



**VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES**

**October 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  
Clement Nadeau  
Donald Needham  
Pete Zahn  
Charles Cino, Board Attorney**

**MEMBERS ABSENT**

**Andrew Hall, Vice-Chair  
Rick Dwyer  
Vikki Leonard**

**STAFF PRESENT**

**Chris Hutchison, Code Compliance Manager  
Isiah Pitts, Code Compliance Officer  
Robert Chayer, Code Compliance Officer  
Margaret Godfrey, Code Compliance Officer  
Peter Hinson, Code Compliance Officer  
Fred Eastwood, Code Compliance Officer  
Debbie Zechnowitz, Code Compliance Officer  
Sebrina Slack, Assistant County Attorney  
Samantha West, Environmental Specialist III  
Julie McCrystal, Environmental Specialist II  
Todd Hannah, Environmental Specialist II  
Kerry Leuzinger, Chief Building Official  
Ramona Jones, Code Board Clerk  
Tom Legler, Deputy Building Official  
Paul Traider, Contractor Licensing Investigator**

**\* \* \* \* \***

**APPROVAL OF MINUTES**

**9-15-21 Minutes were not ready for approval.**

**\* \* \* \* \***

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

October 20, 2021

## IX. Unfinished Business

### **CEB2020055- BRICKER EUGENE**

**Served**

Complaint No. 20200224036

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

Property Location: 1930 Sunny Palm Dr., Ormond Beach 32174

**Parcel No. 422802000020**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on February 24, 2020

\*Order of Non-Compliance issued at the June 17, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the July 15, 2020 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 29, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

### **CEB2020057-BRICKER EUGENE**

**Served**

Complaint No. 20191024038

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: 1930 Sunny Palm Dr., Ormond Beach 32174

**Parcel No. 422802000020**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on February 24, 2020

\*Order of Non-Compliance issued at the June 17, 2020 hearing:

\*Final Order Imposing Fine Lien issued at the July 15, 2020 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 29, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

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**CEB2020166 - VARGAS JUAN C & DALIA M**

**Posted**

Complaint No. 20200521033

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 2525 Vista Park Dr., Deland 32724

**Parcel No. 602501000320**

**Zoning: MH-4A**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on May 21, 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 September 23, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021044 - Clayton Benio**

**Served**

Complaint No. 20200522046

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-298.13 Sign(s) erected without proper permit(s)

Property Location: 5040 Commerce Ave, Deleon Springs 32130

**Parcel No. 694301150130**

**Zoning: R-4**

**Code Compliance Officer - Robert Chayer**

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

\*Order of Non-Compliance issued at the July 21, 2021 hearing:

\*Final Order Imposing Fine Lien issued at the August 18, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 16, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021188 - FIELDS CHARITY ANN & MARK TR**

**Posted**

Complaint No. 20201012064

October 20, 2021

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

Property Location: Harper Rd, Pierson 32180

**Parcel No. 58150000251                      Zoning: A-1, C**

**Code Compliance Officer - Isiah Pitts**

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

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 17, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021189 - FIELDS CHARITY ANN & MARK TR**

**Posted**

Complaint No. 20200609026

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: Harper Rd, Pierson 32180

**Parcel No. 58150000251                      Zoning: A-1, C**

**Code Compliance Officer - Isiah Pitts**

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

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 17, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021209 - ENY EQUITY LLC**

**Posted**

Complaint No. 20210714030

October 20, 2021

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: 2801 E New York Ave, Deland 32724

**Parcel No. 71180000081**

**Zoning: B-6C**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Mar 12, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of September 23, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2019346 - SWIFT DONALD E & BIBI**

Complaint No. 20190531022

**Served**

October 20, 2021



**Parcel No. 800304040010**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Kristy Harrell 8-25-20

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

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

Nika Hosseini, Cobb/Cole, 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 an application was submitted to combine the lots and rezone to A-3, the pre application meeting is scheduled for 10-22-21. Margaret said that the permits can't be issued until this is determined. Nika said she agrees with Margaret on the recommendation.

After discussion and based on the testimony and evidence presented, Member Needham **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 January 19, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2020175 - DOWD LINDA C**

**Served**

Complaint No. 20200415002

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

Property Location: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

October 20, 2021

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the April 21, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 14, 2021:

**Hearing to Impose Fine/Lien 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2020176 - DOWD LINDA C**

**Served**

Complaint No. 20200415001

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: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the April 21, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 14, 2021:

**Hearing to Impose Fine/Lien 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021048 - DOWD LINDA C**

**Served**

Complaint No. 20200415004

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). Shed no permits

Property Location: 1215 Avenue E, Ormond Beach 32174

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**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the April 21, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the July 21, 2021 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 said his last inspection was on 10-14-21 and the other cases have come into compliance. Robert added that they have a variance meeting scheduled but doesn't think it will go through. Robert said they are working on the issue of getting the shed moved and wants to give some more time.

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 January 19, 2022 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2021049 - DOWD LINDA C**

**Served**

Complaint No. 20200611047

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (C) Trailer improperly parked

Property Location: 1215 Avenue E, Ormond Beach 32174

**Parcel No. 422901140010**

**Zoning: MH-5**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on

\*Order of Non-Compliance issued at the April 21, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 14, 2021:

**Hearing to Impose Fine/Lien 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2020205 - GARROW NATHAN LEE**

**Served**

Complaint No. 20200414041

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 or remodel with no evidence of required permits / inspections or approvals. Interior / exterior renovation; Asphalt roof cover; Structural roof framing; Siding; Windows - (canceled permit applications # 20130925021 /

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20131219002). Plumbing; Electrical; Mechanical. May not be a complete list.

