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VOLUSIA COUNTY CODE ENFORCEMENT BOARD MINUTES



November 16, 2022

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

MEMBERS PRESENT

**Chad Lingenfelter, Chair
Andrew Hall, Vice-Chair
Donald Needham
Pete Zahn
Clement Nadeau
Clay Meek, Board Attorney**

MEMBERS ABSENT

STAFF PRESENT

**Kerry Leuzinger, Chief Building Official
Chris Hutchison, Code Compliance Manager
Robert Chayer, Code Compliance Officer
Margaret Godfrey, Code Compliance Officer
Peter Hinson, Code Compliance Officer
Debbie Zechnowitz, Code Compliance Officer
Sebrina Slack, Assistant County Attorney
Julie McCrystal, Environmental Specialist II
Todd Hannah, Environmental Specialist II
Danielle Gadzala, Environmental Specialist II
Tom Legler, Deputy Building Official
Paul Traider, Contractor Licensing Investigator
Nicole Weiss, Sea Turtle Lighting Specialist
Ryan Chabot, Sea Turtle Lighting**

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APPROVAL OF MINUTES

Minutes from the October 19, 2022 meeting were not available for approval.

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

Audio from this meeting can be found at <https://www.volusia.org/services/growth-and-resource-management/code-enforcement/code-enforcement-board.stml>

November 16, 2022

IX. Unfinished Business

CONFIDENTIAL DATA F.S. 119.07

Property Location: 6562 Turtle mound Rd, New Smyrna Beach 32169

Parcel No. 850501470310 Zoning: R-9W

1: CEB2022177

Complaint No. 20200812063

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241 Hotel/Motel where not permitted and use of
premises where not permitted.

Code Compliance Officer - Debbie Zechnowitz

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

*Order of Non-Compliance issued at the October 19, 2022 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of November 2, 2022:

Order of Compliance

ABC DEMOLITION INC

Property Location: Lakeview Dr, Deland 32720

Parcel No. 791304000165 Zoning: I-1

1: CEB2019208

Complaint No. 20190514005

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241 unpermitted use of vacant lot

Code Compliance Coordinator - Margaret Godfrey

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

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

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

*2nd Amended Order of Non-Compliance issued at the November 20, 2019 hearing:

*3rd Amended Order of Non-Compliance issued at the June 17, 2020 hearing:

*4th Amended Order of Non-Compliance issued at the October 21, 2020 hearing:

*5th Amended Order of Non-Compliance issued at the May 19, 2021 hearing:

*6th Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

*7th Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

Hearing to Impose Fine/Lien

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

Sabrina Slack stated property is still in bankruptcy.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue a 8th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the May 17, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

FRANK D JESKE ETAL

Property Location: 3216 S Peninsula Dr, Daytona Beach 32118

Parcel No. 533501100230 Zoning: R-3

1: CEB2020237 Served

Complaint No. 20200821017

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

Environmental Specialist III – Todd Hannah

Property owner was first notified of the violation on 10-5-20

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

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

*2nd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

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

*4th Amended Order of Non-Compliance issued at the December 15, 2021 hearing:

*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*6th Amended Order of Non-Compliance issued at the August 17, 2022 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 stated a dock was built over another dock without permits. His permits are extended. He is almost done but because of storms he is set back. Permit expires in April 2023.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 7th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884 with a Hearing to Impose Fine is set for the April 19, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

2: **CEB2020239** Served

Complaint No. 20200626026

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

Code Compliance Officer - Debbie Zechnowitz

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

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

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

*2nd Amended Order of Non-Compliance issued at the January 20, 2021 hearing:

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

*4th Amended Order of Non-Compliance issued at the December 15, 2021 hearing:

*5th Amended Order of Non-Compliance issued at the March 16, 2022 hearing:

*6th Amended Order of Non-Compliance issued at the August 17, 2022 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 stated a dock was built over another dock without permits. His permits are extended. He is almost done but because of storms he is set back. Permit expires in April 2023.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 7th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1 with a Hearing to Impose Fine is set for the April 19, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

RYAN BONGARD

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

Parcel No. 820101060370 Zoning: RA

1: CEB2020299

Complaint No. 20200830001

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

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on

*Order of Non-Compliance issued at the January 20, 2021 hearing:

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

*2nd Amended Order of Non-Compliance issued at the May 19, 2021 hearing:

*3rd Amended Order of Non-Compliance issued at the August 18, 2021 hearing:

*4th Amended Order of Non-Compliance issued at the November 17, 2021 hearing:

*5th Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*6th Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

*7th Amended Order of Non-Compliance issued at the August 17, 2022 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 stated she tried to contact resident several times with no contact. She checked FDEP for any update and there was not one to be given. She heard from the consultant who stated resident wanted to do full restoration. The consultant with get back with Julie as soon as the have an amount for the restoration.

