Gregory was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the 8 cases together. Margaret went over the case details, showing photos. Margaret stated the owner had passed away and the daughter inherited the property. Mr. Gregory, the cousin, is going to be purchasing the property. Mr. Gregory has cleaned the entire property and Staff recommends the fines be zeroed out on all 8 cases.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2005255 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20050215006

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, ORDINANCE: 80-8/AMENDED/ARTICLE IX-900.04 IT SHALL BE UNLAWFUL TO USE OR OCCUPY, PERMIT THE USE OR OCCUPANCY, OR CHANGE THE USE OF ANY PREMISE UNTIL CERTIFICATE OF OCCUPANCY HAS BEEN OBTAINED

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 23, 2005

*Order of Non-Compliance & Order Imposing Fine/Lien issued at the Sept 21, 2005 hearing:

*Order of Compliance issued at the April 29, 2008 hearing:

Request for Discussion of Fine of \$89,400.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, 80-8/AMENDED/ARTICLE IX-900.04.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2005256 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20050215008

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

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 23, 2005

*Order of Non-Compliance & Order Imposing Fine/Lien issued at the Sept 21, 2005 hearing:

*Order of Compliance issued at the April 29, 2008 hearing:

Request for Discussion of Fine of \$22,350.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2005258 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20050215007

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: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 23, 2005

*Order of Non-Compliance & Order Imposing Fine/Lien issued at the Sept 21, 2005 hearing:

*Order of Compliance issued at the April 29, 2008 hearing:

Request for Discussion of Fine of \$22,350.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2005493 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20180126018

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C) Accessory building, structure, or use on lot that does not have a completed principal structure

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on May 23, 2005

*Order of Non-Compliance & Order Imposing Fine/Lien issued at the Sept 21, 2005 hearing:

*Order of Compliance issued at the April 29, 2008 hearing:

Request for Discussion of Fine of \$89,400.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C).** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2018046 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20050729038

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

Property Location: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 29, 2018

*Order of Non-Compliance issued at the April 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Request for Discussion of Fine of \$15,000.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

CEB2018047 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20180126019

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: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 29, 2018

*Order of Non-Compliance issued at the April 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Request for Discussion of Fine of \$15,000.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2019004 - HENDRIX WILLIAM L JR

Sheriff Served

Complaint No. 20180126019

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: 1210 Night Owl Ct, Deleon Springs 32130

Parcel No. 600500000406

Zoning: A-1

Code Compliance Officer – Margaret Godfrey

Property owner was first notified of the violation on January 29, 2018

*Order of Non-Compliance issued at the April 18, 2018 hearing:

*Final Order Imposing Fine Lien issued at the May 16, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of December 22, 2020:

Request for Discussion of Fine of \$20,000.00

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2017292 - MORRIS FRANK JAMES JANICE B DOHERTY

Posted

Complaint No. 20170818038

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE Improperly Maintained structure(s) and/or system(s). Roof is not being maintained; has remnants of tarps on the roof

Property Location: 135 Scenic Magnolia Dr, Deland 32724

Parcel No. 603814000070

Zoning: R-3A

Zoning Compliance Officer - Christopher R. Hooper

Property owner was first notified of the violation on Sep 22, 2017

*Order of Non-Compliance issued at the March 21, 2018 hearing:

*Final Order of Non-Compliance/Imposing Fine Lien issued at the September 19, 2018 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of November 28, 2019:

*Order of Compliance issued at the December 16, 2020 hearing:

Request for Discussion of Fine of \$15,000.00

Janice Doherty was present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated that Ms. Doherty purchased the property unknowing of the lien. She pulled all the necessary permits for all the work she has done to the property.

Ms. Doherty stated that the Title Company never reported there were liens on the property.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to reduce the fine to zero dollars an issue an Order of Dismissing and Releasing Fine/Lien for violation of Volusia County Code of Ordinances, CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

CEB2020065 - 231 W CARTER ST LLC

Served

Complaint No. 20200228036

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 Construction without the required permit(s) and/or inspection approval(s) (Mobile home(s) set-up; Electrical service wiring, Electrical devices, wiring, circuits; Plumbing; Mechanical; Roofing / roof-over(s); Complete interior renovation of mobile home(s). May not be a complete list.)

Property Location: 231 W Carter St, Deland 32720

Parcel No. 702113000200

Zoning: MH-1, MH-5

Code Compliance Officer - Margaret Godfrey

Property owner was first notified of the violation on Mar 13, 2020

*Order of Non-Compliance issued at the August 19, 2020 hearing:

*1st Amended Order of Non-Compliance issued at the September 16, 2020 hearing:

*2nd Amended Order of Non-Compliance issued at the November 18, 2020 hearing:

*Final Order Imposing Fine Lien issued at the December 16, 2020 hearing:

Request for Discussion of Fine Start Date

There was no one present at the hearing for this case.

Margaret Godfrey, code compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated that on 12-16-20 the CEB ordered imposing fine/liens that were to begin January 21, 2021. Staff had a meeting with Mr. Edgerly to go over what needs to be done. The remaining park model has been removed and per Kerry Leuzinger the sheds are not going to be an issue. The only remaining issues is the new roof that was put on a storage building and a fence that needs to be permitted. Staff agreed to give Mr. Edgerly 60 more days and to have the fine start on March 18, 2021.

After discussion and based on the testimony and evidence presented, Member Hall **MOVED to issue a First Amended Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing March 18, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Leonard **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

January 20, 2021

- A. Tally Sheets (Quarterly)**
- B. As Entertained by Chairman**
Nominations for Chair and Vice-Chair. Chair Lingenfelter was voted to continue to be the chairman and Member Hall was voted to be the vice-chairman.
- C. As Entertained by Board Attorney**
- D. As Entertained by Staff Attorney**
- E. As Entertained By Staff**
An award was presented to Former Vice-Chair Harry E Wild Jr. for his 33 Years of Dedicated Service to the Volusia County Code Enforcement Board.

* * * * *

ADJOURNMENT

There being no further business to discuss before the Board, the meeting adjourned at 12:28 pm.

Respectfully submitted,

Ramona Jones
Code Enforcement Board Clerk

January 20, 2021

CERTIFICATE

**STATE OF FLORIDA:
COUNTY OF VOLUSIA:**

I, Ramona Jones, Code Enforcement Board Clerk, do hereby certify that the foregoing pages constitute a true and accurate transcript of the minutes of the Volusia County Code Enforcement Board taken on January 20, 2021, at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 29th day of January, 2021, in the City of DeLand, County of Volusia, State of Florida.

**Ramona Jones
Code Board Clerk**

January 20, 2021