Property Location: 280 W Minnesota Ave, Orange City 32763

**Parcel No. 800302000013**

**Zoning: R-4**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Jun 15, 2020

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

\*1st Amended Order of Non-Compliance issued at the February 17, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 18, 2021 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 that on 9-2-21 the RES permit for all of the work that was done was issued and is valid until 2-28-22.

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 16, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**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**

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

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

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the April 21, 2021 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 permit he had was reopened and expired on 9-27-21. Margaret added there was one inspection scheduled on April 9, 2021 and it failed the buck and window door install and there have been no more inspection requests to date and the permit is technically expired now.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$100.00 per day commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$20,000.00 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.

**CEB2020243 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200207031

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

Property Location: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 26, 2020

\*Order of Non-Compliance issued at the March 17, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

October 20, 2021

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

Leslee Pittman, Daughter, was present via Webinar at the hearing for this case.

Margaret Godfrey, code compliance, presented the 4 cases together. Margaret went over the case details, showing photos. Margaret stated her last inspection was 10-6-21 everything but a couple of utility trailers were removed and added that the entire Fema trailer was still there, which at the September meeting they testified that half of it was gone. Margaret stated her recommendations was for an Order Imposing Fine to start in November. Chairman Lingenfelter asked Leslee if she was able to see the photos. Leslee stated the car was gone and the car trailer was being removed. Leslee added the boat and trailer have been removed. Leslee said the Fema trailer was being removed but it couldn't be done as it's flooded out there. Chairman Lingenfelter asked what her timeline was to get everything removed. Leslee said she was unsure because they are having to do this financially on their own and her brothers that are helping have to work too. Member Zahn said he is going to go with staff's recommendation and that it could be modified in November if needed.

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 \$25.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020244 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615045

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: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 26, 2020

\*Order of Non-Compliance issued at the March 17, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

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### **Hearing to Impose Fine/Lien**

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 \$25.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

### **CEB2020245 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615047

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Accessory use or structure: Any use or detached structure clearly incidental, subordinate and related to the principal use or structure and located on the same lot with such principal use or structure. Provided however, a recreational vehicle; motor vehicle; mobile home; trailer or semi-trailer; railroad car; bus, truck or automobile body, or other similar unit shall not be used as an accessory structure or converted into an accessory structure even when altered, stripped or otherwise rebuilt. Property Location: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 26, 2020

\*Order of Non-Compliance issued at the March 17, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

### **Hearing to Impose Fine/Lien**

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 \$25.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

### **CEB2020246 - PITTMAN JOSEPH E & SHARON M**

**Posted**

Complaint No. 20200615046

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: 8260 Baxter Point North, Mims 32754

**Parcel No. 133601000020**

**Zoning: A-1**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on June 26, 2020

\*Order of Non-Compliance issued at the March 17, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the April 21, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the September 15, 2021 hearing:

### **Hearing to Impose Fine/Lien**

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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 \$25.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287(B).** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**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 10-28-20

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

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

**Hearing to Impose Fine/Lien**

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Aaron Zelinkas, Owner, was present at the hearing for this case.

Robert Chayer, code compliance, presented the 3 cases together. Robert went over the case details, showing photos. Robert said on 10-1-21 he was at the property and it was unsecured. Robert added that the renovation permits expired on 10-2-21. Robert said he was able to make entry into building 1 and said it was supported by temporary walls and there were holes in the second floor ceiling and floor, concrete block is crumbling. Robert said on 10-5-21 it was posted Unsafe and on his last inspection on 10-14-21 the property was still unsecured. Aaron stated he has a GC working on the permits that have expired. Aaron added that the biggest issue they have had was getting the materials to do the job. Aaron said they have secured the building and boarded up the windows. Chairman Lingenfelter asked Aaron if his GC has been in touch with the Permit department. Aaron said yes. Chairman Lingenfelter then asked if the permit will get extended or are there outstanding issues. Kerry Leuzinger said nothing has been received about extending the permit. Kerry added that our issue is the buildings have been sitting for a couple of years now and as you can see it's starting to fall apart. Kerry stated that when Bob was out there the gate was opened and we are concerned about the safety of the community around the building, it poses a hazard. Kerry added that they need to get going on this and rebuild it the way they want or we're prepared to condemn it and be done. Chairman Lingenfelter asked Aaron what has been done since the beginning of October. Aaron stated the windows have come in, the garage doors are in and should be installed. Kerry added that when we do receive the request to extend the permits we are going to need to reevaluate the scope of work based on what's there now. Member Needham asked what needs to be done immediately. Kerry stated they need to secure the buildings so they cannot be accessed. Member Zahn explained the process of when a fine starts and added that if progress is being made he can come back and request more time.

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 \$100.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Needham **SECONDED** the motion, 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:

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

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\*4th Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

**Hearing to Impose Fine/Lien**

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 \$100.00 per day/per case commencing November 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 Needham **SECONDED** the motion, 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 permit scope

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:

\*1st Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the March 17, 2021 hearing:

\*3rd Amended Order of Non-Compliance issued at the June 16, 2021 hearing:

\*4th Amended Order of Non-Compliance issued at the July 21, 2021 hearing:

**Hearing to Impose Fine/Lien**

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 \$100.00 per day/per case commencing November 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020303 - JEFFERS ROY D**

**Served**

Complaint No. 20200901054

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: Sharp Rd, New Smyrna Beach 32168

**Parcel No. 723100001520**

**Zoning: A-1**

**Zoning Compliance Officer - Debbie Zechnowitz**

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

\*Order of Non-Compliance issued at the March 17, 2021 hearing:

\*1st Amended Order of Non-Compliance issued at the May 19, 2021 hearing:

\*2nd Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 12, 2021:

**Hearing to Impose Fine/Lien 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

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Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021039 - South Moon Road LLC**

**Posted**

Complaint No. 20200323027

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 new docks without permits and are repairing one of the larger docks

Property Location: 1675 Camp South Moon Rd, Astor 32102

**Parcel No. 581900010031**

**Zoning: A-2, B-7, RC**

**Code Compliance Officer - Robert Chayer**

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

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

**Hearing to Impose Fine/Lien**

Jordan John was present at the hearing for this case.