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 with no cap to commence February 16, 2023 and to continue until compliance is achieved, for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

South Moon Road LLC

Property Location: 1675 Camp South Moon Rd, Astor 32102

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

1: CEB2021039

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 docks without permits and repairing one of the larger docks.

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:

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

*2nd Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*3rd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

Hearing to Impose Fine/Lien

Jordan John was present at the hearing for this case.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. Robert stated he has the same recommendation as stated by Todd Hannah.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 4th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the March 15, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

2: **CEB2021040**

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.

Environmental Specialist III – Todd Hannah

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

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

*2nd Amended Order of Non-Compliance issued at the January 19, 2022 hearing:

*3rd Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

Hearing to Impose Fine/Lien

Jordan John was present at the hearing for this case.

Todd Hannah, Environmental Specialist III, presented the case. Todd went over the case details, showing photos. Todd stated dock repairs without permits. Todd went last week to inspect before hurricane Ian and Mr John has a lot of the work done but the dock is under several feet of water. His permits are good until March 1, 2023.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 4th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the March 15, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

COURTNEY & JILL WHITTAKER

Property Location: 1140 Lake Harney Woods Blvd, Mims 32754

Parcel No. 031601000180 Zoning: FR,RC

1: CEB2021306

Complaint No. 20210929077

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.

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Julie McCrystal, Environmental Specialist. Julie presented the 4 cases with details, showing photos. Julie stated she is requesting the February date in hopes that some of the water on the property will recede by then and allow further talks with resident.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

2: CEB2021307

Complaint No. 20210929076

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, wrap around patio/porch, pole barn, awning over pool deck, electrical and may not be a complete list

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Julie McCrystal, Environmental Specialist. Julie presented the 4 cases with details, showing photos. Julie stated she is requesting the February date in hopes that some of the water on the property will recede by then and allow further talks with resident.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

3: **CEB2021309**

Complaint No. 20211007050

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

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Julie McCrystal, Environmental Specialist. Julie presented the 4 cases with details, showing photos. Julie stated she is requesting the February date in hopes that some of the water on the property will recede by then and allow further talks with resident.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

4: **CEB2021311**

Complaint No. 20210927035

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.

Environmental Specialist II - Julie McCrystal

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Julie McCrystal, Environmental Specialist. Julie presented the 4 cases with details, showing photos. Julie stated she is requesting the February date in hopes that some of the water on the property will recede by then and allow further talks with resident.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72, ARTICLE III, DIVISION 11 SECTION 72-884. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

JILL WHITTAKER

Property Location: 1120 Lake Harney Woods Blvd, Mims 32754

Parcel No. 031601000190 Zoning: FR,RC

1: CEB2021308 Sheriff Served

Complaint No. 20210929082

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.

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Chris Hutchison, Code Compliance Manager stated this will be the same request as the previous cases.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

2: CEB2021310 Sheriff Served

Complaint No. 20210929080

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 owners re-conditioning the outside of the MH without permits (siding, windows, enclosing the porch, may not be a complete list).

Code Compliance Manager - Chris Hutchison

Property owner was first notified of the violation on September 30, 2021

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

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

Chris Hutchison, Code Compliance Manager stated this will be the same request as the previous cases.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

GABRIELLE A DIANA

Property Location: 1215 N Boston Ave, Deland 32724

Parcel No. 700301000120 Zoning: R-3A

1: CEB2022039 Posted

Complaint No. 20220207064

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. Residential renovation. Windows. Ext door(s), Ext wall infill, Siding. Interior renovation. Building, mechanical, electrical, plumbing - Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on

*Order of Non-Compliance issued at the March 16, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the May 18, 2022 hearing:

*2nd Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

Mr. Oak was present at the hearing for this case.

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. Robert stated permit is in the review process and expires April 30, 2023. Ms. Diana has a contractor and doing what she can to fix things. Clay Meek, Board Attorney stated he was handed an affidavit that is not current and was specifically discussed the last time this case was before the board, that the board would need an updated one in order for him to speak on behalf of the person not present.