Robert Chayer, code compliance, and Todd Hannah, Environmental Specialist, presented the 2 cases together. Robert went over the case details, showing photos. Robert said his last inspection was on 10-4-21. Robert stated that they have met with the owner on site a couple of times and the permits are in department review and they are

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waiting on the engineer. Robert added that Jordan has been really good at communication with us. Jordan stated he was good with the recommendation and added the plans are in the building department right now. Todd added that Jordan has been really good at communicating and his recommendation is the same as Robert's.

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 January 19, 2022 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2021040 - South Moon Road LLC**

**Posted**

Complaint No. 20200325005

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: 1675 Camp South Moon Rd, Astor 32102

**Parcel No. 581900010031                      Zoning: A-2, B-7, RC**

**Environmental Specialist II - Todd Hannah**

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

\*Order of Non-Compliance issued at the August 18, 2021 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 72, ARTICLE III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the January 19, 2022 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

**CEB2021083 - BRADLEY J MIKE & GAYLE A**

**Posted**

Complaint No. 20201116037

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 Permit for SFR # 20050527140

Property Location: 1185 San Jose Ave, Lake Helen 32744

**Parcel No. 810500000400                      Zoning: A-3**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Feb 24, 2021

\*Order of Non-Compliance issued at the July 21, 2021 hearing:

**Hearing to Impose Fine/Lien**

Don Dempsey, Attorney, and Mike & Gayle Bradley were present at the hearing for this case.

Isiah Pitts, code compliance, presented the 2 cases together. Isiah went over the case details, showing photos. Isiah said his last inspection was yesterday and the violation remains the same. Chairman Lingenfelter asked if the permit has been reopened. Isiah stated we don't have a permit on file but they are working on trying to get everything done. October 20, 2021

Don stated they have vacated the premises. Don added that they have made progress since the last time they were here and have showed Mr. Pitts the progress but unfortunately haven't been able to finish. Don said that the top railings are in but can't find contractors, he also added the railing came from overseas and were damaged and had to be sent back and that took time. Don said they now have everything in place and are asking for a 90 day extension to be able to complete this. Isiah Pitts added that looking at his photos it would appear they are still living at the location. Member Zahn asked if they were living in the house and Gayle Bradley said no but they are going there to work on it. Member Zahn said that he is willing to give the 90 days and asked Isiah if he was okay with that. Isiah stated he would like to stick with the recommendation to start fines in November as this case has been going on for a few years. Mike Bradley then stated there are 2 railings left to install. Mike added that he designed the railing and has tried to get a contractor to do it, he found one and they kept stringing him along and then backed out. Mike said there are about 200 ballisters to install. Chairman Lingenfelter asked if the permit was owner/builder. Mike said yes. Mike added that he is asking for help here and would like 90 more days to get this done. Chairman Lingenfelter than asked Isiah if the railings were the only issue. Kerry Leuzinger stepped in and said yes he believes that this is the last issue and added that the electrical and plumbing permits have been approved and they are just needing to have the final building inspection. Kerry added this is a 2005 permit and we just want this finished, we have been working with them and it did appear to us they were residing in the home and that is a violation since there is not a COO. Gayle provided photos of the current state of the project that showed the railings are up. Mike added that with Covid going on it has taken time to get all the parts and added information as to some of his medical problems and said that he believes 90 days would help.

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 January 20, 2022 and to continue until compliance is achieved, but not to exceed \$41,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021127 - BRADLEY J MIKE & GAYLE A**

**Posted**

Complaint No. 20210506061

Violation of VOLUSIA COUNTY CODE OF ORDINANCES, CHAPTER 22-2, SECTIONS 111.1 occupying a dwelling without a County issued certificate of occupation

Property Location: 1185 San Jose Ave, Lake Helen 32744

**Parcel No. 81050000400**

**Zoning: A-3**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on May 15, 2021

\*Order of Non-Compliance issued at the July 21, 2021 hearing:

**Hearing to Impose Fine/Lien**

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**

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**of \$50.00 per day/per case commencing January 20, 2022 and to continue until compliance is achieved, but not to exceed \$41,500.00 per case for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 111.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021123 - HILLS LOUIS JR, SHIPMAN ERIC II & WILBERT      **Posted****

Complaint No. 20210406047

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: 524 W Beresford Ave, Deland 32720

**Parcel No. 702003000030**

**Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Apr 6, 2021

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Isiah Pitts, code compliance, presented the 3 cases together. Isiah went over the case details, showing photos. Isiah said his last inspection was on 10-19-21 and remains in violation. Isiah said on 10-21-21 some cars have been moved and the tent was moved over another vehicle.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount**

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**of \$250.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, 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.

**CEB2021124 - HILLS LOUIS JR, SHIPMAN ERIC II & WILBERT      Posted**

Complaint No. 20210406048

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: 524 W Beresford Ave, Deland 32720

**Parcel No. 702003000030                      Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Apr 6, 2021

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-277(1)(C).** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021125 - HILLS LOUIS JR, SHIPMAN ERIC II & WILBERT      Posted**

Complaint No. 20210406049

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: 524 W Beresford Ave, Deland 32720

**Parcel No. 702003000030                      Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Apr 6, 2021

\*Order of Non-Compliance issued at the August 18, 2021 hearing:

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 (E).** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021130 - BODIFORD BOBBY ETAL & CAROL**

**Served**

Complaint No. 20180417063

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). House built with no permits

Property Location: 2101 Oak Hill Ranch Rd, Oak Hill 32759

**Parcel No. 844702033010                      Zoning: FR, RC**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Dec 12, 2020

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Debbie Zechnowitz, code compliance, presented the case. Debbie went over the case details, showing photos. Debbie stated the purchasers' of the property have hired Robert Foster to represent them. Robert Foster requested some records and we provided him with the case file. Debbie said we have not heard from anyone since. Sebrina Slack added that he is not representing the owners that he is representing the people that have a lease to own contract.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount**

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**of \$50.00 per day commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,700.00 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.

**CEB2021136 - DWINAL PHILIP B**

**Served**

Complaint No. 20200923014

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). Carport without permits

Property Location: 137 Hann St, Oak Hill 32759

**Parcel No. 95060000310**

**Zoning: MH-5**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on Feb 02, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred stated his last inspection was on 10-8-21 and there is no change and no permit application has been submitted.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021137 - DWINAL PHILIP B**

**Served**

Complaint No. 20200923013

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). Carport without permits

Property Location: 128 Hann St, Oak Hill 32759

**Parcel No. 950600000390**

**Zoning: MH-5**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on Feb 02, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred stated his last inspection was on 10-15-21 and there is no change and no permit application has been submitted.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$2,500.00 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.

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**CEB2021138 - DWINAL PHILIP B**

**Served**

Complaint No. 20200923033

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). Carport without permits

Property Location: 144 South St, Oak Hill 32759

**Parcel No. 95060000230**

**Zoning: MH-5**

**Code Compliance Officer - Fred Eastwood**

Property owner was first notified of the violation on Feb 02, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Fred Eastwood, code compliance, presented the case. Fred went over the case details, showing photos. Fred stated his last inspection was on 10-15-21 and there is no change and no permit application has been submitted.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$6,800.00 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.

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**CEB2021192 – STEVEN W HAYDEN**

**Posted**

Complaint No. 20200824064

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

Property Location: 1705 Turtle Hill Rd, Enterprise 32725

**Parcel No. 910901000260                      Zoning: RREA**

**Environmental Specialist II - Julie McCrystal**

Property owner was first notified of the violation on 7-3-21

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Julie McCrystal, Environmental Specialist, presented the case. Julie went over the case details, showing photos. Julie said on 10-1-21 an application for wetland alteration permit, along with additional information requested for the shed and storage building permits were all submitted and currently under review.

After discussion and based on the testimony and evidence presented, Member Needham **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 November 17, 2022 hearing.** After Member Nadeau **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

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**CEB2021206 - ENY EQUITY LLC**

**Posted**

Complaint No. 20210304074

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Violation of B-6 zoning-Hotel motel guess renting of hotel rooms longer than 30 days

Property Location: 2801 E New York Ave, Deland 32724

**Parcel No. 71180000081**

**Zoning: B-6C**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Mar 12, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

Martin Pedata, Attorney, was present at the hearing for this case.

Isiah Pitts, code compliance, presented the 2 cases together. Isiah went over the case details, showing photos. Isiah said his last inspection was 10-6-21 and there was major improvements made. Isiah stated they are in compliance with the junk yard case. Isiah added that there were workers on the roof without a permit and a stop work order was issued. Chairman Lingenfelter asked if there are still people staying at the location longer than 30 days and Isiah said yes it is still occurring. Martin said he wanted to address the issue of the tenants staying longer than 30 days. Martin said a policy has been issued and they are not doing that anymore. He added there were 5 people that he had to file evictions on and they have been filed and the first trial will be November 2<sup>nd</sup>. Martin added one of the tenants opposed the eviction and that will be heard on October 29<sup>th</sup>. Martin added that it's up to the court to set the trials now, and that there are no other tenants other than those that they are evicting. Chairman Lingenfelter than asked about the fence case and if a permit has been applied for. Isiah said there has not been a permit for the fence. Martin said he brought the contractor and architect with him to answer this

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question. The contractor said he applied for a permit on July 21<sup>st</sup> but it wasn't accepted because they needed a survey that was 5 years old. The contractor said they have been trying to track down the company that did the original survey but they went out of business and added they have reached out to other companies but there is a wait of a couple of months. Martin added that the pool is blocked off and no one can access it. The contractor added that the permit would be for an after the fact permit as the fence is already up. Chairman Lingenfelter stated that it seems that they are going in the right direction. Member Zahn then made 2 motions for each case.

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 \$250.00 per day/per case commencing December 16, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021208 - ENY EQUITY LLC**

**Posted**

Complaint No. 20210128008

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 2801 E New York Ave, Deland 32724

**Parcel No. 71180000081**

**Zoning: B-6C**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Mar 12, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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 \$250.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b).** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021210 - ENY EQUITY LLC**

**Posted**

Complaint No. 20210714032

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

Property Location: 2801 E New York Ave, Deland 32724

**Parcel No. 71180000081**

**Zoning: B-6C**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on Mar 12, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 11, 2021:

**Hearing to Impose Fine/Lien Order of Compliance**

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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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**CEB2021223 - LARIVIERE WILLIAM G & LENNY H**

**Sheriff Served**

Complaint No. 20210624013

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). Carport, 3 sheds, enclosed porch

Property Location: 1859 7th Ave, Deland 32724

**Parcel No. 700101380070**

**Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jul 24, 2021

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

Josh Hemmerlein, complainant, 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 his last inspection was on 10-4-21 and no permits or applications have been submitted and the pool permit remains expired. Chairman Lingenfelter asked if the owner is still not letting him back on the property and Robert said no.