Mr. Meek's suggestion to the board would be if unless there is someone other than Mr. Oak present that the board operate on the recommendation of staff.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 3rd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the May 17, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

DEBORAH CARLING

Property Location: 225 W Fern Dr, Orange City 32763

Parcel No. 801508000420 Zoning: R-4

1: CEB2022050 Posted

Complaint No. 20220301003

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). Multiple structures without permits.

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on March 04, 2022

*Order of Non-Compliance issued at the May 18, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the June 15, 2022 hearing:

Hearing to Impose Fine/Lien

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 stated there are no permits on file. Isiah made contact with resident on June 14, 2022 and verified all work done without permits on the property.

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 December 22, 2022 and to continue until compliance is achieved, but not to exceed \$18,000.00 for violation of VOLUSIA COUNTY CODE OF ORDINANCES CHAPTER 22-2, SECTIONS 105.1 AND 110.1. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

RICHARD & DEBORAH KIESER & ROSEMARY BUSBEE EST
Property Location: 1206 San Jose Blvd, Daytona Beach 32117
Parcel No. 424219230230 Zoning: R-5

1: CEB2022061 Served

Complaint No. 20190812004

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. New window(s); Concrete slab / footings; Exterior siding; Plumbing / rework / fixtures; Electrical / service / re-work / devices; Mechanical equipment / ductwork; Roofing / soffit / fascia; Interior renovation. Access to interior will be required to determine extent of renovation. May not be a complete list.

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on March 15, 2022

*Order of Non-Compliance issued at the June 15, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

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

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. Peter stated inspections have been scheduled and progress is moving along.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a compliance date of March 10, 2023 and a Hearing to Impose Fine is set for the March 15, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

2: **CEB2022062** **Served**

Complaint No. 20210430064

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). RES Permit, Reference #20190814026, remains expired.

Code Compliance Officer - Peter Hinson

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

*Order of Non-Compliance issued at the June 15, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

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

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. Peter stated inspections have been scheduled and progress is moving along.

After discussion and based on the testimony and evidence presented, Member Nadeau MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a compliance date of March 10, 2023 and a Hearing to Impose Fine is set for the March 15, 2023, hearing. After Member Hall SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

SUNROCK CAPITAL LLC

Property Location: 1431 General Custer Ave, Daytona Beach 32124

Parcel No. 620601210420 Zoning: R-4(5)A

1: CEB2022069 Posted

Complaint No. 20210707001

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. Residential renovation. Windows, doors, structural, interior / exterior renovations. Building, Mechanical, Electrical, Plumbing - Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on July 09, 2021

*Order of Non-Compliance issued at the May 18, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

Francisco Tericasio (General Contractor and Engineer) present at the hearing for this case.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there is an application for a permit in the review process, it is good until February 12, 2023. Mr Tericasio stated that the things that are missing are the contractor forms and a drainage affidavit. He said if he submits those today the permit should be approved.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

2: **CEB2022070** **Posted**

Complaint No. 20211110038

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 8 SECTION 72-280 Two principal structures on one lot

Code Compliance Officer - Debbie Zechnowitz

Property owner was first notified of the violation on March 28, 2022

*Order of Non-Compliance issued at the May 18, 2022 hearing:

*1st Amended Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

Francisco Tericasio (General Contractor and Engineer) present at the hearing for this case.

Margaret Godfrey, Code Compliance, presented the case. Margaret went over the case details, showing photos. Margaret stated there is an application for a permit in the review process, it is good until February 12, 2023. Mr Tericasio stated that the things that are missing are the contractor forms and a drainage affidavit. He said if he submits those today the permit should be approved. The variance application is processing and he paid the fees associated with the case.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 2nd Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

WILLIAM F BOHLEN

Property Location: 1845 2nd Ave, Deland 32724

Parcel No. 700101130130 Zoning: R-4A

1: CEB2022157 Served

Complaint No. 20220425018

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. Residential renovation. Siding, stucco / lath, interior renovation. Plumbing, electrical. Building, Electrical, Plumbing - Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 26, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

Hearing to Impose Fine/Lien

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

Robert Chayer, Code Compliance, presented the case. Robert went over the case details, showing photos. Robert stated the door & window permit expired in October, mechanical roof permit is in issue status.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order Imposing Fine/Lien with an assessed fine in the amount of \$250.00 per day, with no cap, commencing December 22, 2022 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 Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

ALBERT HUNT

Property Location: 547 Spring Hill Ct, Osteen 32764

Parcel No. 930701110230 Zoning: A-1

1: CEB2022169 Served

Complaint No. 20220622014

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on June 27, 2022

*Order of Non-Compliance issued at the August 17, 2022 hearing:

Hearing to Impose Fine/Lien

Albert Hunt was present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated that during the last inspection, November 15, 2022, Mr. Hunt was able to come to the office and fill out a pre-application for a variance but that was as far as he was able to go with the process. Staff recommendation is an Order of Non-Compliance and refer to CLCA. Chad Lingenfelter asked if that would change given, he's applied for a variance, Isiah advised it would not change. Mr. Hunt says the variance is from the structure that was built without a permit. Mr. Hunt says he will have a survey to be done in 2 weeks. Mr. Hunt does plan on finishing building the house. Isiah says the variance is for a non-conforming lot and it dates back to the 1950's and since then the ordinances have changed.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Dismissal and be referred to the Contractor Licensing and Constructions Appeals Board 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.

November 16, 2022

DAYTONA SEA BREEZE 3299 LLC

Property Location: 4043 S Atlantic Ave, Port Orange 32127

Parcel No. 631202000870 Zoning: R-9(S)

1: CEB2022195

Complaint No. 20220629029

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). Plumbing work

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on June 29, 2022

*Order of Non-Compliance issued at the September 21, 2022 hearing:

Hearing to Impose Fine/Lien

Steven Van Arnum (General Contractor) was present at the hearing for this case.

Fred Eastwood, Code Compliance, presented the case. Fred went over the case details, showing photos. Fred stated December 26, 2022 application was received for renovation to the first floor, two car garage to a game room. Pete Zahn asked Mr. Van Arnum if the proposed February 15, 2023 was enough time to get the plans and permits into place. Mr. Van Arnum stated that he is just waiting for comments from the county. The county has told him he is not legal in the State of Florida. Chad Lingenfelter advised him to check with permitting has everything cleared.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue a 1st Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the February 15, 2023, hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

VALERIE BURTON

Property Location: 1131 Avenue G , Ormond Beach 32174

Parcel No. 422901210040 Zoning: MH-5

1: CEB2022198

Complaint No. 20220809037

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. Use where not permitted. RV being used as a principal structure on a vacant lot.

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on August 12, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

Hearing to Impose Fine/Lien

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

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. Peter stated no change has been made due to Hurricane Nichole.

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 \$100.00 per day, with no cap commencing December 22, 2022 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 Hall SECONDED the motion, it CARRIED unanimously by voice vote.

BILLY N KENNEDY TR

Property Location: 12 Bruner Ct, Deland 32724

Parcel No. 701406000210 Zoning: B-4,B-4A

1: CEB2022207

Complaint No. 20220907040

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 se where not permitted in B-4 zoning. Junkyard, vehicle and RV storage. All untagged and inoperable vehicles and RV's need to be removed and the junk needs to be removed.

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on September 7, 2022

*Order of Non-Compliance issued at the October 19, 2022 hearing:

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

November 16, 2022

X. Hearings and Presentation of Filed Notices of Violations

GREGGORY JAMES CORUM

Property Location: 1 Jeanette Dr, Deland 32720

Parcel No. 701906000040 Zoning: R-4

1: CEB2021196

Complaint No. 20201105006

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. Residential renovation – Building / Mechanical / Electrical / Plumbing permitting, and inspections required. May not be a complete list.

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on June 07, 2021

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 stated there are no permits issued for the work being done. Paul Traider stated he has had no contact with resident in over a year, Mr Corum has a contractor case in the system for someone he hired to do renovations, but Paul has not had any updates in over a year.

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 16, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

JAMES KUHL

Property Location: 211 Clark St, Deltona 32725

Parcel No. 900103070050 Zoning: R-4E,R-4E(3)A,R-4EA

1: CEB2021249 Posted

Complaint No. 20210608033

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on September 4, 2021

Withdrawn

November 16, 2022

~~Vague Galstyan & Lernik Davityan~~

~~Property Location: 2624 Flowing Well Rd, Deland 32720~~

~~Parcel No. 792305000400 — Zoning: R-3~~

~~1: **CEB2021264** — Served~~

~~Complaint No. 20191227001~~

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

~~Code Compliance Officer – Isiah Pitts~~

~~Property owner was first notified of the violation on February 3, 2020~~

~~**Continued to 4-19-2023**~~

~~AMORIN PROPERTIES LLC~~

~~Property Location: 400 S Kepler Rd, Deland 32724~~

~~Parcel No. 701400000120 — Zoning: A-3, A-3C~~

~~1: **CEB2022103** — Served~~

~~Complaint No. 20220309029~~

~~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. Residential renovation. Interior / exterior renovation. Framing, siding, exterior doors, mechanical. May not be a complete list.~~

~~Code Compliance Officer – Isiah Pitts~~

~~Property owner was first notified of the violation on March 26, 2022~~

~~**Continued to 12-21-2022**~~

November 16, 2022

FAMILY REALTY PROPERTIES LLC

Property Location: 1522 S Orange Ave, Deland 32720

Parcel No. 702014001330 Zoning: R-4

1: CEB2022110 Served

Complaint No. 20220329001

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). renovations without the required permits and inspection approvals.