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$5,600.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.**

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

**CEB2021224 - LARIVIERE WILLIAM G & LENNY H**

**Sheriff Served**

Complaint No. 20210624017

October 20, 2021

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 pool permit

Property Location: 1859 7th Ave, Deland 32724

**Parcel No. 700101380070                      Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jul 24, 2010

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$5,600.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1.**

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

**CEB2021225 - LARIVIERE WILLIAM G & LENNY H**

**Sheriff Served**

Complaint No. 20210811029

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 1859 7th Ave, Deland 32724

**Parcel No. 700101380070                      Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on 8-16-21

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

After discussion and based on the testimony and evidence presented, Member Nadeau **MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$50.00 per day/per case commencing November 18, 2021 and to continue until compliance is achieved, but not to exceed \$5,600.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b).**

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

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**CEB2021256 - ELISABETH & COLIN KNIGHTS**

**Served**

Complaint No. 20210611001

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

Property Location: 375 E Country Circle Dr., Port Orange 32128

**Parcel No. 720102001070**

**Zoning: A-2, RC, RR**

**Environmental Specialist II - Todd Hannah**

Property owner was first notified of the violation on 8-30-21

\*Order of Non-Compliance issued at the September 15, 2021 hearing:

**Hearing to Impose Fine/Lien**

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

Todd Hannah, Environmental Specialist, presented the case. Todd went over the case details, showing photos. Todd said he spoke with the owners on 9-21-21 and was told they are waiting on a survey and Todd explained that he needed to install erosion control to prevent further impact and on 10-10-21 it was installed. Todd stated the owner did show a receipt that the survey was paid for.

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 III, DIVISION 11 SECTION 72-884, with a Hearing to Impose Fine set for the December 15, 2022 hearing.** After Member Needham **SECONDED** the motion, and it **CARRIED** unanimously by voice vote.

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## X. Hearings and Presentation of Filed Notices of Violations

### **CEB2021277 - G H USMAN CONSTRUCTION**

**Served**

Complaint No. 20210701029

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924

Property Location: 565 S Atlantic Ave, Ormond Beach 32176

**Parcel No. 422305080040                      Zoning: 999**

**Sea Turtle Lighting Specialist - Nicole Weiss**

Property owner was first notified of the violation on July 13, 2021

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

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. Nicole stated this is for the Corvette Inn in Ormond and the hotel is located right on the beach. Nicole said there a dome lights on the exterior south hallways that were visible from the beach on 5-4-21 and they were also seen on 6-29-21, 8-17-21 and 9-15-21. Nicole said she spoke briefly with a women at the front desk on 5-14-21. Nicole said that she has had no further contact and referred the case to CEB on 9-13-21. Nicole said on 9-27-21 a Brant O'Quinn called and asked about options for the lights and spoke with Ryan Chabot. Nicole said she did inspections on 10-11-21 and 10-19-21 and the lights were off. Nicole said that since they have had the same violations noted in 2021, 2015, 2019 and 2021 and they have always complied by turning the lights off but we are looking for long term solutions and past interactions have not been productive. Nicole said there has not been disorientations on the property, but with it being an ongoing situation she is recommending an Order of Non Compliance with a one-time fine of \$500.00.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance and Order Imposing Fine/Lien with a one-time fine of \$500.00 for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924.** After Member Needham

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

**CEB2021294 – SAI GROUP OF ORMOND BEACH INC.**

**Served**

**\*\*\*REPEAT VIOLATION\*\*\***

Complaint No. 20210920081

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924

Property Location: 1716 Ocean Shore Blvd, Ormond Beach 32176

**Parcel No. 324109020020          Zoning: B-4**

**Sea Turtle Lighting Specialist - Nicole Weiss**

Property owner was first notified of the violation on

Amita Bharucha, Manager, was present at the hearing for this case.

Nicole Weiss, Sea Turtle Lighting Specialist, presented the case. Nicole went over the case details, showing photos. Nicole stated this property has been brought before the Code Board twice, once in 2010 and most recently in 2017. Nicole said there was a sea turtle disorientation on 9-13-21 which prompted them to go check and another check was done on the 21<sup>st</sup>. Nicole added that one flood light on the north side of the building was visible from the beach on the 13<sup>th</sup> and again on the 21<sup>st</sup>, she stated on the 21<sup>st</sup> there was an amber security light that was visible as well. Nicole said that they have the same issue with the front of the store as well and that there are 2 white floodlights on either corner facing the beach that were visible as well as 2 landscaping lights that are on either side of the road that were visible from the beach. Nicole then went through the timeline and said that due to this being a repeat violation they set it up for Code Board and the property was posted on 9-27-21. Nicole added that Amita called on October 1<sup>st</sup> and 4<sup>th</sup> to discuss changes that were made and to request an inspection. Nicole said on 10-19-21 there was an inspection and all the flood lights and amber lights had been shielded per staff recommendation. Nicole added that the neon signs were off and that the landscape lights for the roadside sign were visible from the western side of the dune. Nicole also stated that they plan to work with them next Turtle season to make sure they are fully compliant. Nicole then added her recommendation for an Order of Non Compliance with a 1 time fine of \$1000.00 due to the irreparable harm that was caused by the disorientation and the repetitive violation. Chairman Lingenfelter asked how long SAI group was the owner of the property. Nicole stated since 2010. Chairman Lingenfelter than asked what the

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result of the disorientation was. Nicole said approximately 50 hatchlings traveled south on the beach and some of them made it to the water but not all. Amita said the light issue should be solved now. Chairman Lingenfelter asked how long she has been the manager and Amita said since last year.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance and Order Imposing Fine/Lien with a one-time fine of \$1,000.00 for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE III DIVISION 12 SECTION 72-924.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020253 - ALEXANDROV GENOVEVA**

**Served**

Complaint No. 20200422031

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: 3612 Ocean Shore Blvd, Ormond Beach 32176

**Parcel No. 321601000930**

**Zoning: R-4, RC**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Aug 14, 2020

Genoveva Alexandrov was present via Webinar 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 these cases involve some unlicensed contracting. Robert said that his last inspection was on 10-6-21. Robert showed photos of the stucco work that was done to the second floor and a photo of the fence. Robert stated the siding permit was cancelled on 1-23-21, the fence permit expired on 11-28-2017 and the mechanical permit expired on 2-9-2019. Robert said the fence permit failed the final inspection and the notes in the system mentioned something about the height. Robert stated that the owner lives in Canada and has had some family issues. Paul Traider added that a complaint was made with construction work going on at this property with no permits. Paul said he went to the property on a Friday afternoon and there was work that was done, he spoke with Genoveva about the siding that was removed at that time. Paul posted a stop work order. Paul stated he went back to the property the following Monday and the entire stucco was complete as you see in the photos and added it was more than likely an unlicensed contractor. Paul added that Genoveva wasn't ready to give him information to find this contractor, so he was unable to make contact. Paul added that he and Tom Legler had an inspection at the property and there are some code issues. Chairman Lingenfelter asked Paul if it was his opinion that the stucco work was going to have to be redone. Paul said it would have to be redone and added at the time we asked that she get an engineer to sign off on the underlayment and perhaps she could have gotten an engineer to certify that the underlayment she used with the system she used may have been acceptable but didn't believe she has enlisted an engineer to verify that.

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Genoveva said she wanted to start with the fence. She said she got the permit in August 2016 and went to a building in Daytona on Beach Street and met with a lady that was there once a week. Genoveva said she had this permit and was given a year to finish it, when it was finished she went back to the lady to have the inspection. Genoveva was not home during the inspection and can't remember the details but she thought everything was finished. Genoveva said that when they were doing the fence they decided not to put the fence on the street side and wonders if that is why she is having this problem. Chairman Lingenfelter said the fence failed the final because of a height issue. Genoveva said she told the lady that when she sits on the porch she wanted to see the ocean, and was calculating if she wanted 3.5 foot or 4 foot fence. She added that some of the fence is 3.5 foot, some is 4 foot and some 5 foot. Chairman Lingenfelter said that the screen shows the inspection failed because the fence had 3, 6 foot sections that met the setback but would need to be corrected on the site plan. Genoveva said she has no idea what he is talking about. Chairman Lingenfelter asked about the HVAC final inspection and added it needs to be done before the permit expires. Genoveva said ok let's do it, and added that she prefers to be here in person when inspections occur. Genoveva spoke about the family issues and the Canadian border being closed and said she is now planning to be here this winter and will get everything taken care of. Chairman Lingenfelter asked about the stucco work. Genoveva said that she was in complete shock that this was not done properly. Genoveva recalled when she met with Paul and said that the workers for the stucco came on the Saturday and she told them about what Paul had said and was told not to worry and added she paid them in cash like a complete idiot. Genoveva said she is aware this job had to be redone. Genoveva said she does not want any more problems and she wants to be in compliance. Robert added that he is willing to give time to February 2022 to get things taken care of.

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 February 10, 2022 and a Hearing to Impose Fine is set for the February 16,2022 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2020254 - ALEXANDROV GENOVEVA**

**Served**

Complaint No. 20200512026

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: 3612 Ocean Shore Blvd, Ormond Beach 32176

**Parcel No. 321601000930**

**Zoning: R-4, RC**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Aug 14, 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 22-2, SECTIONS 105.1 AND 110.1 With a compliance date**

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**of February 10, 2022 and a Hearing to Impose Fine is set for the February 16,2022 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021199 - STARKE MICHAELA**

**Served**

Complaint No. 20210503043

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: 1st St, Osteen 32764

**Parcel No. 921804010050**

**Zoning: OTR-1**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on May 10, 2021

Michaela Starke was present via Webinar at the hearing for this case.

Isiah Pitts, code compliance, presented the 2 cases together. Isiah went over the case details, showing photos. Isiah said the property was first observed on January 14, 2021 and he posted a notice of violation on 5-6-21 and then posted the notice of hearing on 7-12-21. Isiah stated his last inspection was on 10-19-21 and has made improvements but was still in violation. Isiah showed photos of the RV and vehicles on the property and said as of 10-19-21 there was 1 vehicle under a tarp still on the property. Chairman Lingenfelter asked if case ending in 200 was in compliance or what was the accessory building or structure in reference too. Isiah stated the vehicles and RV being on the property without a primary structure. Isiah stated it is in compliance now. Chris Hutchison then said it was in violation per the notice of violation and the case could still be considered. Mrs. Starke said that she came back in September to remove the trailer and she is working on getting rid of the last vehicle that's on the property. Chairman Lingenfelter asked when she would be in compliance. Mrs. Starke said yes by November she would be.

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 118-TRAFFIC & VEHICLES ARTICLE II ABANDONED VEHICLES, SEC. 118.34 With a compliance date of November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021200 - STARKE MICHAELA**

**Served**

Complaint No. 20210503044

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

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Property Location: 1st St, Osteen 32764

**Parcel No. 921804010050**

**Zoning: OTR-1**

**Code Compliance Officer - Isiah Pitts**

Property owner was first notified of the violation on May 10, 2021

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 8 SECTION 72-277(1)(C) With a compliance date of November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021230 - LONG DOUGLAS M**

**Sheriff Served**

Complaint No. 20210420049

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-287 Living in RV or RV connected to water, sewer or electric lines, where not permitted

Property Location: 1445 Ormand's Jungle Den Rd, Astor 32102

**Parcel No. 582000000084**

**Zoning: A-2**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 24, 2021

William Guy, Complainant, was present at the hearing for this case.