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on April 02, 2022

Michael Beckman (Owner and Managing Member) was present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated property was first observed on March 18, 2022 by Paul Traider. Hand delivered notice of violation to property owner on March 29, 2022. Posted Notice of Hearing on May 9, 2022. As of November 7, 2022 there has been no updates in permitting. Paul Traider stated the work in progress was observed when he stopped at the structure fire house next door. States they will need permitting for renovation, mechanical, electrical and plumbing. Michael Beckman stated he purchased this property as a tax deed in 2017. He spoke with many people from the City of Deland trying to get his road cut for his property which didn't happen. This issue is he has called Isiah, gave detailed message on the phone, asked for a call back but never heard back from him. Since he did not hear back, they pulled the windows, doors and completely boarded the property up. He is not ready to do permits at this time. Isiah requesting to see the windows that were removed. Chris Hutchison requesting for the case to be continued.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue a 8th Amended Order of Non-Compliance of Volusia County Code of Ordinances, CHAPTER 22-2, SECTIONS 105.1 AND 110.1. With a Hearing to Impose Fine is set for the April 19, 2023, hearing. After Member Zahn SECONDED the motion, it CARRIED unanimously by voice vote.

Continued to December 21, 2022

~~**GERARDO SANCHEZ & MA ESMERALDA HERNANDEZ**~~

~~**Property Location: 1550 S Orange Ave, Deland 32720**~~

~~**Parcel No. 702014001490 Zoning: R-4**~~

~~**1: CEB2022114 Served**~~

~~Complaint No. 20220329005~~

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

~~**Code Compliance Officer - Isiah Pitts**~~

~~Property owner was first notified of the violation on April 04, 2022~~

~~**Continued to 1-18-2023**~~

November 16, 2022

EQUITECH LLC

Property Location: 1017 W Euclid Ave, Deland 32720

Parcel No. 701702220160 Zoning: R-3

1: CEB2022127

Complaint No. 20220106031

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. Residential renovation. Building, electrical, plumbing & mechanical - Permitting & inspections required. May not be a complete list.

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on January 6, 2022

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 posted the violation on January 8, 2022, posted NOH on March 25, 2022. There are no permits on file.

Paul Traider stated the property needs a complete permit to do the work they have already started. He last had contact with resident in June 2022.

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 16, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

CLIFTON E & BRIANNA N PATTERSON

Property Location: 1435 Ramsey Acres Ln, Lake Helen 32744

Parcel No. 810300000025 Zoning: A-1

1: CEB2022129

Complaint No. 20220328004

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 8 SECTION 72-293 A landfill without the required permits, exemptions, and or approvals.

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on March 28, 2022

Withdrawn

2: CEB2022226

Complaint No. 20220420040

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.

Environmental Specialist II – Danielle Gadzala

Property owner was first notified of the violation on April 25, 2022

Withdraw

November 16, 2022

SERGIY G KIZIM

Property Location: 1185 3rd St, Orange City 32763

Parcel No. 800401030180 Zoning: R-4

1: CEB2022130

Complaint No. 20220405029

~~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. Residential renovation. Exterior structure — front porch. Permitting & inspections required. May not be a complete list.~~

~~**Code Compliance Officer - Isiah Pitts**~~

~~Property owner was first notified of the violation on April 11, 2022~~

Continued to 4-19-2023

DAVID A GENTILE

Property Location: 1225 4th St, Orange City 32763

Parcel No. 800401240150 Zoning: R-4

1: CEB2022176

Complaint No. 20220718050

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

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on July 18, 2022

David Gentile was present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated was first observed on February 8, 2021, hand delivered Notice of Violation and Notice of Hearing on May 4, 2021. Property was then closed out for correcting violation on July 6, 2021. Property was observed a second time on July 18, 2022. Posted Notice of Violation and Notice of Hearing on October 10, 2022. Last inspection was on November 15, 2022 and the property is still in violation. Isiah does feel they will have enough time to have things corrected. Mr. Gentile states he will have to wait for the eviction of the renters and will make the corrections as soon as possible.