Robert Chayer, code compliance, presented the 5 cases together. Robert went over the case details, showing photos. Robert stated the property is completely surrounded by a dirt berm that 10-12 feet tall. Robert said the Sheriff's Office had a search warrant for the property due to a drug raid and that's how we were able to get on the property because we tagged along with them. Robert stated that the only thing there is a permit for is the power panel on the property. Robert said on 10-18-21 they went to do an inspection and were not able to get on the property and noticed new signs posted saying no trespassing. Member Zahn asked is this stuff still going on at the property. Robert said it's hard to tell with the berms. Todd Hannah said there was wetlands on the property at one point in time and showed photos that show not much is left. Todd stated he has had no contact with the owner and his recommendation is the same as Roberts.

William Guy spoke and discussed a list of concerns him and other neighbors have. William said the police have been to this property numerous times and said we don't feel safe out here. Chairman Lingenfelter asked how long the berm has been there. William stated for a while and that he is using what is being cleared to build them even higher. Member Zahn then gave his motion.

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 8 SECTION 72-287 With a compliance date of November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021231 - LONG DOUGLAS M**

**Sheriff Served**

Complaint No. 20210420050

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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: 1445 Ormand's Jungle Den Rd, Astor 32102

**Parcel No. 582000000084                      Zoning: A-2**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 24, 2021

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 8 SECTION 72-277(1)(C) With a compliance date of November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021232 - LONG DOUGLAS M**

**Sheriff Served**

Complaint No. 20210420052

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 permits

Property Location: 1445 Ormand's Jungle Den Rd, Astor 32102

**Parcel No. 582000000084                      Zoning: A-2**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 24, 2021

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 November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021233 - LONG DOUGLAS M**

**Sheriff Served**

Complaint No. 20210525044

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: 1445 Ormand'S Jungle Den Rd, Astor 32102

**Parcel No. 582000000084                      Zoning: A-2**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 24, 2021

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 November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021238 - LONG DOUGLAS M**

**Sheriff Served**

Complaint No. 20210707012

October 20, 2021

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

Property Location: 1445 Ormand'S Jungle Den Rd, Astor 32102

**Parcel No. 58200000084                      Zoning: A-2**

**Environmental Specialist II - Todd Hannah**

Property owner was first notified of the violation on Apr 24, 2021

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 November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021237 - MCMILLION CHARLES**

**Served**

Complaint No. 20180829036

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). Detached metal open side carport, with no evidence of required permits or inspection approvals

Property Location: 3751 General Marshall Rd, Daytona Beach 32124

**Parcel No. 620601140070                      Zoning: R-4(5) A**

**Zoning Compliance Officer - Debbie Zechnowitz**

Property owner was first notified of the violation on Sep 04, 2018

There was no one 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 had been an application for a permit submitted in November 2018, however the structure exceeds the maximum size allowed. The options are to remove it or to apply for a variance. Debbie added that she has had no contact with the owner. Debbie stated she received a voice mail this morning from Curtis McMillion, the son of the owner, and was letting her know that Charles was admitted to long term care. Debbie said she will be contacting the son after the meeting.

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 December 12, 2021 and a Hearing to Impose Fine is set for the December 15, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED**

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unanimously by voice vote.

**CEB2021240 - BRAMBILA JORGE & BRENDA**

**Served**

Complaint No. 20200923039

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: 1723 2nd Ave, Deland 32724

**Parcel No. 700101140190**

**Zoning: R-4A**

**Environmental Specialist II - Todd Hannah**

Property owner was first notified of the violation on Jun 12, 2021

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

Todd Hannah, Environmental Specialist, presented the case. Todd went over the case details, showing photos. Todd said there was a permit they applied for and was cancelled due to lack of activity. Todd stated that he has had no contact with the owner.

After discussion and based on the testimony and evidence presented, Member Needham **MOVED to issue an Order of Non-Compliance for violation of Volusia County Code of Ordinances CHAPTER 72, ARTICLE III, DIVISION 10 SECTION 72-834(2) With a compliance date of November 10, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Zahn **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021252 - WILDER BRANDON M**

**Served**

Complaint No. 20201116028

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 9 SECTION 72-341(b) Fence erected, moved, or altered without a permit

Property Location: 1155 10th St, Orange City 32763

**Parcel No. 800401100120                      Zoning: R-4**

**Code Compliance Officer - Isiah Pitts**

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

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

Isiah Pitts, code compliance, presented the case. Isiah went over the case details, showing photos. Isiah said the property was first observed on 11-16-20 there was a fence permit in on 12-2-20 and it expired on 7-5-21. Isiah said on 7-13-21 he posted the notice of violation and on 9-21-21 he posted the notice of hearing. Isiah's last inspection was on 10-6-21 and the violation remains unchanged.

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 9 SECTION 72-341(b) With a compliance date of November 12, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021253 - KISCADEN MATTHEW R**

**Posted**

Complaint No. 20210524051

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: 2755 Cypress Rd, Deland 32724

**Parcel No. 700102300250                      Zoning: R-4A**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Jun 24, 2021

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 this case is for a structure fire. He posted the notice of violation on 6-24-21 and on 10-7-21 he posted the notice of hearing. Robert stated his last inspection was on 10-7-21 and the violation remains. Robert said he has had no contact with the owner. Robert said his recommendation is for an order of non-compliance and dismiss and refer to CLCA.