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 December 16, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

LISA KILGORE

Property Location: 4151 Swamp Deer Rd, New Smyrna Beach 32168

Parcel No. 820101060290 Zoning: RA

1: CEB2022196

Complaint No. 20211025025

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 Electrical Permit #20161123050

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on May 10, 2022

Lisa Kilgore and Robert Kupkey (Agricultural Consultant) were present at the hearing for this case. Lisa Kilgore is contesting the notices. Ms. Kilgore states she is recording the hearing. Sebrina Slack advises she is entitled to record.

Fred Eastwood, Code Compliance, presented the 2 cases. Fred went over the case details, showing photos. On April 25, 2022 both cases were reassigned to Fred from Debbie Zechowitz. Fred visited the property on numerous occasions but still was not able to enter the property. Notice of Violations were sent to an address in Orlando, per the Property Appraisers office.

Lisa Kilgore stated the property is Agricultural not residential. Sebrina Slack questioned Lisa about the issues of the property, and it does show the property to be of residential because of people that stay on that property during the year.

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, 2023 and a Hearing to Impose Fine is set for the February 15, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

2: **CEB2022197**

Complaint No. 20210208020

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). Home built with no permits

Code Compliance Officer - Fred Eastwood

Property owner was first notified of the violation on May 10, 2022

Lisa Kilgore and Robert Kupkey (Agricultural Consultant) were present at the hearing for this case.

Fred Eastwood, Code Compliance, presented the 2 cases. Fred went over the case details, showing photos. On April 25, 2022 both cases were reassigned to Fred from Debbie Zechnowitz. Fred visited the property on numerous occasions but still was not able to enter the property. Notice of Violations were sent to an address in Orlando, per the Property Appraisers office.

Lisa Kilgore stated the property is Agricultural not residential. Sebrina Slack questioned Lisa about the issues of the property and it does show the property to be of residential because of people that stay on that property during the year.

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, 2023 and a Hearing to Impose Fine is set for the February 15, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

GM GLOBAL HOLDINGS LLC

Property Location: 1237 Linda Ln, Daytona Beach 32117

Parcel No. 523705000820 Zoning: R-5

1: CEB2022208

Complaint No. 20220225037

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. Residential renovation. Windows, siding/framing, int. renovations, mechanical, plumbing, HWH, electrical. Building, mechanical, electrical, plumbing permitting and inspections required. May not be a complete list.

Code Compliance Officer - Peter Hinson

Property owner was first notified of the violation on February 28, 2022

Genesis Martinez was present at the hearing for this case.

Peter Hinson, Code Compliance, presented the case. Peter went over the case details, showing photos. Peter said he saw work being done from the road. He sent an email to Paul Traider to let him know. The house was being advertised for sale as a 3 bedroom but Property Appraiser shows a 2 bedroom.

Paul Traider states there will be permits needed for various types of work.

Genesis states the contractors will be obtaining permits. He states they did not change the floor plans on the house.

Chris Hutchison recommends a full scope inspection should be done before any permits are applied for.

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 January 10, 2023 and a Hearing to Impose Fine is set for the January 18, 2023 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

~~John & Brittany Piraino & GREGORY MICHAEL DELHORNE~~

~~Property Location: 355 Van Hook Rd, Deland 32130~~

~~Parcel No. 603903000120 Zoning: A-3A~~

~~1: CEB2022213~~

~~Complaint No. 20201217047~~

~~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. Residential renovation. Permitting and inspections required for Building, Mechanical, Electrical and Plumbing renovations. May not be a complete list.~~

~~Code Compliance Officer – Robert Chayer~~

~~Property owner was first notified of the violation on October 11, 2022~~

Continued to 1-18-2023

TRSTE LLC TR / 2275 7th LAND TRUST 12-30-21

Property Location: 2275 7th Ave, Deland 32724

Parcel No. 700101420040 Zoning: R-4A

1: CEB2022215

Complaint No. 20220511014

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. Residential renovation. Structure framing. Interior renovation. Building, mechanical, electrical, plumbing - Permitting & inspections required. Issued reroof permit 20220330078. May not be a complete list.

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on May 25, 2022

Bobby Mosley, Project Manager, was present at the hearing for this case.

Robert, Code Compliance, presented the case. Robert went over the case details, showing photos. Robert stated last inspection was November 2, 2022. No permits as of November 16, 2022.

Mr Mosley stated he is waiting for the drawings to send to the county to come into compliance. Mr Mosley is asking to give him until January to have everything fixed.

Paul Trader stated there were no inspections for the roof permit. It was tagged with a stop order due to needing engineering for the roof.

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 January 10, 2023 and a Hearing to Impose Fine is set for the January 18, 2023 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

ARVM 5 LLC

Property Location: 321 Ivy Ave, Deland 32724

Parcel No. 701519010070 Zoning: R-4A

1: CEB2022216

Complaint No. 20220802012

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). Complete remodel

Code Compliance Officer - Robert Chayer

Property owner was first notified of the violation on August 06, 2022

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 complete remodel with no permits. He has had contact with resident and there is a roof permit that has been issued and a fence and mechanical permit that has been finalized. There has not been a remodel permit to date. When he went to the property the resident told them to leave and they couldn't be on their property.

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 9, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

UCCELLO SERVICES INC & ROBERT PHILLIP USCELLO

Property Location: 1407 E New York Ave, Deland 32724

Parcel No. 701106000140 Zoning: B-2CA

1: CEB2022230

Complaint No. 20220718036

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

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on August 04, 2022

Phillip Uccello present at the hearing for this case.

Danielle Gadzala, Environmental Specialist, presented the case. Danielle went over the case details, showing photos. Danielle stated this is for 3 different parcels. Mr Uccello submitted an application to combine the 3 parcels, in May 2021, to a contractor's storage yard. The parcel located at 1407 E New York is zoned B-2, the other two are zoned R-4. The application was incomplete because the parcels are zoned differently. Spoke with Mr Uccello and a potential Arborist being retained this week.

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 10 SECTION 72-834(2) With a compliance date of December 9, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

2: **20221102045**

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in a B-2 Zoning.

Code Compliance Officer – Robert Chayer

Property owner was first notified of the violation on November 3, 2022

Phillip Uccello is present at the hearing for this case.

Lori Santor is present at the hearing for this case.

Robert Chayer, Environmental Specialist, presented the case. Robert went over the case details, showing photos. Robert stated there is some contractor material and equipment stored on the property. Sebrina Slack stated this is vacant land there should be no use on the property.

Lori Santor lives behind this property and stated Mr Uccello has caused issues with her property. Sabrina Slack asked what activity she has seen on the property, she stated she does see dump trucks and other activity.

There was a roll call vote for finding Order of Non Compliance, Pete Zahn and Don Needham voted YES. Andrew Hall, Clement Nadeau and Chad Lingenfelter voted NO. A new motion was made for Dismissal, roll call vote results were Andrew Hall, Clement Nadeau, Don Needham and Chad Lingenfelter voted YES, Pete Zahn voted NO.

After discussion and based on the testimony and evidence presented, Member Hall MOVED to issue an Order of Dismissal for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

UCCELLO SERVICES INC

Property Location: Lakeview St, Deland 32724

Parcel No. 701106000130 Zoning: R-4A

1: CEB2022231

Complaint No. 20220718041

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

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on August 04, 2022

Phillip Uccello present at the hearing for this case.

Danielle Gadzala, Environmental Specialist, presented the case. Danielle went over the case details, showing photos. Danielle stated this is for 3 different parcels. Mr Uccello submitted an application to combine the 3 parcels, in May 2021, to a contractor's storage yard. The parcel located at 1407 E New York is zoned B-2, the other two are zoned R-4. The application was incomplete because the parcels are zoned differently. Spoke with Mr Uccello and a potential Arborist being retained this week.

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 10 SECTION 72-834(2) With a compliance date of December 9, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

UCCELLO SERVICES INC

Property Location: Lakeview St, Deland 32724

Parcel No. 701106000120 Zoning: R-4A

1: CEB2022232

Complaint No. 20220718042

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

Environmental Specialist II - Danielle Gadzala

Property owner was first notified of the violation on August 04, 2022

Phillip Uccello present at the hearing for this case.

Danielle Gadzala, Environmental Specialist, presented the case. Danielle went over the case details, showing photos. Danielle stated this is for 3 different parcels. Mr Uccello submitted an application to combine the 3 parcels, in May 2021, to a contractor's storage yard. The parcel located at 1407 E New York is zoned B-2, the other two are zoned R-4. The application was incomplete because the parcels are zoned differently. Spoke with Mr Uccello and a potential Arborist being retained this week.