After discussion and based on the testimony and evidence presented, Member Zahn **MOVED to issue an Order of Non-Compliance and Order of Dismissal, referring to CLCA, for violation of Volusia County Code of Ordinances CHAPTER 58, ARTICLE I SECTION 58-3 MAINTENANCE ORDINANCE.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

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**CEB2021257 - LANE KENNETH D & KENNETH D SR.**

**Posted**

Complaint No. 20210129025

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

Property Location: 1326 N Ridgewood Ave, Deland 32720

**Parcel No. 790100000030**

**Zoning: A-3**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 27, 2021

Kenneth D Lane Sr. was 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 Notice of violations were hand delivered to the owner. Robert said his last inspection was on 10-7-21 and also when he posted the notice of hearing. Robert then showed photos of all the fire extinguishers that are all over the property and lot maintenance issues. Member Needham asked what is the expectation that we might be able to resolve this by November 5<sup>th</sup>. Robert stated there's no true expectation of that and added when we sat down the first time, we talked about 90 days to start working on it and getting some things done. Robert added when we went out to look at it didn't appear that much of that had taken place yet. As far as moving some of that stuff, it's going to be a monumental task. Mr. Lane said he has been working on this every day. Member Needham asked how you dispose of things like that and are they hazardous. Mr. Lane said they are emptied and taken to the scrap yard. Robert said we have contacted environmental and DEP and DEP considers them recyclable metal and they need to find out if some of these have actual chemical in them. Member Needham asked if he could find an organization that can come and take those away. Mr. Lane said he hasn't find anyone yet. Member Zahn then made his motion.

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 November 5, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.** After Member Nadeau **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

**CEB2021258 - LANE KENNETH D & KENNETH D SR.**

**Posted**

Complaint No. 20210129029

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: 1326 N Ridgewood Ave, Deland 32720

**Parcel No. 790100000030**

**Zoning: A-3**

**Code Compliance Officer - Robert Chayer**

Property owner was first notified of the violation on Apr 27, 2021

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**  
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**Ordinances Chapter 58, Health & Sanitation SEC. 58-36: With a compliance date of November 5, 2021 and a Hearing to Impose Fine is set for the November 17, 2021 hearing.**

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

**XI. Requests for Discussion of Accumulated Fines**

**CEB2017352 - CRABTREE RANDY HOWARD**

**Served**

Complaint No. 20171016008

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. (Several abandoned vehicles along with a dilapidated lean-to and an RV

Property Location: 303 N Janice Ln, Ormond Beach 32174

**Parcel No. 41240400010**

**Zoning: MH-4A**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 20, 2017

\*Order of Non-Compliance issued at the January 17, 2018 hearing:

\*1st Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

\*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:

\*4th Amended Order of Non-Compliance issued at the October 3, 2018 hearing:

\*5th Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

\*6th Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

\*7th Amended Order of Non-Compliance issued at the September 18, 2019 hearing:

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 13, 2020:

\*Order of Compliance issued at the September 15, 2021 hearing:

**Request for Discussion of Fine/Lien of \$3,500.00**

Randy Crabtree 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 these cases have had several amended orders issued due to permitting. Margaret said the RES permit was issued for a mobile home replacement and it expired 9-15-19 without any inspection requests. Margaret added on 12-6-19 an extension request was granted for the permit before the fines started. Margaret stated if she had known that she would have requested the fines date be pushed out. Margaret said we have had little communication, and added that the certificate was issued 4-13-20. Member Zahn asked if there was a problem with reducing it to zero and added he remembers the cases. Margaret said no.

After discussion and based on the testimony and evidence presented, Member Zahn **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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

October 20, 2021

**CEB2017354 - CRABTREE RANDY HOWARD**

**Served**

Complaint No. 20171016007

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). (Double wide mobile home without permits

Property Location: 303 N Janice Ln, Ormond Beach 32174

**Parcel No. 412404000010**

**Zoning: MH-4A**

**Code Compliance Coordinator - Margaret Godfrey**

Property owner was first notified of the violation on Oct 20, 2017

\*Order of Non-Compliance issued at the January 17, 2018 hearing:

\*1st Amended Order of Non-Compliance issued at the March 21, 2018 hearing:

\*2nd Amended Order of Non-Compliance issued at the May 16, 2018 hearing:

\*3rd Amended Order of Non-Compliance issued at the August 15, 2018 hearing:

\*4th Amended Order of Non-Compliance issued at the October 3, 2018 hearing:

\*5th Amended Order of Non-Compliance issued at the December 19, 2018 hearing:

\*6th Amended Order of Non-Compliance issued at the June 19, 2019 hearing:

\*7th Amended Order of Non-Compliance issued at the September 18, 2019 hearing:

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

\*A Report and Affidavit of Compliance was submitted with a compliance date of April 13, 2020:

\*Order of Compliance issued at the September 15, 2021 hearing:

**Request for Discussion of Fine/Lien of \$3,500.00**

After discussion and based on the testimony and evidence presented, Member Zahn **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 22-2, SECTIONS 105.1 AND 110.1.** After Member Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote.

October 20, 2021

**CASES FROM THE ADDENDUM**

**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:

\*Final Order Imposing Fine Lien issued at the January 20, 2021 hearing:

\*1st Amended Order Imposing Fine Lien issued at the February 17, 2021 hearing:

\*A Report and Affidavit of Compliance was submitted with a compliance date of October 8, 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 Needham **SECONDED** the motion, it **CARRIED** unanimously by voice vote by the rest of the Board Members.

**XII. New Business**

**A. Tally Sheets (Quarterly)**

**B. As Entertained by Chairman – There was discussion about Harry Wild being reelected to the board and Vikki Leonard will have her last meeting November 17, 2021**

**C. As Entertained by Board Attorney**

**D. As Entertained by Staff Attorney**

**E. As Entertained By Staff**

**XIII. Adjournment**

There being no further business to discuss before the Board, the meeting adjourned at 12:25 pm.

Respectfully submitted,

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**Ramona Jones**  
**Code Enforcement Board Clerk**  
October 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 October 20, 2021, at 123 West Indiana Avenue, Deland, Florida.**

**WITNESS MY HAND this 25th day of October, 2021, in the City of DeLand, County of Volusia, State of Florida.**

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**Ramona Jones  
Code Board Clerk**

October 20, 2021