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 10 SECTION 72-834(2) With a compliance date of December 9, 2022 and a Hearing to Impose Fine is set for the December 21, 2022 hearing. After Member Needham SECONDED the motion, it CARRIED unanimously by voice vote.

BLUE LAKE TRIANGLE HOLDING CO, LLC

Property Location: E New York Ave, Deland 32724

Parcel No. 701407000010 Zoning: B-4

1: CEB2022237

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in a B-4 Zoning.

Code Compliance Officer – Robert Chayer

Property owner was first notified of the violation on November 3, 2022

No one 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 last inspection was on November 16, 2022 and there are no RV's on site at this time. Dismissed on the current status.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Dismissal and a Order of Non Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

BLUE LAKE TRIANGLE HOLDING CO, LLC

Property Location: Deland 32724

Parcel No. 701407000440 Zoning: B-4

1: CEB2022238

Violation of CODE OF ORDINANCES, COUNTY OF VOLUSIA, CHAPTER 72
ARTICLE II DIVISION 7 SECTION 72-241 Use where not permitted in a B-4 Zoning.

Code Compliance Officer – Robert Chayer

Property owner was first notified of the violation on November 3, 2022

No one 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 last inspection was on November 16, 2022 and there are no RV's on site at this time.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to issue an Order of Dismissal and a Order of Non Compliance for violation of Volusia County Code of Ordinances CHAPTER 72 ARTICLE II DIVISION 7 SECTION 72-241. After Member Nadeau SECONDED the motion, it CARRIED unanimously by voice vote

November 16, 2022

XI. Requests for Discussion of Accumulated Fines

CEB2020028 - VANESSA BURKE PENNYMAC LOAN SERVICES LLC Posted

Complaint No. 20191212001

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). Electrical and plumbing hookups for RVS

Property Location: 1330 Niatross St, Astor 32102

Parcel No. 582802000100 Zoning: PUD

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on

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

*Final Order Imposing Fine Lien issued at the August 19, 2020 hearing:

*A Report and Affidavit of Compliance was submitted with a compliance date of August 24, 2022:

*Order of Compliance issued at the September 21, 2022 hearing:

Request for Discussion of Fine/Lien of \$12,000.00

Lynn Lewis present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated staff recommendation is to reduce the fines by half.

Lynn Lewis stated they did bring the property into Compliance once they were able to finalize the foreclosure. They sent a request asking for a 90% reduction in fines.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to Reduce the fine to \$1,200 payable within 30 days, once payment is received the Board will 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 Nadeau SECONDED the motion, it CARRIED unanimously by voice vote.

November 16, 2022

CEB2020188 – VANESSA BURKE PENNYMAC LOAN SERVICES LLC Posted

*****REPEAT VIOLATION*****

Complaint No. 20200903062

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: 1330 Niatross St, Astor 32102

Parcel No. 582802000100

Zoning: PUD

Code Compliance Officer - Isiah Pitts

Property owner was first notified of the violation on

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

*A Report and Affidavit of Compliance was submitted with a compliance date of August 24, 2022:

*Order of Compliance issued at the September 21, 2022 hearing:

Request for Discussion of Fine/Lien of \$72,000.00

Lynn Lewis present at the hearing for this case.

Isiah Pitts, Code Compliance, presented the case. Isiah went over the case details, showing photos. Isiah stated staff recommendation is to reduce the fines by half. Lynn Lewis stated they did bring the property into Compliance once they were able to finalize the foreclosure. They sent a request asking for a 90% reduction in fines.

After discussion and based on the testimony and evidence presented, Member Zahn MOVED to Reduce the fine to \$7,200 payable within 30 days, once payment is received the Board will 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 Hall SECONDED the motion, it CARRIED unanimously by voice vote

XII. New Business

- A. Tally Sheets (Quarterly)
- B. As Entertained by Chairman
- C. As Entertained by Board Attorney
- D. As Entertained by Staff Attorney – There are no applications for Board Members
- E. As Entertained by Staff

XIII. Adjournment

There being no further business to discuss before the Board, the meeting adjourned at 11:55 am.

Respectfully submitted,

Jacque Fleming
Code Enforcement Board Clerk

November 16, 2022

CERTIFICATE

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

I, Jacquie Fleming, 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 November 16, 2022 at 123 West Indiana Avenue, Deland, Florida.

WITNESS MY HAND this 16th day of November, 2022, in the City of DeLand, County of Volusia, State of Florida.

**Jacquie Fleming
Code Board Clerk**

October 19, 2022